

**Enrolled Minutes of the Thirty-Second Regular Meeting  
Of the Twenty-Sixth Highland Town Council  
Monday, April 13, 2009**

*Study Session.* The Twenty-Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular but rescheduled meeting on Monday, April 13, 2009 at 6:30 O'clock P.M. in the regular place, the upper meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

*Silent Roll Call:* Councilors Bernie Zemen, Mark A. Herak, Dan Vassar, Brian Novak and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**General Substance of Matters Discussed.**

1. The Town Council discussed the agenda of the imminent meeting.
2. The Town Council and the Redevelopment Director discussed the subject of added costs of ornamental lighting for Kennedy Avenue Improvement Project. It was noted that the ornamental lighting would incorporate LED lamps, which operate for much lower costs than conventional lamps. It was further noted that the added cost of acquisition could be paid from the Redevelopment Capital Fund, but the estimated cost of \$350,000 would significantly deplete the fund. It was still further noted that the price did not include the cost of construction engineering. The Redevelopment Director inquired if the Town Council could provide funds for the engineering. It was noted that the Town Council would not provide added funds but supported the Redevelopment Commission providing for the ornamental lights.

The study session ended at 7:00 O'clock p.m.

*Regular Meeting.* The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, April 13, 2009 at 7:01 O'clock p.m. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President Dan Vassar presided and the Town Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings.

The session was opened with the Town Councilor Bernie Zemen leading the pledge of allegiance to the United States Flag and offering a prayer.

**Roll Call:** Councilors Bernie Zemen, Mark A. Herak, Dan Vassar, Brian Novak and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Rhett L. Tauber, Town Council Attorney; John M. Bach, Public Works Director; Peter T. Hojnicky, Metropolitan Police Chief; William R. Timmer, CFOD, Fire Chief; Cecile Petro, Redevelopment Director; Kenneth J. Mika, Building Commissioner and Angela Clark, Recreation Director were present.

Lisa Gauthier, Karen Ziants and Laurel Roach of the Community Events Commission; Mark Roorda of the Town Board of Metropolitan Police Commissioners; and Ed Dabrowski of the Park and Recreation Board were also present.

**Minutes of the Previous Session**

The minutes of the regular meeting of 23 March 2009 were approved by general consent.

**Special Orders:**

1. **Public Hearing:** Proposed Additional Appropriations in Excess of the 2009 Budgets in the **Metropolitan Police Department**, in the amount of \$4,545.60, in the **VIPS Department in the amount of \$4,941.42 and the Fire Department in the amount of \$2,897.87 all in the Corporation General Fund** in the total amount of **\$12,384.89**.

(a) Attorney verification of Proofs of Publication:

The TIMES 1 April 2009. The Town Attorney verified that the proof of publication was in compliance with IC 5-3-1.

(b) **Public Hearing.** The Town Council President called the public hearing to order. There were no comments written or spoken and the hearing was closed.

- (c) Action on **Appropriation Enactment No. 2009-18:** An Enactment Appropriating Additional Moneys in Excess of the 2009 Budget in the **Several Departments of the Corporation General Fund** in the amount of **\$12,384.89**.

Councilor Zemen introduced and moved the consideration of Enactment No. 2009-18 at the same meeting of introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered.

Councilor Herak moved the passage and adoption of Enactment No. 2009-18 at the same meeting of introduction. Councilor Novak seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted.

**TOWN OF HIGHLAND  
APPROPRIATION ENACTMENT  
ENACTMENT NO. 2009-18**

**AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET FOR THE METROPOLITAN POLICE DEPARTMENT, THE VOLUNTEERS IN POLICING DEPARTMENT AND THE FIRE & EMS DEPARTMENT ALL OF THE CORPORATION GENERAL FUND PURSUANT TO I.C. 6-1.1-18, I.C. 36-5-3-5, ET SEQ.**

**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 Metropolitan Police Department, the Volunteers in Policing (VIPS) Department** and the **Fire & EMS Department** all of the **Corporation General FUND**;

**WHEREAS,** It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levy 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 funds herein named and for the purposes herein specified, subject to the laws governing the same:

CORPORATION GENERAL FUND:

**Metropolitan Police Department**

Acct. No. 220.04: Equipment Parts:		\$ 2,272.80
	<i>Total Series:</i>	\$ 2,272.80

