Enrolled Minutes of the Eleventh Regular Meeting or Special Meeting For the Thirtieth Highland Town Council Regular Plenary Business Meeting (In person) Monday, June 10, 2024

The Thirtieth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, June 10, 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. Councilor George Georgeff, Councilor Doug Turich, Councilor Alex Robertson, 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 Philip Scheeringa presided over the meeting. The Town Clerk-Treasurer, Mark Herak, was present to memorialize the proceedings. The meeting was opened with Councilor Philip Scheeringa reciting the Pledge of Allegiance to the Flag of the United States of America and offering a offered a prayer.

Roll Call: Present on roll call were Councilors George Georgeff, Doug Turich, Alex Robertson, 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 & Bilse; Redevelopment Director Maria Becerra; Mike Pipta, Fire Chief; Ed Dabrowski, Director of Information Technology, Kenneth J. Mika, Building Commissioner, Mark Knesek, Public Works Director were present.

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

Minutes of the Previous Meetings: The minutes of the May 28, 2024 Plenary meeting were approved by general consent.

Special Orders:

1. **Consideration of Proposed Additional Appropriations**: (controlled and non-controlled funds): Proposed Additional Appropriations in Excess of the 2024 Budget for the VIPS/Parks Public Safety Fund in the amount of $26,822.

(a) Attorney verification of Proofs of Publication: The TIMES 30 May 2024.

THE TIMES MEDIA COMPANY nwi.com

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

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

State of New Jersey, County of Hudson, ss:

I, Laquansay Nickson Watkins, 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:
- May 30, 2024

Notice ID: bMrzgJOJH1UHnZE9V3Ut
Publisher ID: 102454
Notice Name: VIPS/Park Public Safety Fund

Publication Fee: $36.27

Laquansay Nickson Watkins
Agent

SHANNEA H HOLMES
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires August 1, 2026

VERIFICATION

State of New Jersey
County of Hudson

Signed or attested before me on this: 05/30/2024

Shannea H Holmes
Notary Public

Notarized remotely online using communication technology via Proof.

**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 **10th day of June 2024**, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

VIPS/Parks Public Safety Fund

Acct. 2501-0000-410.01 VIPS Special Purchase Vehicle	$26,822.00
Total 400 Series:	**$ 26,822.00**
TOTAL for the FUND:	**$26,822.00**

Funds to support these additional appropriations in the **VIPS/Parks Public Safety 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. 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
Philip Scheeringa, President**

**By: Mark Herak
Clerk-Treasurer**
5/30 - 102454

HSPAXLP

(b) **Public Hearing:** There were no comments from the public

c) Action on **Appropriation Enactment No. 2024-10**: An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the **VIPS/Parks Public Safety Fund,** all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5

Councilor Georgeff introduced and moved for the consideration of Appropriation Enactment No. 2024-10 at the same meeting of its introduction. Councilor Turich 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 Georgeff moved for the passage adoption of Appropriation Enactment No. 2024-10 at the same meeting of its introduction. Councilor Turich 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. 2024-10

AN ENACTMENT APPROPRIATING ADDITIONAL MONIES IN EXCESS OF THE ANNUAL BUDGET for the VIPS/PARK PUBLIC SAFETY 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 **VIPS/Park Public Safety 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 **VIPS/Park Public Safety Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

VIPS/PARKS PUBLIC SAFETY FUND

Acct. 2501-0000-410.01	VIPS Special Purchase Vehicle	$26,822.00

Total 400 Series:	**$ 26,822.00**
TOTAL for the FUND:	**$26,822.00**

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 6-1.1-18.

Section 3. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq*.

Introduced and Filed on 10th day of June 2024. Consideration on same day or at same meeting of introduction sustained a vote of in favor and opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 10th Day of June 2024, 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

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

ATTEST:

____
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 Request by Hani Abu Eid, as represented by Attorney Mark Andersen of Andersen & Andersen, P.C. Law Firm, for the location commonly referred to as 3949 Ridge Road, for the purpose of allowing the petitioner the use of the location for a used car sales dealership. The Petitioner is requesting a Use Variance to establish a Used Car Sales Dealership that sells 100% Used Cars. HMC Section 18.45.30 (A)(57) "Permitted Uses" requires a use variance. The property is located in a B-3 General Business District, in which motor vehicle sales, including servicing and repairs conducted in conjunction therewith, are permitted, provided a minimum of 50% of the sales area is dedicated to new vehicle sales.

The Town of Highland Advisory Board of Zoning Appeals by a vote of five (5) in favor and zero opposed acted to **UNFAVORABLY recommend the request for the use variance.** The ABZA met in regular session on Wednesday, April 24, 2024. The findings of fact were memorialized and were approved by the Advisory Board of Zoning Appeals at its Meeting of May 22, 2024. (90 days ends 21 August 2024). This tolls from the making of the recommendation which could be the meeting at which the ABZA acts not when filed.

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

(A) *Opportunity for Comment.* The petitioner, Hani Abu Eid was present and was represented by his attorney, Mark Anderson of Anderson & Anderson. P.C, who gave the Council a new rendering of what the petitioner was proposing and gave the following presentation:

Town Council Meeting June 10, 2024
3333 Ridge Road, Highland
6:30 p.m.

Petitioner: Hani Abu Eid
Owner: OLB LLC, which has consented to the request made this evening.
(BZA Meeting on April 24, 2024)

Petition for Use Variance for the property located at 3949 Ridge Road to allow for motor vehicle sales where 100% of the sales would be pre-owned vehicles. This request is to vary Section 18.45.030(57), which allows requires at least 50% new vehicle sales.

The property is currently zoned B-3, and has sat vacant for about four years since Fannie Mae ceased doing business there. The Owner is interested in moving forward with this lease as the Owner has faced a hardship getting the property leased since Fannie Mae left. In fact, they have looked at about a dozen other options for the property, but the configuration of the land and building do not allow for coffee shops or restaurants with drive up services. The Owner has had interested parties to put in fireworks stores, tobacco and vape stores, or service stations, but the volume of traffic would be greater for these uses and Petitioner's proposed pre-owned vehicle business would be a better fit for the property.

In this regard, Petitioner is the owner of another successful pre-owned newer vehicle sales location on Broadway in Merrillville. At this location, Petitioner sells 30 to 50 cars per month, and averages 3 to 10 customers per day, as most customers shop online. The Petitioner expects this same limited traffic at this location in selling recent pre-owned vehicles.

The Petitioner is a premier lending broker for banks such as Capital One, which has strict requirements for car dealers to become a broker, and the Petitioner would like to make this location its flagship store.

The BZA's most significant concern in reviewing this matter appeared to be that the Petitioner and Owner did not plan significant renovations to improve the exterior of the former Fannie Mae building at this key location in the Town. The revised Plan for the property would be to significantly renovate the exterior of the building with new sleek black exterior, adding modern decorative awnings and increasing the height and presence of the building. The end result would be to turn an eye sore of a building into an eye-catching focal point for the area.

There would also be new LED lighting to the existing parking lot, as well as seal coating the asphalt. In the interior of the building, Petitioner would repaint and install new flooring and LED lighting, along with new furniture and touch screen computer technology for completing purchases.

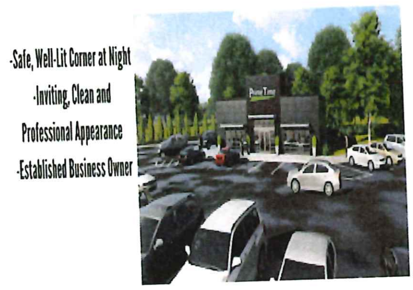
No repair or service activities are requested at this 3949 Ridge Road location, as the Petitioner will be able to complete such work at Petitioner's other location. Petitioner would be willing to consent to a no repair or service requirement at this location in order for the BZA to recommend the use variance we are requesting.

To avoid permanently granting this use variance, Petitioner willing to agree to having the use variance be restricted to petitioner or his family members or affiliates or companies owned by or affiliated with petitioner or his family members only and to no other persons at this location only. This type of use variance limitation is common in Merrillville among other municipalities in the area.

As a result of the foregoing and the dramatic proposed improvements to be made to the property in facilitating this use for the benefit of the people of Highland, we request that you approve the Petitioner's use variance request.

Thank you.

3949 Ridge Rd, Highland, IN



Discussion:

Councilor Robertson asked if the rendering presented by the petitioner is new or different than that presented at the public hearing at the BZA? He was advised that it was significantly different. Councilor Robertson then asked if this matter shouldn't be referred back to the BZA, as the presentation was significantly different than that was presented at the BZA. He said it sounded to him that the denial was not only the use but the improvements to the property. He said if the Council acted upon it, the Council would be voting on a concept completely different than what was denied at the BZA.

Councilor Turich said he agreed with Councilor Robertson 100% and this should be sent back to the BZA and this presentation from the petitioner.

Attorney Reed said that the findings of fact were approved by the BZA and the 90 day clock is running. He said the petitioner would have to waive any argument that the use variance would be deemed approved given the passage of time. Attorney Reed ask the petitioner if he would be willing to waive the time frame and agree to do it on the record. If the Council votes to approve the denial, the petitioner would have to wait a full year before they could re-petition the BZA.

Councilor Scheeringa said he didn't feel the Council could act upon it because the presentation today is different than the presentation given at the BZA. We have the BZA in place for a reason. We want them to hear these issues and provide us with their input. That is their role. They know the zoning better than he did.

Attorney Anderson asked for a few minutes to talk with his client because they have a letter of intent on the property and they are running short on time. He came back within a few minutes and said his client would waive the ninety (90) days.

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

(B) Action on the Recommendation:

Councilor Robertson moved to send the petition back to the BZA for further consideration, with the ninety (90) requirement being waived by the petitioner. Councilor Turich seconded.

Upon a roll call vote of the elected officials, there were four (4) affirmative votes and one (1) negative vote with Councilors Georgeff, Turich, Robertson, Scheeringa voting in the affirmative and Councilors Black voting in the negative. The motion passed. The petitioner was sent back to the Advisory Board of Zoning Appeals and start the process over with the new renderings, waiving the ninety (90) day requirement.

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

May 23, 2024

Phillip Scheeringa, President
Highland Town Council
3333 Ridge Road
Highland, IN 46322

RE: ABZA FINDINGS OF FACT CONCERNING A USE VARIANCE REQUEST BY HANI ABU EID, AS REPRESENTED BY THE ATTORNEY MARK ANDERSEN, ANDERSEN & ANDERSEN, P.C. LAW FIRM, FOR THE LOCATION COMMONLY REFERRED TO AS 3949 RIDGE ROAD, FOR THE PURPOSE OF ALLOWING THE PETITIONER THE USE OF THE LOCATION FOR A USED CAR SALES DEALERSHIP. THE PROPERTY IS LOCATED IN A B-3 GENERAL BUSINESS DISTRICT, IN WHICH MOTOR VEHICLE SALES, INCLUDING SERVICING AND REPAIRS CONDUCTED IN CONJUNCTION THEREWITH, ARE PERMITTED, PROVIDED A MINIMUM OF 50% OF THE SALES AREA IS DEDICATED TO NEW VEHICLE SALES.

The Town of Highland Advisory Board of Zoning Appeals met in regular session on Wednesday, April 24, 2024. As part of their agenda, by a vote of five (5) in favor and zero (0) opposed, the Board voted to send an **Unfavorable Recommendation** to the Town Council for the petitioner's Use Variance request.

Please find attached the prepared Findings of Fact and meeting minutes for said hearing for this petition. The file content can be made available upon request. The attached Findings were memorialized at the May 22, 2024 ABZA meeting. This matter can now be acted upon by the Town Council. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Kenneth J. Mika
Zoning Administrator

Cc: Town Council
Mark Herak
John Reed
Attached: Findings of Fact
4/24/24 Meeting Minutes

HIGHLAND BOARD OF ZONING APPEALS

Petitioner:
Hani Abu Eid
c/o Mark Anderson
Anderson & Anderson, P.C.
9211 Broadway
Merrillville, Indiana 46410

Property Location:
3949 Ridge Road
Highland, IN 46322

FINDINGS OF FACT FOR UNFAVORABLE RECOMMENDATION OF A USE VARIANCE IN A B-3 ZONING DISTRICT

1) The Petitioner is requesting a Use Variance to establish a Used Car Sales Dealership that sells 100% Used Cars at the location of 3949 Ridge Road. This proposed use requires a use variance from HMC 18.45.30 (A) (57) "Permitted Uses. The following listed uses and no others are permitted uses in a B-3 district: (A) Retail and service uses, as follows: (57) Motor vehicle sales, including servicing and repairs conducted in conjunction therewith, provided a minimum of 50 percent of the sales area is dedicated to new vehicle sales." The ability to obtain a use variance from this section of the HMC is contained in HMC 18.45.040, under the procedures found in HMC 18.115.050.

