

**Memorandum of the Meeting  
Regular Study Session/Meeting  
Twenty-Seventh Town Council of Highland  
Monday, November 16, 2015**

The regular study session of the Twenty-Seventh Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the upper meeting chambers on **Monday, November 16, 2015** at the time of 7:05 o'clock p.m.

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

*Also present:* Randy Bowman, Electrical Code Inspector; Ed Dabrowski, IT Consultant (Contract); John M. Bach, Public Works Director; Dennis Cobb, P.E., President of First Group Engineers; and Richard Underkofler, Secretary to the Highland Community Foundation were also present.

**General Substance of Matters Discussed or Proposed**

1. *Discussion with First Group Engineering and the Public Works Director the status of the 45<sup>th</sup> Avenue and Fifth Street Intersection Project.* The Public Works Director and Mr. Cobb reported on the Status of the 45<sup>th</sup> Avenue and Fifth Street Intersection Project. It was noted that the current contract with First Group was for \$128,000. Mr. Cobb noted that after assaying the rights of way acquisition needed for the project and accounting for some new rules promulgated by INDOT regarding utilities relocations, it would be likely he would require additional work not contemplated in the initial preliminary engineering agreement.

Mr. Cobb noted that the project has been approved as a Federal Aid Project, with the local portion being twenty percent of the total cost. Mr. Cobb also reported that ten parcels have been identified for acquisition in order build the center turn lane, which is a key component of the project. He further estimated that the rights of way acquisition and engineering services agreement would cost \$125,000.

Mr. Cobb further explained the INDOT rules, which now impose 80 new procedural checks in order to reduce the likelihood of utility relocation causing added costs or slowdown and adding an emphasis on greater utility coordination. He noted that if work were out of phase, INDOT would not reimburse the costs of the utility relocation.

Mr. Cobb also noted that there were some design changes made to lower costs, which will lower Right of way acquisition costs. Most of this involves elimination of sidewalk. On the current timetable, Mr. Cobb that the Town has until October 2016 to clear rights of way and that the bid letting would occur in February 2017. The total project cost is \$850,000.

The Town Council, Mr. Cobb and the Public Works Director engaged in a colloquy regarding the benefits of the improvements over the current staggered and delayed traffic light management. It was noted that accidents have been reduced employing the current array. Mr. Cobb indicated that the left turn lane will be more efficient in operation, reducing delay and time in the queue

The discussion included impacts on properties from the rights of way acquisition. Councilor Vassar related his reservations about the project owing to a particular impact.

Mr. Cobb, indicated that the Town Council should consider the information presented and if there is any change in support for the improvement project, please communicate that with him. Mr. Cobb departed at this time.

2. *With leave from the Town Council*, the Town Council President acknowledged Amy Siebenhaar and Mary Ellis of the Primitive Peddler, 2815 Jewett Street, Highland. Ms. Siebenhaar and Ms. Ellis inquired regarding the sidewalk elimination described in the 45<sup>th</sup> Avenue and 5<sup>th</sup> Street Intersection Project. The Public Works Director explained.

Amy Siebenhaar and Mary Ellis of the Primitive Peddler further explained their concerns regarding their business during the Water main Improvement Project, which seemed to be adversely affecting traffic and some challenges they experienced with the code enforcement of the sign provisions.

She reported that the business was cited on two occasions for white lights in the window and the use of feather flag signs outside the business. Ms. Siebenhaar and Ms. Ellis questioned the rationale of the sign rules and how it was frustrating their ability to bring people to their site by promoting its location. They even discussed their desire to use a large sign owned by a neighboring landlord located on the intersection of Kennedy Avenue and Jewett.

Ms. Siebenhaar and Ms. Ellis also expressed disappointment that a request to promote their business and a November 5, 2015 open house with fourteen vendors on the electronic sign at Main Square Park was denied owing to the policy that only non-profit and municipal events were allowed to be displayed. Ms. Siebenhaar opined that the town seems antibusiness.

The Town Council indicated that the Building Commissioner would be directed to follow-up with them regarding the sign enforcement and the current regulations.