Acct. No. 380.02:	Equipment Maintenance:		\$ 2,272.80
		<i>Total Series:</i>	\$ 2,272.80
		<b><i>Total Department:</i></b>	<b>\$ 4,545.60</b>

**VIPS Department**

Acct. No. 220.04:	Equipment Parts:		\$ 3,941.42
		<i>Total Series:</i>	\$ 3,941.42

Acct. No. 380.02:	Equipment Maintenance:		\$ 1,000.00
		<i>Total Series:</i>	\$ 1,000.00
		<b><i>Total Department:</i></b>	<b>\$ 4,941.42</b>

**Fire & EMS Department**

Acct. No. 360.01:	Equipment Parts:		\$ 2,897.87
		<i>Total Series:</i>	\$ 2,897.87

			<b><i>Total Department:</i></b>
			<b>\$ 2,897.87</b>
		<b><i>Total for Fund:</i></b>	<b><u>\$ 12,384.89</u></b>

**Section 2.** That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure subject to an order of the Commissioner, pursuant to IC 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 the 13<sup>th</sup> Day of April 2009. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED AND ADOPTED** this 13<sup>th</sup> Day of April 2009, 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**

**Dan Vassar, President (IC 36-5-2-10)**

**ATTEST:**

**Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)**

2. **Advisory Board of Zoning Appeals Docket:** Petition for a Use Variance for property located at **2920 45<sup>th</sup> Street**, Highland, to continue to be utilized as a **single family residential use** located in a B-1 Zoned District (Neighborhood Business District). Petitioner Ms. Ann Skertich, 2920-45<sup>th</sup> Street, Highland. The Advisory Board of Zoning Appeals by a vote of five in favor and zero opposed acted to **favorably recommend the request for the use variance**. The ABZA acted at its meeting of 25 February 2009. The findings of fact were memorialized and the board approved the facts in written form at its meeting of 25 March 2009. (90 days ends 26 May 2009.)

*Pursuant to IC 36-7-4-918.6, the Town Council may either **accept the recommendation** and grant the requested use variance or it may **reject the recommendation** and deny the use variance.*

Councilor Zemen moved that the recommendation of the ABZA be accepted and the use variance be approved and granted. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The use variance was approved.

**Staff Reports:** The Council received the following reports as information for the record:

• **Building & Inspection Report for March 2009**

Permit Type	No.	Residential	Commercial	Est. Cost	Fees
Single Family	1	1	0	\$354,000.00	\$4,126.00
Duplex/Condo	0	0	0	\$0.00	\$0.00
Commercial	0	0	0	\$0.00	\$0.00
Residential	70	70	0	\$425,835.00	\$7,430.00
Addit/Remodel					
Commercial	9	0	9	\$803,222.00	\$2,574.00
Addit/Remodel					
Schools/Church remodel/addtn.	0	0		\$0.00	\$0.00
Sheds	1	1	0	\$747.00	\$73.00
Fences	9	9	0	\$21,922.00	\$833.00
Garage	1	1	0	\$10,000.00	\$305.50
Decks & Porches	2	2	0	\$12,672.00	\$338.50
Swimming Pools	2	2	0	\$0.00	\$146.00
Misc. Permits	1	1	0	\$400.00	\$73.00
Misc. Flood damage repair	5	5	0	\$12,845.00	\$475.00
Signs	0	0	0	\$0.00	\$0.00
Fire Repair	0	0	0	\$0	\$0
<b>Total:</b>	<b>101</b>	<b>92</b>	<b>9</b>	<b>\$1,641,643.00</b>	<b>\$16,284.00</b>
<b>Electrical Permits</b>	<b>13</b>	<b>5</b>	<b>8</b>		<b>\$1,807.00</b>
<b>Mechanical Permits</b>	<b>10</b>	<b>7</b>	<b>3</b>	<b>0</b>	<b>\$876.00</b>
<b>Plumbing Permits</b>	<b>8</b>	<b>7</b>	<b>1</b>		<b>\$964.25</b>
<b>Water Meters</b>	<b>5</b>	<b>4</b>	<b>1</b>		<b>\$500.00</b>
<b>Water Taps</b>	<b>1</b>	<b>1</b>	<b>0</b>		<b>\$200.00</b>
<b>Sewer Taps</b>	<b>2</b>	<b>2</b>	<b>0</b>		<b>\$600.00</b>
<b>Total:</b>	<b>16</b>	<b>14</b>	<b>1</b>		<b>\$2,264.25</b>

**March Code Enforcement:** 138 warnings issued and 11 citations were issued.

There were 21 final building inspections, 15 plumbing inspections, and 21 electrical inspections. There was one electrical exam given.