2) This matter came before the Highland Board of Zoning Appeals for public hearing on April 24, 2024. Petitioner appeared in person and by attorney Mark Anderson. Petitioner presented proof of notice and publication as required by law.

3) Chairperson Murovic asked attorney John Reed if the proofs of publication were in order. Mr. Reed stated that the Proof of Publication was in order, and that the same was properly published for the meeting of April 24, 2024. Additionally, staff confirmed that the signage was correctly posted on the subject property.

4) The Petitioner and the Petitioner's representatives then made the presentation for the requested use variance as shown on Exhibit A, hereto.

5) Chairperson Murovic then opened the meeting to the public. Hearing no remonstrance, Chairperson Murovic closed the meeting to the public and brought the discussion back to the Board of Zoning Appeals.

6) Board Member Helms stated that the Board appreciated that this was a difficult property, but that this use was something that they had seen a lot and there were several other properties in Highland that were also having a difficult time finding the correct use. Mr. Helms added that other businesses had been turned down by the Board because the Board didn't feel that the proposed use was the right use for the Town. Mr. Helms further stated that this was not a unique situation for the Board. Chairperson Murovic stated that the property was one of the entrances into the Town and that she didn't see any of the improvements mentioned by the Petitioners making a lot of difference to this

property. Chairperson Murovic continued to say that sealcoating the parking lot wasn't necessarily a capital improvement, and that she would consider this to be maintenance of a parking lot, and the bare minimum, at that. Mr. Znika replied that even though his client wasn't making a major investment by tearing down the building and other major construction, he was willing to make improvements to the lot and the building that would make it much less of an eyesore than it currently was. He also pointed out that his client didn't own the building or property, but he was willing to make a substantial investment because he wanted it to be presentable. Chairperson Murovic stated that since Mr. Eid wanted this to be a flagship store, the proposed improvements didn't seem enough to really improve that corner, and that the Town wanted more than just a reduced eyesore for an entrance into the Town. Chairperson Murovic expressed her feeling that there were not sufficient capital improvements to make a significant difference and pointed out that there was not room for 50% new car sales on this property, so it wouldn't qualify for car sales. Mr. Znika responded by pointing out that there had been so many others interested in this property, and that a coffee shop might be a much more pleasing business to see at an entrance to the Town, but that such a use just would not fit the property, due to the size of the lot and the parking situation. Mr. Znika added that it may be a very long time before another use would work as well as the one being proposed by the petition. Mr. Anderson added that they would be happy to make a condition with the use variance that the business would sell only cars that were 6 years old or less, and they would all be high-end vehicles. Mr. Znika stated that a concern he had heard mentioned previously was about the trucks delivering the vehicles. He said they had considered that not to be a problem because the ingress and egress access was ample to accommodate the trucks, and all the deliveries made would be after hours, so it would not affect the traffic flow. They also felt there was plenty of room in the parking lot itself for a large truck to get from one side to the other and still had room for cars to get by if needed. Mr. Znika also mentioned that when they were at the property previously, for a total of approximately 45 minutes, about 4 or 5 cars cut through the property to bypass the lights and that their business would help to prevent that from happening. Mr. Scannell stated that the part of the existing property with the landscaping that was located on the outside corner was owned by the Town and was not part of the property his company owned.

8) Board Member Smith motioned to give an unfavorable recommendation to the Town Council for the Use Variance requested by Petitioner for the used car dealership. Board Member Thomas seconded the motion, and the motion received a unanimous vote of five (5) in favor and none (0) opposed.

9) Pursuant to the testimony and facts submitted to the board, which are a part of the record herein, the Board of Zoning Appeals makes the following Findings of Fact:

A. The Town of Highland Zoning Ordinance, HMC 18.45.30 (A) et seq. lists the uses and limitations of uses permitted in the B-3 Zoning District.

B. Unless a Use Variance is granted, the subject property could not be utilized as a used car dealership as the same is not permitted in the B-3 Zoning District.

C. Due to the fact that most of the surrounding properties are dissimilar in nature, and the proposed Use Variance would change the general nature of use for the subject property from its current status within the B-3 Zoning District, create potential hazards for the public, and generally be of a character different and deleterious to the other uses in the immediate vicinity, the Petitioner's request is unreasonable.

D. That the proposed Use Variance would subvert the general purposes served by the Highland Zoning Ordinance, (HMC 18.45.30), would materially or permanently injure other property or uses in the same zoning district and vicinity, and would be injurious to the public health, safety, morals and general welfare of the community.

E. That the proposed use is not compatible with the allowable uses and layout of the subject property in general, or the other similarly situated properties in the area, and the proposed use will adversely affect neighboring properties.

WHEREFORE, based upon the above Findings of Fact, the Highland Board of Zoning Appeals, by a vote of five (5) in favor and none (0) opposed, voted to MAKE AN UNFAVORABLE RECOMMENDATION to the Highland Town Council for the Use Variance requested. Action taken to give UNFAVORABLE RECOMMENDATION to the Town Council on April 24, 2024. Findings of Fact approved the 22nd day of May, 2024.

TOWN OF HIGHLAND
BOARD OF ZONING APPEALS

Susan Murovic, Chairperson
Town of Highland Board of Zoning Appeals

EXHIBIT A

Chairperson Murovic asked if there was anyone present to present the petition. Attorney, Mr. Mark Anderson of Anderson and Anderson, P.C., 9211 Broadway, Merrillville, IN 46410, stepped forward and introduced himself and said he would be representing the petitioner. He added that the owner of the property was OLB, LLC, and that they consented to this Use Variance appeal by Mr. Eid. He continued that the car sales in question would be 100% pre-owned vehicles, adding that it was a B-3 zoned district and had been vacant for 4 years since Fannie May had ceased doing business there. It had caused a hardship for the owner of the property, and he was here this evening to discuss the difficulties they had encountered in trying to find a new tenant for this property. He stated that the petitioner was experienced in pre-owned vehicle sales, and he owned several other successful pre-owned vehicle sales locations and that his location in Merrillville sells approximately 30 – 50 cars per month, averaging about 3 to 5 customers per day. He continued that the customers usually shopped online first and knew exactly what they were looking for by the time they arrived at his dealership; because of this, they did not anticipate much in the way of increased traffic flow at the location, due to the limited activity. He stated that the petitioner was a premier broker for banks such as Capitol One, so could provide financing immediately at the location where he conducts business, and also works with the Indiana Secretary of State to ease the issuing of title documentation. He then spoke about the work Mr. Eid planned to do to refresh the exterior of the building and the parking lot, referring to the packets he had provided to the Board showing the property as it exists and how it would look with the proposed changes. He then gave more details, saying this would include painting the exterior of the building, adding new LED lighting that would meet all the current Town Code requirements for minimizing excess light pollution, and sealcoating the parking lot with asphalt. In the interior of the building, he planned to paint, add new flooring, LED lighting, along with new furniture and computer touch-screen technology, in order to avoid much of the mundane pen and paper signing, which could be taken care of with this computer technology. Because of the fact that they were aware that this business may be a sensitive issue, Mr. Anderson added that the petitioner would be happy to have a condition included with his Use Variance that would state that there would be no repair service activities performed at this location, as he had another location where any repairs could be completed. Mr. Anderson then stated that Mr. Eid would also be willing to have a condition stating that the Use Variance be provided to the petitioner, to his affiliates and to his family members only and to no others at this location, which would eliminate any potential future issues with permanently providing this kind of a Use Variance. Mr. Anderson then asked one of the owners to elaborate on some of the hardships that they had faced in trying to find suitable businesses to work at this location.

Mr. Peter Scannell, Senior Vice President of Mid-America Asset Management, Inc., One Parkview Plaza, Oakbrook Terrace, IL 60181, stepped forward and introduced himself. He continued to explain that his company owns the portfolio of Fannie Mays and the unique thing about these corners, which almost all of them are on, is that in their prior life back in the 1950's they were all service stations. The portfolio consisted of 25 free-standing buildings, all of which were former service stations. When Fannie May bought these properties and opened the candy stores, they went into bankruptcy and his company partnered with a candy company to buy the real estate and Fannie May got the intellectual properties division. Since Fannie May didn't choose to keep this particular location, it had been a challenge for them because of its proximity to the corner and the way it faces out towards the corner, but the configuration of the land doesn't necessitate things like coffee shops, but you can't get the cars stacked correctly to get it through the Village Hall. They have had interested parties with businesses such as service stations, fireworks, tobacco and vape shops, but there were problems with most, usually to do with size of lot and parking. He added that they had spent approximately 9 months to a year and a half obtaining an NFR (No Further Action) letter, which was a big expense for them. He added that the service station wasn't their first choice, but this petitioner has a proposal that is low parking intensive and wouldn't generate any back up into the arterial streets. He continued that they had gone down the road with at least a dozen different options for this property since the property was vacated and admitted that it was a busy corner, but that they felt this used car sales use would be an effective one at this property.

Mr. Danek Znika, a Realtor-Broker with Brokerworks Real Estate Group, 9 Lincolnway, Valparaiso, IN 46383, stepped forward and introduced himself and stated he was also representing Mr. Eid. He continued to state that the best use for this property was a car dealership just because of the ingress and egress on the lot. He stated that Mr. Eid would be operating during the hours of 10:00 a.m. – 7:00 p.m. Monday through Friday and 10:00 a.m – 6:00 p.m. Saturdays. Because of the hours, they would avoid the morning rush hour traffic because the property is closed, and because the business would be open until 7:00 p.m., the business would close well after the evening rush hour. He then stated it would be closed on Sundays, so there would be no traffic going in and out on Sunday. The business would be point-of-sale, with approximately 3 – 10 customers on a good day, and the building is 1,855 square feet. Since there were approximately 30 parking spaces for a building this size, he felt the property didn't lend itself to accommodate any other business other than this used car sales dealership. He added that it made more sense that the lot with the parking spaces be used for inventory, rather than a busier business that actually needed the parking spaces for customers. Mr. Znika explained that Mr. Eid has had another business in Merrillville for the past 10 years and was a successful businessman. He added that Mr. Eid wanted this Highland location to be his flagship dealership, with all models dating from 2018 to 2023, and all being higher end vehicles. He added that the requirement of the Town Code stating that 50% of the vehicle sales be new cars was not feasible on this corner because of the space requirements that would present. He continued to say that he felt the purpose of this rule would be to make the car sales of a higher caliber, and that is exactly what Mr. Eid would be doing, with none of the cars being more than six years old. He went on to say that since it is a main thoroughfare in Highland, that they wanted it to present as such, and pointed out that currently it is not; it is an eyesore. When his client comes in and makes the capital improvements he plans, it will be much improved with nice landscaping and it will be well lit, which will deter any questionable activities there. He concluded that they felt that this use would be an asset to Highland and to its residents.

EXHIBIT A

HIGHLAND BOARD OF ZONING APPEALS
Minutes of the Meeting of
April 24, 2024

The Highland Board of Zoning Appeals met in the meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, IN 46322 on April 24, 2024. Mrs. Murovic called the meeting to order at 6:30 p.m. The meeting opened with the Pledge of Allegiance led by Commissioner Wright.

ROLL CALL: Present were Commissioners Helms, Murovic, Smith, Thomas, and Wright. Also in attendance was the Town Council Liaison, Mr. Doug Turich, and the Town Attorney, Mr. John Reed

MINUTES: The minutes of the March 27, 2024, meeting were approved as posted.

ANNOUNCEMENTS: The date of the next Board of Zoning Appeals meeting will be May 22nd, 2024.

COMMUNICATIONS: None.