Ms. Ellis also inquired about the sidewalk replacement program that was recently promoted with an insert in the utility bill. Ms. Ellis indicated that the sidewalk near them had a raised section of sidewalk over which a customer recently tripped and fell. She also reported on a portion of sidewalk on Highway Avenue that is in need repair. The Public Works Director, noting that the Redevelopment Department of the Town of Highland was the owner/landlord, he would take steps to repair the sidewalk in front of their business. He would also follow-up on the sidewalk described on Highway Avenue, which she described as between Delaware Street and Parrish Avenue.

Ms. Siebenhaar and Ms. Ellis departed at this time.

3. *Discussion Regarding Renewal of Current Ambulance Services Joint Agreement with Prompt Ambulance.* The Clerk-Treasurer reported to the Town Council that the current three-year agreement was due to expire on December 31, 2015. He noted that the Town of Munster was working on renewal of the agreement, with most provisions to remain the same except for an additional metric basing arrival time at the bedside rather than the location itself. There was no further action.
4. *Update on Quiet Zone Project for Canadian National Railroad crossing at Kennedy Avenue.* The Public Works Director reported that the project, recently awarded to Walsh and Kelly, would be postponed until Spring. The Public Works Director noted that the project would require an additional 30 days notice to the Railroad in order to provide for the needed coordination with its representatives. The Public Works Director did not want to have Kennedy Avenue in a state of disrepair over the winter. Based upon that he was directing that the project be delayed. There was not comment or objection stated by any councilor.

5. *Interlocal Cooperation Agreement with several Political Subdivisions of the Town regarding the Parks and Recreation Grant to Support a Tree Inventory and Management Plan.* Richard Underkofler explained the proposed agreement to be among the Parks and Recreation, Public Sanitation, and Public Works (Agency) - Street Departments. The agreement would provide the local funding as part of a Lake Michigan Coastal Program (LMCP) grant application to support a tree inventory and management program. The grant could be for a project valued up to a maximum of \$100,000, allowing the grantor to provide fifty percent and the awardee, fifty percent.

Mr. Underkofler indicated that the agreement provided for support in amounts not to exceed the local allocation of fifty percent to be paid from among the several participants. The allocations were not to exceed \$14,000 for Parks and Recreation, not to exceed \$18,000 for the Public Sanitation Department and not to exceed \$18,000 for the Street Department, for a not to exceed total of \$50,000.

The grant would expressly support the actual inventory taking and the completion of a tree inventory management plan, which would be necessary for any future grant funding to support tree planting.

The Town Council, Mr. Underkofler and the Public Works Director discussed whether there could be an alternative approach for less cost to conduct the inventory in all the public ways and the undeveloped parks. It would be placed on the agenda for the Town Council's consideration.

6. *Interlocal Cooperation Agreement for the Westlake Extension for NICTD.* The Clerk-Treasurer reminded the Town Council that the agreement should soon be acted upon. He reported that at present, only four communities had not adopted the agreement: Cedar Lake, East Chicago, Hammond and Highland. It was further noted that only two communities did not formally commit initial funds in its Capital Improvement Plan for CEDIT moneys: East Chicago and Hammond. The Clerk-Treasurer reminded the Council that its recently authorized and sent its first contribution under the initial pledge that was in the amount of \$114,880, representing 20% of the CEDIT distribution for FY 2014, but appropriated in 2015. The Clerk-Treasurer stated that the second amount of the initial plan could be wrapped in the adoption of the interlocal agreement, which would be for a term of 30 years if the project met all its benchmarks and moved forward. The Clerk-Treasurer also recommended that the Town Council consider a reduced percentage from 20% to 15% as the desired level of the pledge. It was noted that the matter of the percentage would be preferably taken up once Councilor Wagner was able to return from his USW contract work to participate in the discussion.

There being no further business necessary or desired to be discussed by the Town Council, the regular study session of the Town Council of **Monday, November 16, 2015**, was adjourned at 8:14 o'clock p.m.

There was properly scheduled **Executive Session** called for 8:15 p.m., in order to interview a prospective employee, which is permissible pursuant to IC 5-14-1.5-6.1(b)(5). The memorandum of the Executive Session is on file.

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