• **Fire Department Report for March 2009**

	Month	Y.T.D.	Previous Y.T.D.	Task Hours
General Alarms	13	13	16	
Car Fires	1	1	1	
Still Alarms	9	9	8	
Ambulance calls	0	0	0	

• **Workplace Safety Report for March 2009**

There were two incidents reported in March. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2009	Total in 2008	Restricted Days 2009	Lost Workdays This Year	Restricted Days Last Year (2008)	Lost Workdays Last Year (2008)
Parks	0	0	3	0	0	0	0
Fire	0	0	1	0	0	0	0
Police	1	3	8	0	0	0	21
Street	0	0	6	0	0	3	2
Water & Sewer	1	1	6	0	0	0	0
Maint.	0	0	0	0	0	0	0
Other	0	0	1	0	0	0	0

<b>TOTALS</b>	2	4	25	0	0	3	23
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Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

• **Workplace Safety Report for February 2009 Revised from prior filing**

There was one incident reported in February. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2009	Total in 2008	Restricted Days 2009	Lost Workdays This Year	Restricted Days Last Year (2008)	Lost Workdays Last Year (2008)
Parks	0	0	3	0	0	0	0
Fire	0	0	1	0	0	0	0
Police	2	2	8	0	0	0	21
Street	0	0	6	0	0	3	2
Water & Sewer	0	0	6	0	0	0	0
Maint.	0	0	0	0	0	0	0
Other	0	0	1	0	0	0	0
<b>TOTALS</b>	2	2	25	0	0	3	23

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

**Unfinished Business and General Orders:**

1. **Works Board Order No. 2009-10:** An Order of the Works Board Authorizing and Approving a series of Change Orders, numbers 2 through 6, on the Kennedy Avenue Reconstruction Project Contract R-30936-A, all pursuant to IC 36-1-12-18.

Councilor Novak moved the passage and adoption of Works Board Order No. 2009-10. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**THE TOWN of HIGHLAND  
ORDER of the WORKS BOARD NO. 2009-10**

**AN ORDER AUTHORIZING and APPROVING A SECOND, THIRD, FOURTH, FIFTH AND SIXTH CHANGE ORDERS to the CONSTRUCTION CONTRACT R-30936-A RELATED to the KENNEDY AVENUE IMPROVEMENT PROJECT, NORTHERN TERMINUS AT LITTLE CALUMET RIVER AND SOUTHERN TERMINUS AT RIDGE ROAD, A FEDERAL AID HIGHWAY PROJECT, ALL PURSUANT TO IC 36-1-12-18**

**Whereas,** The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24 (3), has heretofore authorized and approved a public works project for street construction and other improvements in the public roadway through the assistance of federal highway aid funds, with the project commonly known as the **Kennedy Avenue Reconstruction Project**;

**Whereas,** In the course of the construction, reconstruction, or repair of the Kennedy Avenue Reconstruction Project, it has become necessary to change or alter the original specifications of the project;

**Whereas,** First Group Engineering (FGE), Incorporated, a licensed engineer performing construction engineering services on this project, at the request of the Town through its Public Works Director, has specifically identified and presented descriptions of such changes as five (5) proposed addenda, to be known as the *second through the sixth addenda* to the original construction contract with Grimmer Construction, Inc., particularly in support of changes in costs associated with items outlined in each order document which has a net effect of increasing the contract cost; and

**Whereas**, There are sufficient and available appropriations balances on hand to support any additional payments, if required, under the agreement, pursuant to IC 5-22;

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

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

**Section 1** That the Second through Sixth Addenda to the Construction Contract R-30936-A with Grimmer Construction, Inc. for the **Kennedy Avenue Reconstruction Project**, as prepared by First Group Engineering, Incorporated, a licensed engineer performing construction engineering services on this project, are hereby determined to be directly related to the original project and are hereby approved, adopted and ratified in each and every respect;