Old Business: Continued Public Hearing for Daniel & Aziza Gil, 3349 Franklin Avenue, Highland, IN, requesting a Variance for their attached garage in their proposed new Single-Family Residence at 8549 Liable Road, Highland, IN. The proposed garage would exceed the accessory structure allowance of 720 square feet and would not meet the garage setback requirements. {HMC 18.05.060} (F) (5) Interpretation and application – Supplementary district regulation. Accessory Buildings. In Zoning District R-1A, R-1, R-2, or R-3. The summation of the gross floor area of all accessory structures shall not exceed the gross floor area of the principal structure, or 720 square feet, whichever is less. {HMC 18.15.080} (K) (1) Design Standard: (K) Single Family Residence Garages shall be designed so as not to dominate the primary façade of the building. Garages may be located as follows: (1) Garages shall be set back six feet from the primary façade of the building.

Mrs. Murovic asked if there was anyone present to represent this petition. Mr. Daniel Gil stepped forward and introduced himself and his wife, Aziza Gil. He stated that since the last meeting, they had changed the design of their proposed new construction and had gone with a more traditional, front-load, three-car garage and were now asking for only one variance for the total square footage of their garage, which had changed from 1,033 square feet with the original design, to 1,010 total square feet with the revised design. He added that they were requesting 290 square feet in addition to the allowed 720, to give them the tandem effect for the additional storage that they would require. Mr. Gil continued that they wanted to stay in Highland for various reasons explained in March's meeting, and that they were hoping to build the home and be in by this coming Christmas, although he had some doubts about that transpiring at this point. Mrs. Aziza Gil added that when they returned home from the last meeting, they reconsidered the plan and felt that this more traditional design would be best for them, it would also fit the lot better and fit in with the neighborhood in a more appropriate way than the other design did. She added that they wanted to utilize the extra storage space with the double-open tandem design in the garage instead of adding a shed at a later date, and they also felt it would look much better and be tidier to have it all contained inside than adding a shed to the outside. They also stated that they wanted to keep the view they have of the woods and the trees in the back as green space, rather than spoiling it with a shed. Mr. Gil added that it would be much more aesthetically pleasing for the neighborhood this way. He finished by saying that the new design met the setbacks and brought the house forward quite a bit to give them additional yard and green space in the rear and was also more in line with the other nearby homes.

Mrs. Murovic opened the meeting to the public. Hearing no remonstrance, she closed the public meeting and brought the discussion back to the Board. Mr. Helms asked what the total square footage of the new garage would be. Mr. Gil responded that it would be 1,010 square feet. Mr. Thomas asked what would be stored in the extra garage space. Mr. Gil responded that they would be storing outdoor lawn equipment and possibly one day, he hoped, a classic muscle car. Mrs. Murovic confirmed that the space would be used strictly for personal items, and there would be no construction equipment stored there, as he was in the construction business. Mr. Gil replied that he would not be storing any construction equipment or materials in the home garage, and that he was a Construction Manager, so there would be no need for him to do so.

Mr. Helms motioned to approve the developmental variance for the Gils garage to be constructed as the new design showed, at 1,010 total square feet, which was 290 square feet over the allowance of 720 square feet. Ms. Smith seconded, and the motion passed unanimously with a 5 – 0 roll call vote.

New Business: Public Hearing for Hani Abu Eid, 2020 E 109th Place, Crown Point, IN, requesting a Use Variance to establish a Used Car Sales Dealership that sells 100% Used Cars at the location of 3949 Ridge Road. {HMC 18.45.30} (A) (57) Permitted Uses. The following listed uses and no others are permitted uses in a B-3 district: (A) Retail and service uses, as follows: (57) Motor vehicle sales, including servicing and repairs conducted in conjunction therewith, provided a minimum of 50 percent of the sales area is dedicated to new vehicle sales.

Town Attorney Mr. Reed had previously confirmed via email to recording secretary, Susan Rae, that this petitioner's Proof of Publication was published correctly, and in a timely manner. Susan Rae had also previously received proof and a photograph from Code Enforcement Officer, Mr. Carl Porter, of the correct and effective sign posting.

Mrs. Murovic asked if there was anyone present to present the petition. Attorney, Mr. Mark Anderson of Anderson and Anderson, P.C., 9211 Broadway, Merrillville, IN 46410, stepped forward and introduced himself and said he would be representing the petitioner. He added that the owner of the property was OLB, LLC, and that they consented to this Use Variance appeal by Mr. Eid. He continued that the car sales in question would be 100% pre-owned vehicles, adding that it was a B-3 zoned district and had been vacant for 4 years since Fannie May had ceased doing business there. It had caused a hardship for the owner of the property, and he was here this evening to discuss the difficulties they had encountered in trying to find a new tenant for this property. He stated that the petitioner was experienced in pre-owned vehicle sales, and he owned several other successful pre-owned vehicle sales locations and that his location in Merrillville sells approximately 30 – 50 cars per month, averaging about 3 to 5 customers per day. He continued that the customers usually shopped online first and knew exactly what they were looking for by the time they arrived at his dealership; because of this, they did not anticipate much in the way of increased traffic flow at the location, due to the limited activity. He stated that the petitioner was a premier broker for banks such as Capitol One, so could provide financing immediately at the location where he conducts business, and also works with the Indiana Secretary of State to ease the issuing of title documentation. He then spoke about the work Mr. Eid planned to do to refresh the exterior of the building and the parking lot, referring to the packets he had provided to the Board showing the property as it exists and how it would look with the proposed changes. He then gave more details, saying this would include painting the exterior of the building, adding new LED lighting that would meet all the current Town Code requirements for minimizing excess light pollution, and sealcoating the parking lot with asphalt. In the interior of the building, he planned to paint, add new flooring, LED lighting, along with new furniture and computer touch-screen technology, in order to avoid much of the mundane pen and paper signing, which could be taken care of with this computer technology. Because of the fact that they were aware that this business may be a sensitive issue, Mr. Anderson added that the petitioner would be happy to have a condition included with his Use Variance that would state that there would be no repair service activities performed at this location, as he had another location where any repairs could be completed. Mr. Anderson then stated that Mr. Eid would also be willing to have a condition stating that the Use Variance be provided to the petitioner, to his affiliates and to his family members only and to no others at this location, which would eliminate any potential future issues with permanently providing this kind of a Use Variance. Mr. Anderson then asked one of the owners to elaborate on some of the hardships that they had faced in trying to find suitable businesses to work at this location.

Mr. Peter Scannell, Senior Vice President of Mid-America Asset Management, Inc., One Parkview Plaza, Oakbrook Terrace, IL 60181, stepped forward and introduced himself. He continued to explain that his company owns the portfolio of Fannie Mays and the unique thing about these corners, which almost all of them are on, is that in their prior life back in the 1950's they were all service stations. The portfolio consisted of 25 free-standing buildings, all of which were former service stations. When Fannie May bought these properties and opened the candy stores, they went into bankruptcy and his company partnered with a candy company to buy the real estate and Fannie May got the intellectual properties division. Since Fannie May didn't choose to keep this particular location, it had been a challenge for them because of its proximity to the corner and the way it faces out towards the corner, but the configuration of the land doesn't necessitate things like coffee shops, but you can't get the cars stacked correctly to get it through the Village Hall. They have had interested parties with businesses such as service stations, fireworks, tobacco and vape shops, but there were problems with most, usually to do with size of lot and parking. He added that they had spent approximately 9 months to a year and a half obtaining an NFR (No Further Action) letter, which was a big expense for them. He added that the service station wasn't their first choice, but this petitioner has a proposal that is low parking intensive and wouldn't generate any back up into the arterial streets. He continued that they had gone down the road with at least a dozen different options for this property since the property was vacated and admitted that it was a busy corner, but that they felt this used car sales use would be an effective one at this property.

Mr. Danek Znika, a Realtor-Broker with Brokerworks Real Estate Group, 9 Lincolnway, Valparaiso, IN 46383, stepped forward and introduced himself and stated he was also representing Mr. Eid. He continued to state that the best use for this property was a car dealership just because of the ingress and egress on the lot. He stated that Mr. Eid would be operating during the hours of 10:00 a.m. – 7:00 p.m. Monday through Friday and 10:00 a.m – 6:00 p.m. Saturdays. Because of the hours, they would avoid the morning rush hour traffic because the property is closed, and because the business would be open until 7:00 p.m., the business would close well after the evening rush hour. He then stated it would be closed on Sundays, so there would be no traffic going in and out on Sunday. The business would be point-of-sale, with approximately 3 – 10 customers on a good day, and the building is 1,855 square feet. Since there were approximately 30 parking spaces for a building this size, he felt the property didn't lend itself to accommodate any other business other than this used car sales dealership. He added that it made more sense that the lot with the parking spaces be used for inventory, rather than a busier business that actually needed the parking spaces for customers. Mr. Znika explained that Mr. Eid has had another business in Merrillville for the past 10 years and was a successful businessman. He added that Mr. Eid wanted this Highland location to be his flagship dealership, with all models dating from 2018 to 2023, and all being higher end vehicles. He added that the requirement of the Town Code stating that 50% of the vehicle sales be new cars was not feasible on this corner because of the space requirements that would present. He continued to say that he felt the purpose of this rule would be to make the car sales of a higher caliber, and that is exactly what Mr. Eid would be doing, with none of the cars being more than six years old. He went on to say that since it is a main thoroughfare in Highland, that they wanted it to present as such, and pointed out that currently it is not; it is an eyesore. When his client comes in and makes the capital improvements he plans, it will be much improved with nice landscaping and it will be well lit, which will deter any questionable activities there. He concluded that they felt that this use would be an asset to Highland and to its residents.

Mrs. Murovic opened the meeting to the public. Hearing no remonstrance, she closed the public meeting and brought the discussion back to the Board. She also pointed out that this was a Use Variance, and the Boards' purpose this evening was to give a recommendation to the Town Council, and that it would be ultimately up to the Town Council to make a final determination for this use.

Mr. Helms stated that the Board appreciated that this was a difficult property, but that this use was something that they had seen a lot and there were several others in Highland that were also difficult to find the right use for. He added that other businesses had been turned down by the Board because they didn't feel it was the right use for the Town. He stated that this was not a unique situation for them. Mrs. Murovic stated that the property was one of the entrances into the Town and that she didn't see any of the improvements they had mentioned making a lot of difference to this property. She continued to say that sealcoating the parking lot wasn't necessarily a capital improvement, and that she would consider this to be maintenance of a parking lot, and the bare minimum, at that. Mr. Znika replied that even though his client wasn't making a major investment by tearing down the building and other major construction, he was willing to make improvements to the lot and the building that would make it much less of an eyesore than it currently was. He also pointed out that his client didn't own the building or property, but he was willing to make a substantial investment because he wanted it to be presentable. Mrs. Murovic stated that since Mr. Eid wanted this to be a flagship store, the proposed improvements didn't seem enough to really improve that corner, and they wanted more than just a reduced eyesore for an entrance into the Town. She felt there were not sufficient capital improvements to make a significant difference and pointed out that there was not room for 50% new car sales on this property, so it wouldn't qualify for car sales. Mr. Znika pointed out that there had been so many others interested in this property, and that a coffee shop might be a much more pleasing business to see at an entrance to the Town, but that they just would not fit there, due to the size of the lot and the parking situation. He added that it may be a very long time before another use would work as well as this one. Mr. Anderson added that they would be happy to make a condition with the Use Variance that the business sell only cars that were 6 years old or less, and they all be high-end vehicles. Mr. Znika stated that a concern he had heard mentioned previously was about the trucks delivering the vehicles. He said they had considered that not to be a problem because the ingress and egress access was ample to accommodate the trucks, and all the deliveries made would be after hours, so it would not affect the traffic flow. They also felt there was plenty of room in the parking lot itself for a large truck to get from one side to the other and still had room for cars to get by if needed. Mr. Znika also mentioned that when they were at the property previously, for a total of approximately 45 minutes, about 4 or 5 cars cut through the property to bypass the lights and that their business would help to prevent that from happening. Mr. Scannell stated that the part of the existing property with the landscaping that was located on the outside corner was owned by the Town and was not part of the property his company owned.

Commissioner Smith made a motion to give an unfavorable recommendation to the Town Council for the Use Variance requested by Mr. Hani Abu Eid for the Used Car Sales Lot at 3949 Ridge Road. Commissioner Thomas seconded, and the motion passed unanimously with a 5 – 0 roll call vote.

New Business: Public Hearing for William Techentin, 3321 George Street, Highland, IN, requesting a Variance for his attached garage in his proposed new Single-Family Residence at 2716 40th Street, Highland, IN. The proposed garage would exceed the accessory structure allowance of 720 square feet and would not meet the garage setback requirements. {HMC 18.05.060} (F) (5) Interpretation and application – Supplementary district regulation. Accessory Buildings. In Zoning District R-1A, R-1, R-2, or R-3. The summation of the gross floor area of all accessory structures shall not exceed the gross floor area of the principal structure, or 720 square feet, whichever is less. {HMC 18.15.080} (K) (1) Design Standard: (K) Single Family Residence Garages shall be designed so as not to dominate the primary façade of the building. Garages may be located as follows: (1) Garages shall be set back six feet from the primary façade of the building.

Town Attorney Mr. Reed had previously confirmed via email to recording secretary, Susan Rae, that this petitioner's Proof of Publication was published correctly, and in a timely manner. Susan Rae had also previously received proof and a photograph from Code Enforcement Officer, Mr. Carl Porter, of the correct and effective sign posting.

Mrs. Murovic asked if there was anyone present to present the petition. Mr. William Techentin, 3321 George Street, Highland, IN, stepped forward and introduced himself. He stated that he was a 40-year resident and had 5 kids that had been educated in the Highland school system, and two were still in school, the youngest was just 10. He continued to say that his wife didn't want to leave Highland, but they had a problem because he is disabled now, he retired early at 55, and was not sure with his condition if he would be in a wheelchair in 10 years, or not. Their current home was not handicapped ready, so their plans were to build their forever home in Highland, make it handicapped accessible, and finish raising their kids in Highland. He continued to say that in almost all newly designed homes that have a master bedroom on the first floor, there is living space behind the garage, and that is the reason the garage is set in front of the house, and he added that it is only extending in front of the primary façade approximately 8'. He said there will also be a nice, white railing added to the front porch, which will make the house stand out a little bit more. He stated that in regard to the accessory structure, he was only 10 square feet over the allowed 720, with a total of 730 square feet, which is 4" on the front section of the garage. He then stated that his architect had passed away 4 months ago, and he really didn't want to have to go through with getting new drawings because of 4" on his garage to meet the 720 square feet allowance.

Mrs. Murovic opened the meeting to the public. Hearing no remonstrance, she closed the public meeting and brought the discussion back to the Board.

Commissioner Wright asked Mr. Techentin if he had any plans in the future to build a ramp for handicapped accessibility. Mr. Techentin replied that it was his understanding that his concrete drive and walk would be poured to meet the porch for accessibility, so there would be no need for a ramp in the future. He then said that was another reason he did not want to move the garage back, because as long as it stayed approximately 8' out, he could also have accessibility into the garage with the entry door that is off the porch. Mrs. Murovic stated that the porch comes out 8' from the primary façade of the home, then asked Mr. Techentin how much further the garage extended from the porch. He replied that it was 5'. Mrs. Murovic pointed out that in that case, the garage actually extended from the primary façade by 13', not 8' as had originally been mentioned. Mr. Thomas mentioned that, since the porch would be covered with a roof, it would minimize the effect. Mr. Reed added that he felt it could be interpreted as 8' rather than 16' because the porch came out 8' and it was covered with the roof. He added that there was a section of the drawing that indicated the distance the garage extended past the porch was 8', making the total 16'. Mrs. Murovic agreed that the total distance was actually a 16' protrusion past the primary façade of the home but could be interpreted as 8' due to roof covering the 8' porch.

Commissioner Thomas motioned to grant the Variance for exceeding the garage accessory structure square footage allowed by 10 feet, for a total of 730 square feet. Commissioner Helms seconded and the motion passed unanimously with a 5 – 0 roll call vote.

Commissioner Thomas motioned to grant the Variance for the garage setback requirement as stated in the drawings submitted by the petitioner, Mr. William Techentin. Commissioner Helms seconded and the motion passed unanimously with a 5 – 0 roll call vote.

BUSINESS FROM THE FLOOR: None.

ADJOURNMENT: Motion: <u>Mr. Thomas</u> Second: <u>Mr. Helms</u> <u>Time: 7:17 p.m.</u>

Comments from the Public or Visitors: None

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

Building Report May, 2024

PERMIT TYPE	#	Res.	Comm.	Est. Cost	Fee Collected
Commercial Buildings	0			$ -	$ -
Comm. Additions/Remodel	4		4	$ 175,000.00	$ 3,969.00
Signs	6		6	$ 36,727.00	$ 1,852.00
Single Family	0			$ -	$ -
Duplex/Condo	0			$ -	$ -
Residential Additions	1	1		$ 60,230.00	$ 1,260.00
Residential Remodeling	58	58		$ 822,872.00	$ 17,202.00
Concrete/Asphalt/Flatwork	6	6		$ 38,139.00	$ 1,155.00
Garages	2	2		$ 84,400.00	$ 1,981.50
Sheds/Pergolas	1	1		$ 1,500.00	$ 124.50
Decks & Porches	5	5		$ 40,383.00	$ 1,546.50
Fences	18	18		$ 69,696.00	$ 2,917.50
Above/In ground pools	4	4		$ -	$ 216.00
Drain Tile/Waterproofing	8	8		$ 80,736.00	$ 2,118.00
Misc: Demo (1); Road Cut (1)	2	2		$ -	$ 284.00
Total Building Permits	115	105	10	$ 1,409,683.00	$ 34,626.00
Electrical Permits	13	11	2	$ -	$ 1,718.00
					$ -
Mechanical Permits	25	23	2	$ -	$ 2,971.00
Plumbing Permits	10	9	1	$ -	$ 1,245.70
Water Meters	0			$ -	$ -
Water taps	0			$ -	$ -
Sewer/Storm Taps	0			$ -	$ -
Total Plumbing Permits	10	9	1	$ -	$ 1,245.70

May 2024 Code Enforcement: 130 Investigations, 17 Warnings & 3 Citations were issued.
Inspections done for the month of May 2024 were as follows: 39 Building Inspections,
24 Plumbing Inspections, 2 HVAC and 9 Electrical Inspections. There were no Electrical Exams given.

Submitted By:

Kenneth J. Mika

Kenneth J. Mika

Mark Herak

From: Denise Beck
Sent: Tuesday, June 4, 2024 1:11 PM
To: Mark Herak; Chad Kinley
Cc: Chief Michael Pipta
Subject: May Fire Department Stats

Good Afternoon,

May 2024 Stats

Types of Calls:	2024	YTD
General Alarms	16	71
Paid Still Alarms	32	164
Totals	48	235

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

2024

TOWN OF HIGHLAND INJURIES FOR THE MONTH

MAY

CASE	DATE OF INJURY	DEPARTMENT	DESCRIPTION	Record Only No Med Treament	OSHA Recordable	Not OSHA Recordable	Filed with WC Insurance
RO3	5/6/24	Public Works	EE set E-brake on vehicle, got out to remove stuck branch, E-brake failed,vehicle began rolling EE jumped in vehicle to stop it, twisting L Foot	x		x	x
RO4	5/14/24	Public Works	R Shoulder pain while lifting sewer pipe.	x		x	x

RO = Record Only

DEPT	2024 INJURIES THIS MONTH	2024 YEAR TO DATE	2023 Total Injuries Last Year	2024 RESTRICTED DAYS THIS YEAR	2024 LOST DAYS THIS YEAR	RESTRICTED DAYS 2023	LOST DAYS 2023
PARK & REC				4	56	8	219
FIRE			1				
POLICE		2	6			80	66
STREET	1	1					
WATER SEWER	1	1	1				
MAINTENANCE							
OTHER							
TOTALS	2	4	8	4	56	88	285

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

Communications: Hazard Waste Day -July 27 from 9:00 to 2:00 at the Highland Public Works Facility

Appointments:

- **Statutory Boards and Commissions**
  Executive Appointments *(May be made in meeting or at another time)*

Regional Statutory Commissions or Boards

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 Boards and Commissions

2. **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

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 13 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, Kathy Smailis, Ben Tomera and Laura Pilewski.*

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: (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, Jack Rowe, Linda Carter, Rachael Carter, Kathy Burke and Olga Briseno)*

General Orders and Unfinished Business:

1. **Works Board Order No. 2024-29:** An Order of the Works Board Accepting the Proposal of X, for Operational and Related Services Associated with a Beer Garden for the Town of Highland, Associated with BBQ Festival.

   Leroy's Hot Stuff – 301 W. US Highway 20 - 50/50 split with the Town/Leroy
   Big Frank's Sausage – 918 Carrol Street – 57/43 split with the Town/Big Frank's

   Councilor Turich moved the passage and adoption of Works Board Order No. 2024-29. Councilor Black seconded.

   Upon a roll call vote of the elected officials, there were four (4) affirmatives, with one (1) abstention and no negatives, with Councilors Georgeff, Turich, Black and Scheeringa voting in the affirmative and Councilor Robertson abstaining. The motion passed. The order was adopted pending the signature of the Town Executive.

Town of Highland
Board of Works
Order of the Works Board 2024-29

An Order of the Works Board Accepting the Proposal of Big Frank's Sausage LLC, for Operational and Related Services Associated with a Beer Garden for the Town of Highland, Associated with the BBQ Festival.

WHEREAS, THE TOWN OF HIGHLAND, AS PART OF ITS EXERCISE OF PUBLIC POWERS RELATED TO CULTURE AND RECREATION, GENERALLY CONFERRED IN IC 36-10-2, WITH APPROPRIATE FESTIVALS INCLUDING LIVE MUSICAL PERFORMANCE AS ENTERTAINMENT;

WHEREAS, BIG FRANK'S SAUSAGE LLC, INCORPORATED, 918 CARROLL STREET, EAST CHICAGO, INDIANA, 46312, HAS PRESENTED TO THE TOWN OF HIGHLAND A PROPOSED AGREEMENT FOR OPERATIONAL AND RELATED SERVICES ASSOCIATED WITH A BEER GARDEN FOR THE TOWN OF HIGHLAND TO BE CONDUCTED DURING THE 2024 BBQ FESTIVAL;

WHEREAS, IT IS RECOMMENDED TO THE PURCHASING AGENCY, THE APPROVAL OF THE PROPOSED AGREEMENT FOR OPERATIONAL AND RELATED SERVICES ASSOCIATED WITH A BEER GARDEN FOR THE TOWN OF HIGHLAND TO BE CONDUCTED DURING THE 2024 BBQ FESTIVAL AS SUBMITTED BY BIG FRANK'S, INCORPORATED;

WHEREAS, THESE PROFESSIONAL SERVICES OWING TO THEIR UNIQUE REQUIREMENTS AND CHARACTER, AS A SERVICE, MAY BE PURCHASED IN A MANNER THAT IS DETERMINED TO BE REASONABLE, PURSUANT TO SECTION 3.05.090 OF THE HMC AND IC 5-22-6;

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

Whereas, The purchase price could exceed $15,000.00, pursuant to Section 3.05.040 (C) and Section 3.05.050(B)(3) of the HMC requires the express approval of the purchasing agency;

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

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

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

Section 1. That the proposal/agreement for operational and related services associated with a beer garden for the Town of Highland to be conducted during the 2024 BBQ Festival of **Big Frank's Sausage LLC, 918 Carroll Street, East Chicago, Indiana, 46312,** prepared and presented by its principal, Stan Stefanski, is hereby accepted, approved and adopted in every respect, provided that **Big Frank's Sausage LLC,** complies with the provisions of IC 22-5-1.7 et seq., and completes the relevant portions of the attached exhibit styled as Addendum for e-verify;

Section 2. That the fee for performance of the services identified in the proposal of **fifty percent (57%) of all gross revenue associated with the beer garden** to be conducted during the 2024 BBQ Festival **to be paid to the Town and the balance to be retained by Big Frank's Sausage LLC,** is found to be reasonable and fair;

Section 3. That the Town Council finds and determines that the manner of purchase for these professional services owing to their unique requirements and character as a service, are both reasonable and appropriate, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

Section 4. That the Clerk-Treasurer is hereby authorized to issue a purchase order, if applicable, to **Big Frank's Sausage LLC,** and the payments to Big Frank's Sausage LLC under this agreement are approved subject to IC 36-5-4-2;

Section 5. That the Town Council President is hereby authorized and directed to execute the agreement approved by this order with the Town Council President's Signature.

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 10th day of June 2024 having passed by a vote of 4 in favor, 1 abstention and 0 opposed.