**Section 2.** That a second addendum is hereby ordered to be known as **Change Order No. 2**, issued to add net increases to the original agreement in the net increased amount of seven thousand, four hundred sixty-eight dollars and sixty-two cents (\$7,468.62);

**Section 3.** That a third addendum is hereby ordered to be known as **Change Order No. 3**, issued to add net increases to the original agreement in the net increased amount of one thousand, seven hundred forty-four dollars (\$1,744.00);

**Section 4.** That a fourth addendum is hereby ordered to be known as **Change Order No. 4**, issued to add net decreases to the original agreement in the net *decreased* amount of twelve thousand, four hundred seventeen dollars and eighty cents (-\$12,417.80);

**Section 5.** That the adoption and approval of change orders numbered 2 through 4, have the aggregate effect of producing a net reduction of three thousand, two hundred five dollars and fifteen cents (-\$3,205.15), bringing the total value of the entire agreement with any and all change orders approved to date to seven million, three hundred forty-two thousand, three hundred thirty-two dollars and twelve cents (\$7,342,332.12);

**Section 6.** That a fifth addendum is hereby ordered to be known as **Change Order No. 5**, issued to add net increases to the original agreement in the net increased amount of fifty-one thousand, three hundred thirty-dollars (\$51,330.00);

**Section 7.** That a sixth addendum is hereby ordered to be known as **Change Order No. 6**, issued to add net decreases to the original agreement in the net *decreased* amount of forty-one thousand, two hundred dollars and no cents (-\$41,200.00);

**Section 8.** That the adoption and approval of change orders numbered 5 through 6, have the aggregate effect of producing a net increase of ten thousand, one hundred thirty dollars and no cents (\$10,130.00), bringing the total value of the entire agreement with any and all change orders approved to date to seven million, three hundred fifty-two thousand, four hundred fifty-two dollars and twelve cents (\$7,352,452.12);

**Section 9.** That as any additional units of materials included in the original contract become needed, the cost of these units in this change order be the same as those shown in the original contract, all pursuant to IC 36-1-12-18(f);

**Section 10.** That the total of all change orders issued that increase the scope of this project may not exceed twenty percent (20%) of the amount of the original contract, that original being seven million, three hundred-thirty-five thousand, six hundred thirty-eight dollars and eighty cents (\$7,335,638.80) which may not exceed eight million, eight hundred two thousand, seven hundred sixty-six dollars and twenty cents (\$8,802,766.20) all pursuant to IC 36-1-12-18(d);

**Section 11.** That the proper officers hereby be and are authorized to execute the necessary documents with their signatures.

**Be it So Ordered.**

**DULY, PASSED and ORDERED** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 13<sup>th</sup> day of March 2009 having passed by a vote of 5 in favor and 0 opposed.

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

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

2. **Resolution No. 2009-19:** A Resolution Approving an Interlocal Cooperation Agreement by and between the Town of Highland, Town of Munster, the City of Hammond, the City of Gary and the Lake County regarding cost sharing for a preliminary engineering study to evaluate raising and the lengthening of bridges and approaches, along the Little Calumet River to an elevation to meet the top of the flood control levee elevation.

Councilor Kuiper moved the passage and adoption of Resolution No. 2009-19. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND, LAKE COUNTY, INDIANA  
TOWN COUNCIL  
RESOLUTION NO. 2009-19

**A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN THE TOWN OF HIGHLAND, TOWN OF MUNSTER, THE CITY OF HAMMOND, THE CITY OF GARY AND THE LAKE COUNTY REGARDING COST SHARING FOR A PRELIMINARY ENGINEERING STUDY TO EVALUATE RAISING AND THE LENGTHENING OF BRIDGES AND APPROACHES, ALONG THE LITTLE CALUMET RIVER TO AN ELEVATION TO MEET THE TOP OF THE FLOOD CONTROL LEVEE ELEVATION.**

**Whereas**, Indiana Code 36-1-7-1, et seq., allows local government entities to make the most efficient use of the powers by enabling them to mutually purchase and utilize equipment and supplies for the mutual benefit of each other;

**Whereas**, The Lake County Highway Department has proposed a cost sharing plan to support an engineering study regarding the feasibility and costs associated with elevating several bridges which cross the Little Calumet River in order to bring the elevation on par with the elevation of the Flood Control Levee, thereby providing greater flood protection;

**Whereas**, The Town of Highland, the City of Gary, the City of Hammond and the Town of Munster along with Lake County desire enhanced protection along the Little Calumet River Flood Control Levees that would likely ensue from the change in elevation of the several bridges along the Little Calumet River and have communicated this to the Lake County Highway Department; and

**Whereas**, The Town of Highland, the City of Gary, the City of Hammond and the Town of Munster and Lake County now wish to adopt and approve an interlocal cooperation agreement that enacts a cost sharing plan to support an engineering study regarding the feasibility and costs associated with elevating several bridges which cross the Little Calumet River in order to bring the elevation on par with the elevation of the Flood Control Levee, thereby providing greater flood protection, as proposed by the Lake County Highway Department,

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL of the TOWN of HIGHLAND, LAKE COUNTY, INDIANA:**

**Section 1.** That the Interlocal Cooperation Agreement that provides a cost sharing plan to support an engineering study regarding the feasibility and costs associated with elevating several bridges which cross the Little Calumet River in order to bring the elevation on par with the elevation of the Flood Control Levee, thereby providing greater flood protection, as proposed by the Lake County Highway Department, incorporated herein as an **exhibit** to this resolution, is hereby approved and adopted in each and every respect;

**Section 2:** That the President of the Town Council is hereby authorized and directed to enter into the Interlocal Cooperation Agreement, pursuant to the applicable provisions of Indiana Code 36-1-7-1, *et seq.*, as amended from time to time; further, the Clerk-Treasurer is hereby authorized to attest the execution of said agreement by the President of the Town Council;

**Section 3.** That this Resolution shall take effect and be in full force and effect from and after its passage by the Town Council of the Town of Highland, Lake County, Indiana.

**DULY RESOLVED AND ADOPTED** this 13<sup>th</sup> Day of April 2009, 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

Dan Vassar, President (IC 36-5-2-10)

ATTEST:

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

3. **Resolution No. 2009-20:** An Exigent Resolution Providing for the Transfer of Appropriation Balances from and among Major Budget Classifications in the **Volunteers In Policing Department of the Corporation General Fund** as Requested by the Department Head or Proper Officer and Forwarded to the Town Council for its action pursuant to IC 6-1.1-18-6.

Councilor Herak moved the passage and adoption of Resolution No. 2009-20. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND  
APPROPRIATION TRANSFER RESOLUTION  
RESOLUTION NO. 2009-20

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the VIPS DEPARTMENT OF THE CORPORATION GENERAL FUND as REQUESTED by the DEPARTMENT HEAD or PROPER OFFICER and FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the annual budget and it is now necessary to transfer certain appropriations into different categories than were appropriated in the annual budget for the various functions of the **VIPS Department of the Corporation General Fund**;

WHEREAS, The Town Council has been advised that the transfer would involve creation and authorization of a major expense category, for which no appropriations were approved in the current budget;

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

**Section 1.** That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes herein specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

**Section 2.** That it has been shown that certain existing appropriations of the **VIPS Department of the Corporation General Fund** have unobligated balances which will not be needed at this time for the purposes for which appropriated, so it will not be necessary to increase the 2009 budget, and may be transferred to a category of appropriation not heretofore present in this department or office of the fund, but now hereby authorized and established, as follows:

CORPORATION GENERAL FUND

**Volunteer In Policing Department**

Reduce Account #220.04 Equipment Parts.	\$ 200.00
<i>Total 200 Series Reductions</i>	\$ 200.00
Increase Account #360.01 Equipment Maintenance	\$ 200.00
<i>Total 300 Series Increases</i>	\$ 200.00
<b>Total of All Fund Decreases:</b>	<b>\$ 200.00</b>
<b>Total of All Fund Increases:</b>	<b>\$ 200.00</b>

DULY RESOLVED and ADOPTED this 13<sup>th</sup> Day of April 2009 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

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

4. Instruct the proper officer to publish notice pursuant to IC 5-3-1 for a public hearing on proposed additional appropriations in excess of the 2009 Budget for Information and Communications Technology Fund.

Councilor Herak moved that the proper officer be authorized to publish notice for a public hearing on additional appropriations in the Information and Communications Technology Fund. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The publication and hearing were authorized.