TOWN COUNCIL 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 36-5-2-10.2;IC 36-5-6-5)

AGREEMENT

This Agreement made this 10th day of June, 2024, by and between the Town of Highland, 3333 Ridge Road, Highland, Indiana 46322, and Big Frank's Sausage LLC " ("Big Frank's") 918 Carroll Street, East Chicago, Indiana 46312

Witnesseth:

1. Town of Highland grants to Big Frank's the certain rights, privileges, and space during the period of **September 13, 2024 through September 15, 2024**, to operate the beer garden tent at the Town of Highland BBQ Festival, at Main Square Park, located at 3001 Ridge Road, Highland, Indiana 46322.

2. The privilege granted under this contract gives Big Frank's permission to operate the beer tent at said BBQ Festival. In furtherance of this Agreement, Big Frank's shall:

a. Supply all required alcoholic beverages to be consumed at the festival (beer, cider, wine, seltzers, malt beverages, etc.). No alcoholic beverages other than beer, wine, seltzer, malt beverages, cider, ready to drink and water will be sold.

b. Big Frank's shall provide all necessary licensed servers.

c. Town shall provide all necessary security so as to ensure proper ID is acquired before any alcoholic beverage purchases are made.

d. Big Frank's shall provide all necessary general liability insurance with limits of $1,000,000 per person and $3,000,000 per occurrence/aggregate coverage. In addition, Big Frank's shall provide insurance for off-premise alcohol consumption, including "dram shop" and/or "liquor liability" insurance coverage with limits of $1,000,000 per person and $3,000,000 per occurrence/aggregate coverage. All policies stated above shall name the Town of Highland as an additional insured.

e. Big Frank's shall provide all manner of equipment needed to serve said beverages including: cold storage truck(s), table set-up, cups, and all other items customary to outdoor beer gardens.

f. Big Frank's shall set up and takedown all equipment at the conclusion of the festival. The grounds occupied by the beer tent shall be cleaned prior to September 16, 2024 by 10:00 o'clock p.m.

g. Big Frank's shall post in a conspicuous manner at the front of the beer tent on the opening day a sign showing a price of all articles to be sold under this contract. The size of the sign and place of posting shall be approved by the Town of Highland.

h. Big Frank's agrees to pay **fifty-seven percent (57%) of all gross revenue associated with the beer garden sales** to be conducted during the 2024 BBQ Festival to be paid to the Town of Highland;

i. The settlement of the percentage of alcohol sales shall be made on the following morning of the festival.

3. In case any action is brought against the Town of Highland for or on account of any failure, omission, or neglect on the part of Big Frank's, to do or perform any of the matters to be done or performed or for injury or damages caused by the negligence of Big Frank's or any of its employees or workers, Big Frank's shall indemnify, defend, and save harmless the Town of Highland from any and all claims or liability and shall furnish proof of insurance naming the Town of Highland as additional insured, in amounts not less than stated in paragraph 2.d., above.

4. If and in the event that the BBQ Festival is cancelled, for any reason, whatsoever, this Agreement shall be of no force and effect.

5. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

6. This Agreement constitutes the sole and only agreement of the parties hereto and supersedes any prior understandings or written or oral agreements between the parties respecting the transaction, and cannot be changed except by their written consent. Time is of the essence of this Agreement.

7. Words of any gender used in this Agreement shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise.

8. In the event either party shall be compelled to employ an attorney to enforce the provisions of this contract, the parties agree that the non-defaulting party shall be entitled to all of his legal costs and expenses, including reasonable attorney fees, incurred thereby.

9. Any disputes that arise concerning this Agreement shall be brought in the Circuit or Superior Courts of Lake County, Indiana.

In Witness Whereof, the parties have executed this agreement this ____ day of ________, 2024.

BIG FRANK'S SAUSAGE LLC.

____
Stan Stefanski, Owner

TOWN OF HIGHLAND

____
Philip Scheeringa, President,
Highland Town Council

CLAUSE (ADDENDUM) and AFFIDAVIT ADDENDUM TO BE ADDED TO CONTRACT FOR SERVICES TO BE PROVIDED TO TOWN OF HIGHLAND
(as required by I.C. 22-5-1.7 -11, effective July 1, 2011)

Verification of Work Eligibility Status

1. Stan Stefanski, Principal of BIG FRANK'S SAUSAGE LLC, (hereinafter called "Contractor") understands and agrees that:

(A) it is required to enroll in and verify the work eligibility status of all employees hired after the date of this contract though the E-Verify program.

(B) This requirement shall be waived if the E-Verify program ceases to exist. For the purposes of this paragraph, the *"E-Verify program"* means the electronic verification of work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (P.L. 104-208), Division C, Title IV, s. 403(a), as amended, operated by the United States Department of Homeland Security or a successor work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees under the Immigration Reform and control Act of 1986 (P.L. 99-603); and

2. An authorized representative of the Contractor has signed the attached affidavit concerning the employment of unauthorized aliens.

This contract clause is developed pursuant to SEA 590 codified as IC 22-5-1.7-11 (a)(1).

AFFIDAVIT OF SERVICE PROVIDER or CONTRACTOR WITH THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA REGARDING HIRE OF UNAUTHORIZED ALIENS

State of Indiana)
) SS:
County of Lake)

A F F I D A V I T

I, the undersigned, authorized representative, authorized officer or agent of **BIG FRANK'S SAUSAGE LLC**, hereinafter called "contractor", which has a contract for services or goods with the Town of Highland, Lake County, Indiana, having given solemn affirmation, hereby depose(s) and say(s), that the contractor does not knowingly employ an unauthorized alien.

FURTHERETH AFFIANT SAYETH NOT.

Signed: ______________________________, Affiant.
STAN STEFANSKI

Certificate of Notary/Notarial Officer

On this ____ day of ________________, 2024 , before me personally came and appeared **the affiant herein named,** at Highland, Indiana, known and known to me to be the individual described in and who executed the foregoing instrument, and who duly acknowledged to me that she executed same for the purpose therein contained.

In Witness Whereof, I hereunto set my hand and official seal of the Town of Highland, Lake County, Indiana. The undersigned clerk-treasurer of the Town of Highland acting as a notarial officer under notarial authority by IC 33-42-9-7(a)(6). Authentication conforms to IC 33-42-9-12.

Authority Expiration: The Director of the Lake County Combined Board Certified the Election of November 7, 2023 officially on November 28th 2023. I was qualified to office upon my oath administered December 21, 2023, to serve for a term of four years commencing at Noon January 1, 2024, concluding before Noon January 1, 2028, and until a successor is elected and qualified, pursuant to IC 36-5-6-2(b).

County of Residence: L A K E.

(seal)

____
Mark Herak, Town Clerk-Treasurer
Notarial Officer

BEER PRICES FOR BACKYARD HIGHLAND , INDIANA

Friday, January 14, 2022 8:21 PM

HERE ARE THE PRODUCTS AND PRICES FOR THE BEER GARDEN

MILLER LITE ON TAP
ZYWIEC ON TAP
TWO HEARTED ALE ON TAP
SAM ADAMS OCTOBER FEST ON TAP
16 OUNCE DRAFT $7
32 OUNCE DRAFT $13
WHITE CLAW CANS $7
ANGRY ORCHARD $6

STAN STEFANSK 5/23/24
BIG FRANKS
SAUSAGE LLC

LEROY'S
333 West U.S. 20 Porter, IN 46304
219.926.6211

THURSDAY
5/23/24

ALL BEER PRICES WILL BE
ONE TICKET OF $6.00
FOR 32oz DRAFT WILL BE $12.00 TWO TICKETS

Homemade Mexican Food

New Business:

1. Works Board Order No. 2024-27: An Order of the Works Board Approving and Authorizing the Metropolitan Police Chief to Purchase from Lake Cycle of Merrillville, In two (2) 2024 Honda Pioneer 700 Deluxe Polaris vehicles with accessories, partially funded by the Trading in existing vehicles, all pursuant to I.C. 5-22-8-3 and I.C. 5-22-17-3 (D)(H).

   Councilor Black moved to approve Works Board Order No.2024-27. Councilor Robertson seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed and Works Board Order No. 2024-27 was adopted pending the signature of the municipal executive.

Town of Highland
Board of Works
Order of the Works Board 2024-27

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Lake Cycle of Merrillville, IN two (2) 2024 Honda Pioneer 700 Deluxe Polaris vehicles with accessories partially financed by the Trading-in of Existing Vehicles, all pursuant to I.C. 5-22-8-3 and I.C. 5-22-17-3 (D)(E).

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.

Whereas, The Metropolitan Police Chief has identified Lake Cycle of Merrillville, IN to be a desirable source vendor for the purchase of two(2) 2024 Honda Pioneer 700 Deluxe Polaris vehicles with accessories at price of $16,401.00 (1HFVE02E02E8R4900429)and $17,221 (IHFVE0268R4900827) for a total of $33,622.00 minus the two (2) trade-ins totaling $6,800.00 (2017 Polaris Ranger 500 3NSRMA504HE891261 & 2000 Harley Road King 1HD1FHW193Y711024) for a total of **$26,822.00;**

Whereas, The price for the purchase exceeds $15,000.00 and, pursuant to Section 3.05.040 (E) as well as Section 3.05.050 (B) as well as Section 3.05.060 (G)(2) of the

Highland Municipal Code, such purchase 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)(1) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The Purchasing Agent, pursuant to Section 3.050.060 (G)(2) of the Highland Municipal Code, expected that the purchase to less than $50,000 and therefore decided to make the purchase in the open market without inviting or receiving quotes; and

Whereas, The purchase of the vehicles will be supported by the VIPS/Park Fund and a duly approved appropriation in the VIPS/Park 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 finds and determines that the offer from Lake Cycle, 7911 Taft Street, Merrillville, Indiana to be the lowest responsive and responsible offer or having offered for two (2) rendering a gross total price of **$33,622** to be adjusted by two (2) trade-ins totally valued at $6,800.00 then rendering a total net purchase price of $26,822; all pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 2. That the Police Chief is authorized and approved to purchase from Lake Cycle of Merrillville, Indiana two (2) 2024 Honda Pioneer 700 Deluxe Polaris Vehicles with accessories for a preliminary total of $33,622 minus the trade-ins of $6,800.00, for a **net** total of **$26,822.00**; all pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

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 36-5-4-14.

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 10th day of June, 2024 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL 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)

DEALER: Lake Cycle
7911 Taft St Merrillville, IN 46410
219-769-7184

MOTOR VEHICLE
RETAIL PURCHASE ORDER

Order Date May 17 20 24

PURCHASER: TOWN OF HIGHLAND — Purchase Order No. 16038

Address 3315 RIDGE ROAD — Res. Phone 219-237-5554 — To Be Titled As Follows

City HIGHLAND — State IN — Zip 46322 — Title Info.

Driver's Lic. No. — State IN — Exp. Date N/A — Salesperson Kevin Weller

PLEASE ENTER MY ORDER FOR THE FOLLOWING VEHICLE:

☒ NEW ☐ USED ☐ DEMONSTRATOR ☐ CAR ☐ TRUCK — YEAR 2024 MAKE HONDA

UPPER

SERIES SXS700M2DR BODY TYPE COLOR: RED LOWER TRIM

TO BE DELIVERED ON OR ABOUT 05/20/2024 20 24 STOCK # N0429 VIN # 1HFVE02E8R4900429

PRICE OF VEHICLE	$13,499.00
HARD ROOF 2P	
GLASS WINDSHIELD	
Service Labor	0.00
	1,428.00
Service and Preparation	$ 420.00
Freight	$ 1,185.00
Bonus Bks/Select Cust Bon	$ -250.00
$16,282.00 TOTAL SALES PRICE	$ 16,282.00
$6,800.00 Less: Trade-In Allowance	
$ 9,482.00 Trade Difference-Indiana Tax Price	
Sales Tax (Computed in Indiana on Tax Price)	$ 0.00
Service Contract	$ 0.00
Documentary Fee	$ 119.00
Registration & Title Fees	$ 0.00
Other: GAP Protection	$ 0.00
Tire Tax	$ 0.00
TOTAL DELIVERED PRICE	$ 16,401.00
Plus: Balance Owed on Trade-In	$ 0.00
LESS: TOTAL CREDITS (Transferred From Rt. Column)	$ 6,800.00
BALANCE DUE ON DELIVERY	$ 9,601.00

MILEAGE: 0

TRADE-IN AND/OR OTHER CREDITS

STOCK # T1261 / T 1024
Make Of Trade-In POLARIS HARLEY
Year 2017 / 2000 Body Type N/A
Series RANGER 500 / ROAD KING Color
Title No. — Mileage At Appraisal 0
V.I.N. # 3NSRMA504HE891261 / 1HD1FHW193Y71024
Balance Owed (Good Until): $ $0.00
Balance Owed To — Verified By
Creditor Address: — Acct. #

Trade-In Allowance	$ $6,800.00
Cash Deposit With Order (Receipt #)	
Cash on Delivery (Receipt #)	$0.00
TOTAL CREDITS (Transfer To Left Column)	$ $6,800.00

Purchaser is responsible for and shall pay the amount, if any, by which the Balance Owed on the Trade-In exceeds the Trade-In Allowance.

WARRANTY INFORMATION

NEW OR DEMONSTRATOR: If the Vehicle is a new or demonstrator vehicle, the only written warranty provided with respect to the Vehicle and factory installed accessories is the most recent applicable printed warranty which is made solely by the Manufacturer of the Vehicle.

Dealer installed Accessories are not included in the Manufacturer's warranty on the Vehicle and may or may not be included in separate written warranties which are made solely by Manufacturers of the Accessories.

USED: If the Vehicle is a used vehicle, the Vehicle is sold by Dealer AS IS -- WITH ALL FAULTS.

ALL VEHICLES: WHETHER THE VEHICLE IS NEW, A DEMONSTRATOR OR USED: DEALER DISCLAIMS ALL WARRANTIES, WRITTEN, EXPRESS OR IMPLIED, INCLUDING ALL WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND DEALER EXPRESSLY DISCLAIMS ANY LIABILITY TO PURCHASER, FOR ANY CONSEQUENTIAL DAMAGES, LOSS OF TIME OR INCONVENIENCE ARISING OUT OF THE PURCHASE OR OPERATION OF THE VEHICLE.

Terms of Payment of Balance Due on Delivery:
☐ CASH $$9,601.00 XX☐ CONSUMER CREDIT FINANCING BY OR THROUGH DEALER.

THE ADDITIONAL TERMS AND CONDITIONS ON THE REVERSE SIDE OF THIS ORDER ARE INCORPORATED BY REFERENCE AND ARE A PART OF THIS ORDER.

TRADE-IN CERTIFICATION: THE CUSTOMER CERTIFIES HIS/HER TRADE-IN VEHICLE HAS NEVER BEEN TITLED UNDER A STATE OR FEDERAL "BRAND" SUCH AS "DEFECTIVE", "REBUILT", "SALVAGE", "FLOOD", ETC.______ (INITIAL)

Purchaser acknowledges that the Additional Terms and Conditions printed on the reverse side of this Order are a part of this Order. Both sides of this Order constitute a single agreement which supersedes any prior agreement or understanding between Dealer and Purchaser. Purchaser acknowledges receipt of a completed and signed copy of this Order. This Order shall not become a binding agreement unless accepted in writing by Dealer or an authorized representative of Dealer.

ACCEPTED: ______ Purchaser

BY: ______ Dealer / Authorized Representative Title GM ______ Purchaser

THIS ORDER IS AN OFFER BY PURCHASER TO BUY THE VEHICLE. IF THE OFFER IS ACCEPTED BY THE DEALER IT BECOMES A COMPLETE CONTRACT OF SALE AND THE DEALER HAS NO OBLIGATIONS OR RESPONSIBILITIES NOT EXPRESSLY SET FORTH IN THE ORDER. BEFORE SIGNING THIS ORDER READ IT CAREFULLY.

30-IND (5-19)

DEALER: Lake Cycle
7911 Taft St Merrillville, IN 46410
219-769-7184

MOTOR VEHICLE
RETAIL PURCHASE ORDER

Order Date May 17 20 24

PURCHASER: TOWN OF HIGHLAND
Purchase Order No. 16039

Address 3315 RIDGE ROAD Res. Phone 219-237-5554
To Be Titled As Follows

City HIGHLAND State IN Zip 46322 Title Info.

Driver's Lic. No. State IN Exp. Date N/A Salesperson Kevin Weller

PLEASE ENTER MY ORDER FOR THE FOLLOWING VEHICLE:

☒ NEW ☐ USED ☐ DEMONSTRATOR ☐ CAR ☐ TRUCK YEAR 2024 MAKE HONDA

UPPER

SERIES SXS700M4R BODY TYPE COLOR: RED LOWER TRIM

TO BE DELIVERED ON OR ABOUT 05/20/2024 20 24 STOCK # N0827 VIN # 1HFVE0268R4900827

PRICE OF VEHICLE →	$ $13,999	00
HARDTOP (4P/CAB)		
GLASS WINDSHIELD		
Service Labor	0	00
	1,748	00
Service and Preparation	$ 420	00
Freight	$ 1,185	00
DOC Bonus Bks/Select Cust Bon	$ - 250	00
$ $17,102.00 TOTAL SALES PRICE	$ 17,102	00
$0.00 Less: Trade-In Allowance		
$ $17,102.00 Trade Difference-Indiana Tax Price		
Sales Tax (Computed in Indiana on Tax Price)	$ 0	00
Service Contract	$ 0	00
Documentary Fee	$ 119	00
Registration & Title Fees	$ 0	00
Other: GAP Protection	$ 0	00
Tire Tax	$ 0	00
TOTAL DELIVERED PRICE	$ 17,221	00
Plus: Balance Owed on Trade-In	$ 0	00
LESS: TOTAL CREDITS (Transferred From Rt. Column)	$ 0	00
BALANCE DUE ON DELIVERY	$ 17,221	00

MILEAGE: 0

TRADE-IN AND/OR OTHER CREDITS

STOCK #

Make Of Trade-In

Year Body Type N/A

Series Color

Title No. Mileage At Appraisal

V.I.N. #

Balance Owed (Good Until): $ $0.00

Balance Owed To Verified By

Creditor Address: Acct. #

Trade-In Allowance	$ $0.	00
Cash Deposit With Order (Receipt #)		
Cash on Delivery (Receipt #)	$0.	00
TOTAL CREDITS (Transfer To Left Column)	$ $0.	00

Purchaser is responsible for and shall pay the amount, if any, by which the Balance Owed on the Trade-In exceeds the Trade-In Allowance.

WARRANTY INFORMATION

NEW OR DEMONSTRATOR: If the Vehicle is a new or demonstrator vehicle, the only written warranty provided with respect to the Vehicle and factory installed accessories is the most recent applicable printed warranty which is made solely by the Manufacturer of the Vehicle.

Dealer installed Accessories are not included in the Manufacturer's warranty on the Vehicle and may or may not be included in separate written warranties which are made solely by Manufacturers of the Accessories.

USED: If the Vehicle is a used vehicle, the Vehicle is sold by Dealer AS IS -- WITH ALL FAULTS.

ALL VEHICLES: WHETHER THE VEHICLE IS NEW, A DEMONSTRATOR OR USED: DEALER DISCLAIMS ALL WARRANTIES, WRITTEN, EXPRESS OR IMPLIED, INCLUDING ALL WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND DEALER EXPRESSLY DISCLAIMS ANY LIABILITY TO PURCHASER, FOR ANY CONSEQUENTIAL DAMAGES, LOSS OF TIME OR INCONVENIENCE ARISING OUT OF THE PURCHASE OR OPERATION OF THE VEHICLE.

Terms of Payment of Balance Due on Delivery:
☒ CASH $17,221.00 ☐ CONSUMER CREDIT FINANCING BY OR THROUGH DEALER.

THE ADDITIONAL TERMS AND CONDITIONS ON THE REVERSE SIDE OF THIS ORDER ARE INCORPORATED BY REFERENCE AND ARE A PART OF THIS ORDER.

TRADE-IN CERTIFICATION: THE CUSTOMER CERTIFIES HIS/HER TRADE-IN VEHICLE HAS NEVER BEEN TITLED UNDER A STATE OR FEDERAL "BRAND" SUCH AS "DEFECTIVE", "REBUILT", "SALVAGE", "FLOOD", ETC. ______ (INITIAL)

Purchaser acknowledges that the Additional Terms and Conditions printed on the reverse side of this Order are a part of this Order. Both sides of this Order constitute a single agreement which supersedes any prior agreement or understanding between Dealer and Purchaser. Purchaser acknowledges receipt of a completed and signed copy of this Order. This Order shall not become a binding agreement unless accepted in writing by Dealer or an authorized representative of Dealer.

ACCEPTED: ______ Purchaser

BY: ______ Dealer / Authorized Representative Title GM ______ Purchaser

THIS ORDER IS AN OFFER BY PURCHASER TO BUY THE VEHICLE. IF THE OFFER IS ACCEPTED BY THE DEALER IT BECOMES A COMPLETE CONTRACT OF SALE AND THE DEALER HAS NO OBLIGATIONS OR RESPONSIBILITIES NOT EXPRESSLY SET FORTH IN THE ORDER. BEFORE SIGNING THIS ORDER READ IT CAREFULLY.

30-IND (5-19)

2. Authorize the proper officer to publish legal notice of a public hearing. Public hearing to considering additional appropriations in the amount of $40,000 in the Municipal Cumulative Street Fund to be held on June 24, 2024, at 6:30 P.M. O'clock in the Municipal Building, 3333 Road Highland.

   Councilor Turich moved to authorize the proper officer to publish legal notice of a public hearing to consider proposed additional appropriations as indicated. Councilor Black seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The proper officer was authorized to publish the legal notice.

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

Friday June 7, 2024

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 Municipal Cumulative Street 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 Municipal Cumulative Street Fund** as indicated. Please publish this notice **one (1) time** in satisfaction of I.C. 6-1.1-18-5 *et seq.* and I.C. 5-3-1-2(b). *I have also sent this request by electronic mail.*

The enclosed notice should be published ***on or before*** **Thursday, June 13, 2024**. 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, June 24, 2024.*

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

Again, I thank you very much.

Sincerely,

Mark Herak
Clerk-Treasurer

Authorizing the proper officer to publish legal notice of a public hearing: Public Hearing to consider additional appropriations in the amount of **$40,000.00** in the **Municipal Cumulative Street Fund.**

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 24th **day of June 2024**, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

Municipal Cumulative Street Fund

Acct. 4431-0000-44010 Sidewalk Replacement	$ 40,000.00
Total 400 Series:	**$ 40,000.00**
TOTAL for the FUND:	**$ 40,000.00**

Funds to support these additional appropriations in the **Municipal Cumulative Street 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. 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
Philip Scheeringa, President

By: Mark Herak
Clerk-Treasurer

3. Acknowledge receiving the Safe Streets for All Grant and the Executed Contract between American Structure Point and the Redevelopment Commission regarding the Town of Highland Comprehensive Safety Action Plan.

   Council President acknowledged the Town has been awarded the Safe Streets for All Grant and the executed contract between American Structure Point and the Redevelopment Commission.

4. Works Board Order No. 2024-31: An Order of the Works Board Approving and Authorizing the Fire Chief to Purchase Helmets and Structural Boots from MacQueen Group of 350 Austin Circle, Delafield, WI 53018, for fifteen (15) Cairns 1836 Helmets with Clear Defenders, Standard Headband and Black Nomex Earlaps and forty-five (45) QR14 Leather Structural Boots pursuant to I.C. 5-22-8-3.

   Councilor Georgeff moved to approve Works Board Order No.2024-31. Councilor Black seconded. Upon a roll call vote, there were four (4) affirmatives, with one (1) abstention and no negatives, with Councilors Georgeff, Robertson, Black and Scheeringa voting in the affirmative and Councilor Turich abstaining. The motion passed and Works Board Order No. 2024-31 was adopted pending the signature of the municipal executive.

Town of Highland
Board of Works
Order of the Works Board 2024-31

An Order of the Works Board Approving and Authorizing the Fire Chief to Purchase Helmets and Structural Boots from MacQueen Group of 350 Austin Circle, Delafield, WI 53018, for fifteen (15) Cairns 1836 Helmets with Clear Defenders, Standard Headband and Black Nomex Earlaps and forty-five (45) QR14 Leather Structural Boots pursuant to I.C. 5-22-8-3.

Whereas, The Town of Highland Fire Department, as part of its public duties, has a responsibility for 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 Fire Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below $50,000.00.

Whereas, The Fire Chief, pursuant to Section 3.05.050(D)(4) of the Highland Municipal Code, serves as the Purchasing Agent for the Fire Department; and

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

Whereas, The Purchasing Agent, pursuant to §3.05.060(G)(2) of the HMC, expected that the purchase, in aggregate, to be at less than $50,000 therefore could:

1). May make the purchase in the open market without inviting or receiving quotes; and

Whereas, The Fire Chief has solicited a quote for helmets and boots; and

WHEREAS, THE FOLLOWING QUOTE WAS RECEIVED:

Bidder	Proposal
MacQueen	$24,480.00

Whereas, the Fire Chief has reviewed the quote and made recommendation for award on the various items based on being the lowest responsive and responsible quote; and

Whereas, The Fire Chief has identified MacQueen Group, of Delafield, WI to be a desirable source vendor for the purchase of fifteen (15) Cairns 1836 Helmets, of forty-five (45) QR14 Leather Structural Boots for a total cost of $24,480.00; and

Whereas, The price for the purchase exceeds $15,000.00 and, pursuant to Section 3.05.050 (B) of the Highland Municipal Code, such purchase 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)(3) of the Highland Municipal Code serves as the purchasing agency for the Fire Department; and

Whereas, The Fire Chief, pursuant to Section 3.05.050 (D)(4) of the Highland Municipal Code, serves as the Purchasing Agent for the Fire Department; and

Whereas, The cost of the Helmets and Structural Boots will be supported by the Public Safety Income Tax Fund and there is sufficient appropriation in order to support the purchase; and

Whereas, The Town Council now desires to approve and authorize the Fire 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 finds and determines that the offer from MacQueen Group, 350 Austin Circle, Delafield, WI, to be the lowest responsive and responsible offer having offered a total cost of $24,480 for fifteen (15) Cairns 1836 Helmets, forty-five (45) QR14 Leather Structural Boots; all pursuant to IC 5-22-8-3 and Section 3.05.060(G)(2) of the Highland Municipal Code;

Section 2. That the Fire Chief is authorized and approved to purchase from MacQueen Group, of Delafield, WI fifteen (15) Cairns 1836 Helmets, forty-five (45) QR14 Leather Structural Boots, for a **net** total of **$24,480.00**; all pursuant to IC 5-22-8-3 and Section 3.05.060 (G) (2) of the Highland Municipal Code;

Section 3. That the Fire 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 36-5-4-14.

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 10th day of June, 2024 having passed by a vote of 4 in favor, with 1 abstention and 0 opposed.

TOWN COUNCIL 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)

MACQUEEN

MacQueen
350 Austin Circle
Delafield, WI 53018
(262) 646-5911
Fax: (262) 646-5912

Ship To: HIGHLAND FIRE DEPARTMENT STATION
2901 HIGHWAY AVE
HIGHLAND, IN 46322

Invoice To: HIGHLAND FIRE DEPARTMENT
2901 HIGHWAY AVE
HIGHLAND IN 46322

Attention: MORGAN WRIGHT

Branch			
16 - DELAFIELD, WI			
Date: 06/06/2024	Time: 14:16:24 (O)		Page: 1
Account No: HIGHL012	Phone No: 2199239876		Est No 03: 022829
Ship Via: BEST & ADD	Purchase Order: HLMT/BOOT		
Tax ID No			
		Salesperson: 322 / 337	

ESTIMATE EXPIRY DATE: 07/06/2024

PARTS ESTIMATE - NOT AN INVOICE

Part#	Description	U	Qty	Price	Amount
10247315 A-1836ABA0ABEAAA00A0 CAIRNS 1836 UNPAINTED BLACK FIRE HELMET- CLEAR DEFENDERS, STD HEADBAND, BLACK NOMEX EARLAPS, 6" CARVED EAGLE, 2-PT STD CHINSTRAP, REFLEXITE TRIM IN LIME YELLOW	CAIRNS 1836 BLK		14	465.00	6510.00
10247333 A-1836AYA0ABEAAA00A0 CAIRNS 1836 UNPAINTED YELLOW FIRE HELMET- CLEAR DEFENDERS, STD HEADBAND, BLACK NOMEX EARLAPS, 6" CARVED EAGLE,2-PT STD CHINSTRAP, REFLEXITE TRIM IN LIME YELLOW	CAIRNS 1836 YEL		1	465.00	465.00
F23-B96 CAIRNS LEATHER FRONT	CAIRNS LEATHER		15	N/A	N/A
804-6369-12M LION/THOROGOOD QR14 LEATHER STRUCTURAL BOOT	LION/THOROGOOD		45	389.00	17505.00

**MUST BUY 15 HELMETS FOR FREE FRONT PROMO.

Subtotal:	24480.00
Tax:	.00
TOTAL:	24480.00

Authorization: ____________________

5. Works Board Order No. 2024-32: An Order of the Works Board Approving and Authorizing the Fire Chief to Purchase Bunker Pants and Coats from Air One Equipment, Inc., of 360 Production Drive, South Elgin, IL 60177, for thirteen (13) Globe Highland Spec G-Xtreme Bunker Coat and thirteen (13) Globe Highland Spec GPS Bunker Pants all pursuant to I.C. 5-22-8-3.

   Councilor Robertson moved to approve Works Board Order No.2024-32. Councilor Black seconded. Upon a roll call vote, there were four (4) affirmatives, with one (1) abstention and no negatives, with Councilors Georgeff, Robertson, Black and Scheeringa voting in the affirmative and Councilor Turich abstaining. The motion passed and Works Board Order No.2024-32 was adopted pending the signature of the municipal executive.

Town of Highland
Board of Works
Order of the Works Board 2024-32

An Order of the Works Board Approving and Authorizing the Fire Chief to Purchase Bunker Coats and Pants from Air One Equipment, Inc., 360 Production Drive, South Elgin, IL 60177, for thirteen (13) Highland GX3 Coats and thirteen (13) Highland GPS Pants all pursuant to I.C. 5-22-8-3.

Whereas, The Town of Highland Fire Department, as part of its public duties, has a responsibility for 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 Fire Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below $50,000.00.

Whereas, The Fire Chief, pursuant to Section 3.05.050(D)(4) of the Highland Municipal Code, serves as the Purchasing Agent for the Fire Department; and

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

Whereas, The Purchasing Agent, pursuant to §3.05.060(G)(2) of the HMC, expected that the purchase, in aggregate, to be at less than $50,000 therefore could:

1). May make the purchase in the open market without inviting or receiving quotes; and

Whereas, The Fire Chief has solicited a quote for bunker coats and pants; and

WHEREAS, THE FOLLOWING QUOTE WAS RECEIVED:

Bidder	Proposal
Air One Equipment	$49,257.00

Whereas, the Fire Chief has reviewed the quote and made recommendation for award on the various items based on being the lowest responsive and responsible quote; and

Whereas, The Fire Chief has identified MacQueen Group, of Delafield, WI to be a desirable source vendor for the purchase of thirteen (13) Globe Highland Spec G-Xtreme 3.0 Bunker Coat, of thirteen (13) Globe Highland Spec GPS Bunker Pants for a total cost of $49,257.00; and

Whereas, The price for the purchase exceeds $15,000.00 and, pursuant to Section 3.05.050 (B) of the Highland Municipal Code, such purchase 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)(3) of the Highland Municipal Code serves as the purchasing agency for the Fire Department; and

Whereas, The Fire Chief, pursuant to Section 3.05.050 (D)(4) of the Highland Municipal Code, serves as the Purchasing Agent for the Fire Department; and

Whereas, The cost of the Bunker Coats and Bunker Pants will be supported by the Public Safety Income Tax Fund and there is sufficient appropriation in order to support the purchase; and

Whereas, The Town Council now desires to approve and authorize the Fire 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 finds and determines that the offer from Air One Equipment, Inc., 360 Production Drive, South Elgin, IL, to be the lowest responsive and responsible offer having offered a total cost of $49,257 for thirteen (13) Globe Highland Spec G-Xtreme 3.0 Bunker Coat, of thirteen (13) Globe Highland Spec GPS Bunker Pants; all pursuant to IC 5-22-8-3 and Section 3.05.060(G)(2) of the Highland Municipal Code;

Section 2. That the Fire Chief is authorized and approved to purchase from Air One Equipment, Inc., of South Elgin, IL thirteen (13) Globe Highland Spec G-Xtreme 3.0 Bunker Coat, thirteen (13) Globe Highland Spec GPS Bunker Pants, for a **net** total of **$49,257.00**; all pursuant to IC 5-22-8-3 and Section 3.05.060 (G) (2) of the Highland Municipal Code;

Section 3. That the Fire 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 36-5-4-14.

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 10th day of June, 2024 having passed by a vote of 4 in favor, 1 abstention and 0 opposed.

TOWN COUNCIL 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)

AIR ONE EQUIPMENT, INC.
360 Production Drive
South Elgin, IL 60177
Phone: 847-289-9000
Fax: 847-289-9001
Email: airone@aoe.net

QUOTATION

VALID FOR 30 DAYS.

Date	Quote #
5/24/2024	35221

Sold To	Ship To
HIGHLAND FIRE DEPARTMENT 2901 HIGHWAY AVENUE HIGHLAND, IN 46322	HIGHLAND FIRE DEPARTMENT 2901 HIGHWAY AVENUE HIGHLAND, IN 46322

PLEASE DO NOT PAY OFF OF THIS QUOTE. A FINAL INVOICE WILL BE SENT ONCE ORDER IS COMPLETE.

Quoted By	P.O. No.	Terms	Salesman
JG		Net 30	JG

Item	Description	Qty	Cost	Amount
HIGHLAND GX3 COAT	GLOBE: HIGHLAND SPEC G-XTREME 3.0 BUNKER COAT	13	2,149.00	27,937.00
HIGHLAND GPS PANTS	GLOBE: HIGHLAND SPEC GPS BUNKER PANTS	13	1,640.00	21,320.00
	FREE SHIPPING			

Shipping charges are added when invoiced unless otherwise noted. At present, all quoted shipping/lead times are non-binding estimates only.

3% PROCESSING FEE FOR CREDIT CARD PAYMENTS OVER $500

Effective Jan 1, 2021, all returns after 30 days of delivery will incur a 20% restocking fee. Items ordered in connection with natural disasters, pandemic or like situations cannot be returned and orders for such items cannot be cancelled after 10 days of Seller's receipt.

Subtotal	$49,257.00
Sales Tax (0.0%)	$0.00

DO NOT PAY- INVOICE TO FOLLOW

Total	$49,257.00

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

- **Councilor George Georgeff**: *Chamber of Commerce; • Liaison to the Board of Water Works • Co-Chair Town Board of Metropolitan Police Commission • Redevelopment Commission Member*

He began by acknowledging Metropolitan Police Chief Ralph Potesta who went over the last two (2) weeks crime statistics:

06/10/2024 Town Council Notes:

0 Burglaries - 0 Robberies - 0 Assaults - 0 Rapes

Responded to 9 Domestic Disturbance calls – No Arrests made.

3 DUI Arrests made.

Shots fired in Hampton- In - Highland apartment complex. Dispute related to a vehicle being towed in the lot. Suspect has been identified. Detectives investigating / charges pending. Complex staff cooperating with us as they have always done in the past.

1 Auto Theft – Vehicle discovered missing after several years from a business located in town – business simply lost track of it - No Suspects.

34 Accidents covered – 3 of those involved personal injury – 3 of them were Hit & Runs (all 3 suspects tracked down and charged).

2 Retail Thefts:

2 Migrants from Chicago arrested and charged with stealing over $1,300.00 in merchandise.

1 female from Gary arrested and charged with stealing over $200.00 in merchandise.

1 Attempted Theft – Male out of Michigan – stopped by LP prior to exiting – Identified and trespassed.

2 Theft from Vehicles:

1 vehicle left unlocked overnight ($300 pair of sunglasses stolen).

1 vehicle in Highland Grove lot had passenger window shattered – 2 purses stolen that were in plain view inside the vehicle – victim said neither purse had anything of value inside.

Had 5 Officers attend a Bicycle Patrol course – 5 newest Bike Patrol officers all successfully completed the training – Cpl. Corey Anderson and Officers Freyek, Glidewell, Watkins, and Rhein – will be utilized during summer events.

Officer Watkins was also one of several officers in the area who received an award from MADD. MADD recognized officers from each police agency who had the most DUI arrests. Officer Watkins had the most DUI arrests for Highland PD.

May - 915 Calls for service (3872 YTD) / 527 Traffic Citations (2176 YTD) / 496 Written Warnings (2425 YTD)

• **Councilor Doug Turich:** *Park and Recreation Board Liaison • Liaison and Plan Commission Member • Advisory Board of Zoning Appeals Liaison • Redevelopment Commission Member*

Councilor Turich began by asking Building Commissioner Ken Mika on any updates on the BZA or Plan Commission. Mr. Mika said the BZA met a couple of weeks ago and approved several Findings of Fact from the previous meeting. One resident at 2943 Ross Street was seeking a variance for a fence set back and it was granted. He said he didn't have any updates on the Plan Commission. He commented from Building and Inspection, an occupy was issued for 2817 Highway, Golden Afternoon Florist. He complimented them on a really nice job fixing up the building. He said the Osborne Storage facility is pouring the footings on the 1st building and they inspected the foundation and very shortly you should see a structure going up. He said work on the new Counter is progressing nicely. The owner put a lot of money in the new building. He said he received preliminary drawings from the architect for Traditions. He said they are probably six (6) months out before they will ask for a building permit. He said in August, it will be one (1) year since the fire. He was told that the new plans aren't incorporating the existing building so there is no reason for it to remain standing. He's going to ask the owner to tear down the existing building down within the next 60 days.

Councilor Turich thanked Ken and his team for addressing the landscaping issues but in talking with some Town employees, he would like to see the fine structure modified and individuals and corporations should be fined differently. He said he would like to have this topic added to a future study session agenda. He said he was told that there are a lot of repeat offenders and a monetary fine doesn't seem to be working. He gave the example of the building on Indianapolis Boulevard across the street from Round the Clock Restaurant. .

Councilor Scheeringa asked Chief Potesta when he will have an officer freed up to assist code enforcement. The Chief said sometime in August as he has two (2) officers who will have finished the FTO program. He said he's sure that Carl Porter is getting tire of getting texts from him on various locations with tall grass.

Before acknowledging Park Superintendent Alex Brown, he thanked Alex for inviting him to participate in the annual park tour. He said it was a great opportunity to walk with the Park Board members and visit our Town parks and view them with the various youth sports presidents. He then acknowledged Alex Brown who said the Brantwood Park is in after that nine (9) month ordeal. The concrete cured all weekend. He thanked Public Works for helping the parks clear the site. The safety surface should be installed this Wednesday and the park should be useable Wednesday night. They are waiting on word from Nipsco for a notice to proceed on the tennis courts at Brantwood and the pickle ball courts at Meadows. The free outdoor concert starts again this Wednesday at Main Square. Next Friday in the field house is the annual dance showcase. He said the dance programs are a fairly large program and several hundred people will be attending the dance showcase. He mentioned at the last meeting that two (2) long term employees are retiring, Jim Dobos and Mike Janovsky. He said there will be a retirement luncheon this Friday at Lincoln Center, at noon. He concluded that one of his recreation supervisors resigned to take a position in Illinois.

Councilor Turich said he was approached by the marketing department of Federal Signal to do a photo shoot of the new fire truck. They would like to take pictures at Main Square and the Central Fire Station. He said once he has more specifics he'll coordinate with both Chief Pipta and Alex Brown.

- **Councilor Alex Robertson:** *Sanitary Board Liaison • Redevelopment Commission Member • Council of Community Events Commission Liaison • Public Works Liaison • Liaison to Main Street Bureau • Liaison to the Tree Board • Liaison to the Highland Neighbor for Sustainability.*

Councilor Robertson said Main Street is meeting this Wednesday. He said one of the topics being discussed is the downtown decorative lighting. He said he spoke with a different contractor who sounds like he has a pretty good plan. He said the 4th of July Festival is only a few weeks away. He said Foster Electric will begin work shortly on the various electrical work scheduled for Main Square. They know the work has to be completed by the 1st of July.

Council Robertson then acknowledged Public Works Director Mark Knesek who gave an update on the sewer project. He said the rain temporarily put a hold on the project. The contractor spent three (3) days pumping water out of the trench and hopes to get started again today. They will install one (1) more section of pipe and then with the next section, they are going to have to jack and bore underneath a huge storm line. Mark said he has never seen that big a pipe being pushed underneath another pipe. He said there was a water main break on Sunday that pretty much blew up the street. He felt the problem was caused when they went to refill the Ridge Road tank which had been drained for cleaning. He felt the pressure change caused by the draining of the tank and everything feeding off of the elevated tank at the south end of the Town contributed to the problem. Making matters worse, when they went to refill the tank, the valve broke so the tank cannot be refilled till after the valve is fixed. He said they are planning on digging up the valve this Wednesday and cutting it out. He added that the apartments on the hill will be without water.

Council Turich asked the Public Works Director how will the tenants of the apartments be notified that they will be out of water for a time on Wednesday. Mr. Knesek said they will hand deliver the notices to each apartment. He said they cannot put them in the mail boxes.

Council Turich asked if there was any means via social media that we could notify the tenants. Mr. Knesek said he would reach out to the police department and have them put it out on Rave.

Mr. Knesek continued that they received a quote for a new Elgin Sweeper. The quote came in at $319,680. He said he sent out quotes for financing. He said the quotes are due back by the end of June. He sent out quotes to about 8 banks, including the Indiana Bond Bank which in turn sends out quotes to twelve (12) additional banks. He's hoping he receives some pretty competitive interest rates. He said they will keep one of the sweepers, the best one and trade the other in. He said the sweeper quoted steers from the rear, is a bigger machine, the vision is incredible and dumps from the front. He said the garage will no longer accept batteries because of a fire at the Lowell facility. He said the residents can either bring their batteries to the Public Works Facility of July 27 which is hazardous waste day for Highland or take them to one of the Lake County Solid Waste Facilities that collects them.

- **Councilor Tom Black:** *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 • Liaison Traffic Safety*

Councilor Black began by acknowledging Redevelopment Director Maria Becerra who gave the following report:

TOWN COUNCIL REPORT OUT 6-10-24

SSFA – CONTRACT SIGNED EXCITED TO GET THIS MOVING FORWARD
THE RFP FOR THE CONSOLIDATED PLAN UPDATE DUE THURSDAY 6-13,
SCORING COMMITTEE MEETS 6-14TH 1-3
ECONOMIC COMMISSION MTG TOMORROW LATE AFTERNOON – ORGANIZATIONAL MTG
MAIN ST MTG THIS WED
THURSDAY MARKET GOING WELL
DID THE INITIAL SURVEYING OF VACANT COMMERCIAL PROP HIGHWAY, JEWETT, KENNEDY NORTH
10 TOTAL COMMERCIAL VACANT .
REDEV. OWNED INDIANAPOLIS PROPERTY WILL WORK WITH ATTORNEY TO POSSIBLE DISPOSITION
NORTH KENNEDY POSSIBLE ACQUISITION WILL WORK WITH ATTORNEY TO
TAKE NEXT STEPS TO FOLLOW STATE STATUES
DEVELOPER ON KENNEDY – STILL NEGOTIATIONS. FINANCIAL CONSULTANT WORKING ON A CASH FLOW

DOWNTOWN AND KENNEDY CORRIDOR VACANCIES

HIGHWAY (NORTH SIDE)
2944 OLD CAR/TAXI PARKING LOT
2923 VACANT STORE FRONT BY CHOICE
2803 EXOTIC AQUATIC (KENNEDY & HIGHWAY)
2727 PHARMACY FOR LEASE
2639 BEN FRANKLIN PAINT SHOP VACANT

HIGHWAY (SOUTH END)
ALL OCCUPIED BUSINESSES

JEWETT
2939 JEWETT VACANT

KENNEDY EAST SIDE
8347 BREWFEST VACANT

KENNEDY WEST SIDE
7950 OLD DON WEBBER BLDG
7912 NEXT TO FLORIST
8112 USED CAR LOT

Councilor Turich asked Maria how many petitioners did she meet over the last month, possible petitioners for the community that will bring new businesses to Highland? Maria said there were none last month but she has been in contact with two (2) businesses who would like to either expand or come to Highland. She said there is a coffee shop on Indianapolis Boulevard that would like to expand and a fast food chicken restaurant would like to relocate to Highland. She explained to him that none of the vacant businesses would meet his needs. He then asked Maria about the building on Kennedy Avenue that was to be Panini. He said that deal sort of fell through but didn't see it on her list. He was advised that it is no longer vacant and a Mexican restaurant is going to go in there.

Maria continued that she is working with Attorney Reed on the next steps in disposing of the property on Indianapolis Boulevard, now that the two (2) appraisals were complete. She said they also have appraisals on the land on North Kennedy Avenue that the Town is interested in purchasing. She said the Town's financial analyst is still trying to get information from the developer who purchase the old theater property.

- **Town Council President Philip Scheeringa:** *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 Member • Co-Chair Town Board of Metropolitan Police Commission • Fire Department Liaison • Information Communications and Technology Department Liaison • Building and Inspection Department Liaison.*

Councilor Scheeringa acknowledged IT Director Ed Dabrowski said he is working on a project trying to make sure all the automatic update features are working on the more than 200 pcs in Town. In the normal course of time, users tend to click buttons they shouldn't and turn off that feature. He is going through each machine to make sure it is turned on so all the updates for security features and software for safety are automatically updates. He said at a previous meeting our internet provider was doing a major upgrade that increased the speed but not the cost. He said this is a big thing and will help as the Town goes to cloud base. He said wi-fi is fully operational at Main Square and can be used at the festival. He said he installed the final security camera at Main Square. He said we have good coverage on the west side of the park. He said future plans call for installing more cameras on the east side of the park by the fountain. He said the modems he ordered for the Fire Department came in and are being installed. He will be working with the Police Department to update their modems. This will help the Police Department when they want to download a picture in their car. He recently installed a modem in the Code Enforcement vehicle.

Councilor Scheeringa then acknowledged Fire Chief Mike Pipta who recapped the fire activity for the month of May (the report is found under staff reports). He thanked the Council for approving the purchase of boots, helmets and bunker gear. He said he attended the graduation of the five (5) new Highland Firefighters. He was happy to report that all five (5) passed. The class started with 57 but only 39 graduated. He was hoping that he could bring all five (5) to a Council meeting and have them introduced. He reported that the baby box is getting dedicated on June 28, 2024 at 1:00 o'clock p.m. Pastor Tim Huizenga, of Faith Church will perform the dedication. He said he just completed seven (7) day of successful testing of the alarm for the baby box. The guys have been cleaning up around the baby box, removing wood and painting the exterior of the back of the station. Other than that, he said he is getting his ducks in order for the 4th of July.

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

Comments from Visitors or Residents:

Larry Kondrat, Highland, said he hoped the vote on the beer garden vendor was finally putting to rest this continuous circus on beer gardens and festivals. All this Council has been talking about for the last several meetings is beer gardens and festivals. The Council needs to get over it and start to do something else. The residents think the only business the Council addresses is beer gardens and festivals.

Councilor Scheeringa 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 Georgeff moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period May 29, 2024 through June 11, 2024. Councilor Turich 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 May 29, 2024 to June 11, 2024 in the amount of **$2,151,990.11.**

General Fund, $353,473.94; **MVH Fund**, $29,884.56; **LAW Enforcement Continuing Education Training and Supply Fund,** $1,114.42; **Public Safety Income Tax**, $16,916.93; **Community Crossing Grant**, $487.56; **American Rescue Plan Grant**, $1,419,640.10; **MCCD**, $21,389.12; **Solid Waste,** $800.00; **Information and Communications Technology Fund**, $10,806.88; **Police Pension**, $69,543.74; **Insurance Premium**, $227,932.86

Payroll Docket for payday of May 31, 2024 by fund:

General, $294,754.24

Payroll Docket for payday of May 31, 2024:

Office of Clerk-Treasurer, $17,096.99; Building and Inspection Department, $11,221.34; Metropolitan Police Department, $133,682.01; Public Works Department (Agency), $76,769.40; Fire Department, $2,128.24 and Information and Technology Department, $4,205.45;
Total Payroll: $245,103.43.

Payroll Docket for payday of May 31, 2024 by fund:

Total Payroll by fund: $81,187.58.

Payroll Docket for payday of May 31, 2024:

Boards & Commissions. $10,916.37; Police Pension, $69,436.09;

Total Payroll: $80,352.46.

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, June 10, 2024, adjourned at 7:30 o'clock p.m.

Mark Herak
Clerk-Treasurer

Approved by the Town Council at its meeting of June 24, 2024.