#### **Comments from the Town Council Members (Good of the Order)**

- **Councilor Bernie Zemen:** • *Redevelopment Commission Liaison* • *Plan Commission member* • *Chamber of Commerce Co-Liaison* • *Lake County Solid Waste Management District Board of Directors* • *President's designee to Selection Centennial Commission.*

Councilor Zemen reported the Redevelopment Commission was completing arrangements for its April 30<sup>th</sup> Commercial Realtor Luncheon to establish networks and to promote the sale or infill of vacant properties to the commercial realtors.

- **Councilor Mark Herak:** *Advisory Board of Zoning Appeals Liaison* • *Board of Waterworks Directors Liaison* • *Community Events Commission, Liaison.*

Councilor Herak noted that the Sanitary District was awaiting delivery of flow meters that would be used to monitor Lakeside and other areas for inflow and infiltration.

Councilor Herak further reported that the Indianapolis Boulevard project to lower its Highland bridge is moved up for letting in December of 2009 by the Indiana Department of Transportation. Water Board is working to align an extension of water main in the area near Ultra Foods Retail Grocer with the execution of the project.

- **Councilor Brian Novak:** *Town Board of Metropolitan Police Commissioners, Liaison* • *Traffic Safety Commission Member.*

Councilor Novak had no comments.

- **Councilor Konnie Kuiper:** *Fire Department Liaison* • *Park and Recreation Board, Liaison* • *Chamber of Commerce Co-Liaison.*

Councilor Kuiper offered a general comment that a recent meeting of the Park and Recreation Board proceeded favorably.

- **Councilor Dan Vassar:** *Town Executive* • *Police Pension Board of Trustees Chair* • *Budget Committee Chair* • *Board of Sanitary Commissioners.*

Council President Vassar commended the Fire Chief for his role in seeing the resolution of the pipeline and related easements issues so that the last unprotected area of the Flood Control Levee for the Little Calumet River could be completed.

#### **Comments from the Public or Visitors.**

1. Steven Neel, 3039 Hess Drive, Highland, inquired about the progress if any on the proposed overhead plumbing initiative of the Sanitary Board (grant program that would require a change in state law to authorize). Mr. Neel also reported that he experiences

excessive standing water in his backyard and that the problem began in the last five years. Mr. Neel requested a storm sewer or drain be installed to remedy this concern.

A colloquy ensued between and among the members of the Town Council, the Public Works Director and Mr. Neel regarding the standing water problem. The Public Works Director would follow up.

2. Laurel Roach, 9026 Price Place, Highland, reported that the Community Events Commission would be conducting an American Girl Doll Tea Party as a fund raiser to support the commemoration of the Centennial of the Town's incorporation. Ms. Roach also inquired as to the Town Council President's availability to serve as master or ceremonies at the Memorial Day special event.

**Payment of Accounts Payable Vouchers.** There being no further business from the public or visitors, Councilor Zemen moved to allow the accounts payable vouchers as filed on the pending pay docket, covering the period March 24, 2009 through to April 13, 2009. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers were allowed and the clerk-treasurer was authorized to make payment.

**General Fund, \$653,004.28; Motor Vehicle Highway and Street (MVH) Fund, \$39,701.25; Local Road and Street (LRS) Fund, \$240.00; Forfeited and Seized Assets Fund, \$280.03; Law Enforcement Continuing Education and Training Fund, \$2,428.74; Flexible Savings Account (FSA) Agency Fund, \$2,138.19; Insurance Premium Fund, \$117,153.93; Gasoline Agency Fund, \$9,471.00; Information and Communications Technology Fund, \$7,574.02; Police Pension Fund, \$58,252.55; Municipal Cumulative Capital Development (MCCD) Fund, \$13,054.03; General Improvement Fund, \$49.00; Safe Neighborhood Grant Fund, \$5,255.76; Gaming Revenue Sharing Fund, \$14,250.00; Corporation Capital Fund, \$42,315.51; Total: \$965,168.29.**

**Adjournment.** Councilor Novak moved that the regular meeting be adjourned. Councilor Kuiper seconded. Upon a vote *viva voce*, the motion passed. The regular meeting of the Town Council of **Monday, April 13, 2009** was adjourned at 7:58 O'clock p.m. No study session followed.

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer