

**Enrolled Minutes of the Twenty-seventh Regular or Special Meeting  
For the Twenty-Eighth Highland Town Council  
Regular (Rescheduled) Plenary Business Meeting  
Monday, January 30, 2017**

*Study Session.* The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, January 30, 2017 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

**Silent Roll Call:** Councilors Mark Herak, Dan Vassar, Steven Wagner, Konnie Kuiper and Bernie Zemen 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 discussed the wall that is exposed where the former Chela's Restaurant was located on 45<sup>th</sup> Avenue, in the Homestead Plaza. The discussion included concern regarding its poor aesthetic and whether there was something that the Town could do.

The study session ended at 6:59 O'clock p.m.

*Regular (Rescheduled) meeting.* The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, January 30, 2017 at 7:00 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. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Bernie Zemen reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

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

**Additional Officials Present:** Rhett L. Tauber, Esq., Town Attorney; Pete Hojnicky, Metropolitan Police Chief; Mark Knesek, Operations Director in Public Works; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; Kenneth J. Mika, Building Commissioner and Cecile Petro, Redevelopment Director were present.

*Also present:* Kathy DeGuilio-Fox and Bill Leep, of the Redevelopment Commission; Steve Mileusnich, Advisory Board of Zoning Appeals; Chris Ray of the Park and Recreation Board; and Randy Bowman, Electrical Inspector were also present.

**Minutes of the Previous Meetings:** The minutes of the regular meeting of 09 January 2017, were approved by general consent.

**Special Orders:**

1. Presentation of Plaque of appreciation to the *65th Town Council President, Bernie Zemen.*

The Town Council President presented the customary plaque to Bernie Zemen for his service as 65<sup>th</sup> Town Council President.

**Communications:**

The Clerk-Treasurer acknowledged the following letters without reading them aloud on the subject of the Town Theater Project, all expressing support for allowing the project to proceed.

1. Letter from Mr. & Mrs. Manuel Soto, expressing support for the Town Theater Project.
2. A Letter from Gretna Szymanski, expressing support for the Town Theater Project.
3. A letter from Rhonda Szymanski, expressing support for the Town Theater Project.
4. A letter signed by 65 Highland Students/Staff/Residents expressing support for the Town Theater Project.
5. A letter from Rachel Hibbard expressing support for the Town Theater Project.
6. A letter from Sue Ferguson co-owner of Hoosier Highlander expressing support for the Town Theater.

*Special remarks:* With leave from the Town Council, Council President Vassar offered remarks regarding the proposed Town Theater Redevelopment project. The Town Council President noted that there were similar arguments presented in resistance to the transfer of the former Main School property to the Town in order to develop what is now Main Square Park. The Town Council President expressed his hope that that experience would inform the decision regarding the project, when it comes up later in the meeting.

**General Orders and Unfinished Business:**

1. **Works Board Order No. 2017-01:** An Order of the Works Board Offering, Authorizing and Approving an Extension to the Contract between the Town of Highland and Walsh & Kelly, Incorporated for Materials and Services – Asphalt Work through December 31, 2017, all Pursuant to Indiana Code 5-22 et Seq. and Chapter 3.05 of the Highland Purchase Code.

Councilor Wagner moved the passage and adoption of Works Board Order No. 2017-01. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

TOWN of HIGHLAND  
BOARD OF WORKS  
ORDER of WORKS BOARD NO. 2017-01

**AN ORDER of the WORKS BOARD OFFERING, AUTHORIZING and APPROVING AN EXTENSION to the CONTRACT BETWEEN THE TOWN OF HIGHLAND AND WALSH & KELLY, INCORPORATED for MATERIALS and SERVICES – ASPHALT WORK through DECEMBER 31, 2017, ALL PURSUANT TO INDIANA CODE 5-22 ET SEQ. and CHAPTER 3.05 of the HIGHLAND PURCHASE CODE**

Whereas, The Town of Highland did receive bids on March 12, 2012 for Road Materials and Services, which included asphaltting work and associated services, pursuant to IC 5-22 et seq. and on April 23, 2012, the

Town Council for the Town of Highland accepted and awarded a bid for several items of asphalt work and associated services to Walsh & Kelly, Incorporated, as the lowest responsible and responsive bid; and

**Whereas**, Walsh & Kelly, Incorporated has expressed interest, through a letter dated November 17, 2016, attached hereto, to extend the current contract for an additional year at the same terms and conditions for Road Materials and Services, Asphalt Paving;

**Whereas**, Walsh & Kelly, Incorporated has demonstrated professional competence and qualifications to perform the particular concrete work for the Town of Highland and it has been determined that extending the current contract will realize a cost and time savings for mutual benefit of the both parties; and

**Whereas**, The Town Council for the Town of Highland, pursuant to IC 5-22-17-4, now wishes to offer a contract extension to Walsh & Kelly, Incorporated, through December 31, 2017, for Road Materials and Services – Asphalt Paving, under the original terms, conditions and prices as the original contract (1-year).

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

**Section 1.** That the Director of Public Works is hereby ordered to offer contract a extension to Walsh & Kelly, Inc. for Road Materials and Services – Asphalt Paving under the same terms, conditions, and prices for the period January 1, 2017 through December 31, 2017;

**Section 2.** That, if accepted, the Director of Public Works be authorized to execute the Contract Extension with his signature as attested thereto by the Clerk Treasurer.

**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 30th day of January 2017 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/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. **Resolution No. 2017-01:** A Resolution Of The Fiscal Body Of The Town Of Highland Approving And Fixing The Official Charges Or Fees For Information And Communication Technology Services Provided By The Municipality To Its Executive Departments And Offices And Accounted In The Information And Communication Technology Fund.

Councilor Herak moved the passage and adoption of Resolution No. 2017-01. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN of HIGHLAND  
Town Council Resolution No. 2017-01**

**A RESOLUTION OF THE FISCAL BODY OF THE TOWN OF HIGHLAND APPROVING AND FIXING THE OFFICIAL CHARGES OR FEES FOR INFORMATION AND COMMUNICATION TECHNOLOGY SERVICES PROVIDED BY THE MUNICIPALITY TO ITS EXECUTIVE DEPARTMENTS AND OFFICES AND ACCOUNTED IN THE INFORMATION AND COMMUNICATION TECHNOLOGY FUND**

**WHEREAS**, The Town Council of the Town of Highland serves as both the legislative and fiscal body of the municipality, all pursuant to I.C. 36-1-2-6, I.C. 36-1-1-2-9 and I.C. 36-5-2-2;

**WHEREAS**, IC 36-1-3-2 and IC 36-1-3-6(b)(1) confer upon local units of government the powers that they need for the effective operation of government as to local affairs and prescribe the manner and form of enactment for any such exercise of power;

**WHEREAS**, The Highland Town Council did adopt and establish an Information and Communication Technology Fund, by adoption of Ordinance No. 1323, amending the Highland Municipal Code by adding a new section § 31.08 (now codified as Section 3.45.110), which provides for an internal service fund as an accounting

entity to which the resources and costs associated with providing information and communication technology services to the municipality will be accounted; and,

**WHEREAS**, Section 3.45.110 (F) (1) particularly provides that resources or revenue for these services supported by the internal service fund may consist of *"interdepartmental charges, contributions, cost shares or assessments levied against funds or departments of the municipality to support the lawful purposes and budget of the Information and Communication Technology Fund;"*

**WHEREAS**, Section 3.45.110 (F) (1) (a) still further provides that the *"charges and rates shall be developed and recommended by the proper officers of the municipality and fixed and approved by the Town Council"*;

**WHEREAS**, The proper officers of the municipality have developed and now recommend charges and rates for FY 2017 to support the costs associated with the provision of information and communication technology services to the municipality and its several executive departments and utilities; and,

**WHEREAS**, The Town Council now desires to fix and adopt the charges and rates as recommended,

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

**Section 1.** That the proper officer(s) of the municipality have developed and now recommend the following annual charge for services for the fiscal year 2017 as follows:

(a) For information and communication technology services provided to the several departments reposed in the **Corporation General Fund**, the annual charge is allocated at 25% of costs or \$54,355;

(b) For information and communication technology services provided to the department reposed in the **Park and Recreation Fund**, the annual charge is allocated at 20% of costs or \$43,484;

(c) For information and communication technology services provided to the department reposed in the **Redevelopment General Fund**, the annual charge is allocated at 5% of costs or \$10,871;

(d) For information and communication technology services provided to the Waterworks Utility, the annual charge is allocated at 25% of costs or \$54,355;

(e) For information and communication technology services provided to the Wastewater/Stormwater Utility, the annual charge is allocated at 25% of costs or \$54,355;

**Section 2.** That the Town Council hereby finds and determines that the rates and charges as recommended are consistent with IC 36-1-3-8(a)(6), calculated to include reasonable costs associated with those purposes outlined in Section 3.45.110 (D) of the Highland Municipal Code;

**Section 3.** That the Town Council hereby now fixes and approves the annual rates and charges as set forth herein, and authorizes the municipal fiscal officer to take such lawful measures to charge and collect the fees herein, either as a single lump sum fee or collected periodically until fully collected, and then to deposit these charges into the **Information and Communication Technology Fund**;

**DULY RESOLVED and ADOPTED** this 30<sup>th</sup> Day of January 2017, 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

Attest:

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

3. **Resolution No. 2017-02:** A Resolution Authorizing Temporary Interfund Loan or Transfer Pursuant to IC 36-1-8-4 of the Indiana Code and Section 3.20.040 of the Highland Municipal Code, from MCCD to the Corporation Bond and Interest Fund.

Councilor Herak moved the passage and adoption of Resolution No. 2017-02. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

RESOLUTION NO. 2017-02

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4 OF THE INDIANA CODE AND SECTION 3.20.040 OF THE HIGHLAND MUNICIPAL CODE

**Whereas**, The Clerk-Treasurer has advised the Town Council that cash balance in the **Corporation Non-Exempt Bond and Interest Fund** is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

**Whereas**, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Municipal Cumulative Capital Development Fund** that can be temporarily transferred;

**Now, Therefore Be it Resolved** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That the amount of \$837,387.11 be borrowed for the **Corporation Non- Exempt Bond Fund** with the amount of \$837,387.11 to be loaned by the **Municipal Cumulative Capital Development Fund**;

**Section 2.** That said loan in the amount of \$837,387.11 be repaid to the **Municipal Cumulative Capital Development Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Corporation Non-Exempt Bond and Interest Fund** with such loan to be repaid no later than December 31, 2017, subject to IC 36-1-8-4(b).

**Duly Passed and Adopted** by the Town Council of the Town of Highland, Lake County, Indiana, this 30th day of January 2017. 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/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

4. **Resolution No. 2017-03:** A Resolution Authorizing Temporary Interfund Loan or Transfer Pursuant to IC 36-1-8-4 of the Indiana Code and Section 3.20.040 of the Highland Municipal Code, from Rainy Day Fund to the Park District Exempt Bond and Interest Fund.

Councilor Herak moved the passage and adoption of Resolution No. 2017-03. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND  
RESOLUTION NO. 2017-03

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4 OF THE INDIANA CODE AND SECTION 3.20.040 OF THE HIGHLAND MUNICIPAL CODE

**Whereas**, The Clerk-Treasurer has advised the Town Council that cash balance in the **Park District Exempt Bond and Interest Fund**, is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

**Whereas**, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Rainy Day Fund** that can be temporarily transferred;

**Now, Therefore Be it Resolved** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That the amount of \$94,527.19 be borrowed for the **Park District Exempt Bond and Interest Fund** with the amount of \$94,527.19 to be loaned by the **Rainy Day Fund**;

**Section 2.** That said loan in the amount of \$94,527.19 be repaid to the **Rainy Day Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Park District Exempt Bond and Interest Fund** with such loan to be repaid no later than December 31, 2017, subject to IC 36-1-8-4(b).

**Duly Adopted** by the Town Council of the Town of Highland, Lake County, Indiana, this 30th day January 2017. 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/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

5. **Resolution No. 2017-04:** A Resolution Authorizing Temporary Interfund Loan or Transfer Pursuant to IC 36-1-8-4 of the Indiana Code and Section 3.20.040 of the Highland Municipal Code, from MCCD Fund to the Waterworks District Bond and Interest Fund.

Councilor Wagner moved the passage and adoption of Resolution No. 2017-04. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND  
RESOLUTION NO. 2017-04

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4 AND SECTION 3.20.040 OF THE HIGHLAND MUNICIPAL CODE

**Whereas,** The Clerk-Treasurer has advised the Town Council that cash balance in the **Waterworks Bond and Interest Fund**, is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

**Whereas,** The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Municipal Cumulative Capital Development Fund** that can be temporarily transferred;

**Now, Therefore Be it Resolved** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That the amount of **\$49,363.14** be borrowed for the **Waterworks Bond and Interest Fund** with the amount of **\$49,363.14** to be loaned by the **Municipal Cumulative Capital Development Fund**;

**Section 2.** That said loan in the amount of **\$49,363.14** be repaid to the **Municipal Cumulative Capital Development Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Waterworks Bond and Interest Fund** with such loan to be repaid no later than December 31, 2016, subject to IC 36-1-8-4(b).

**Duly Adopted by** the Town Council of the Town of Highland, Lake County, Indiana, this 30<sup>th</sup> day of January 2017. 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/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

6. **Action to approve pay for employee at higher than starting pay for the range of the position, pursuant to Section 2 (a) of Ordinance No. 1641 the Wage and Salary Ordinance, as amended, and to approve the person as an eligible employee pursuant to Section 6.03.06 of the Compensation and Benefits Ordinance.**

*Building Commissioner/Chief Inspector wishes to appoint a person to the position of Assistant Building Inspector (See Section 5.15.010(A) in HMC) at higher than the starting pay in the range. In order to allow training period with current officer, who is anticipated to be leaving service with the Town, the Commission seeks this approval. The authorized pay range for the position is \$22.15 to \$30.00 per hour. The Building Commissioner seeks to appoint, Mr. Paul Ziemniak, at the starting pay of \$24.10 per hour.*

Councilor Herak moved to approve the starting pay of \$24.10 per hour as requested by the Building Commissioner. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The starting pay being fixed at \$24.10 for Paul Ziemniak was approved.

It was noted that Paul Ziemniak was appointed by the Building Commissioner to succeed Randy Bowman as Electrical Inspector, as Randy Bowman announced his intention to retire on February 10.

7. **Action to approve appointment or employment of full-time employee, pursuant to Section §3.03 of the Compensation and Benefits Ordinance.** Assistant Public Works Director recommends the following:

(A) The hiring of Daniel Clayton, to the full-time position of Utility Worker/Driver C in Public Works Department (Agency) at a rate of pay of \$15.40 per hour. This will not increase the full-time workforce greater than the authorized work force strength.

Councilor Herak moved to approve the appointment and employment of Daniel Clayton to the full-time position indicated at the rate indicated. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Daniel Clayton was hired to the position of Utility Worker/Driver C at the rate of \$15.40 per hour, as fixed in the most recently adopted wage and salary ordinance.

8. **Commendation Letter for Day Off and Signature Authorization. Action to approve Letters of Commendation for exemplary public service leading to the award of a single paid day off for several workers in the Metropolitan Police Department.** Pursuant to Section 4.13 of the Compensation and Benefits Ordinance, for the day off to be effective requires the approval of the board of jurisdiction and the Town Council. The Town Board of Metropolitan Police Commissioners has granted preliminary approval to several letters of commendation regarding several employees who have worked a full year without calling off. Action should include approval for the members of the Town Council to sign the letters of commendation. The Police Chief and the Town Board of Metropolitan Police Commissioners are asking for approval of a letter of commendation for six months of work without calling off and not having an at-fault accident for the following:

*Assistant Chief Pat Vassar*  
*Commander George Georgeff*  
*Commander Ralph Potesta*  
*Dep. Commander John Banasiak*  
*Sergeant Christopher Balbo*  
*Corporal L. John Siple*  
*Corporal Mark Santino*

*Corporal Glenn Cox*  
*Officer Richard Hoffman*  
*Officer Daniel Matusik*  
*Officer Lee Natelborg*  
*Officer Brian Stanley*  
*Officer Nicholas Vanni*  
*Officer Andrew Germonprez*

Councilor Herak moved that the letters of accommodation for exemplary public service leading to the award of a paid day off be approved and further that the individual members of the Town Council be authorized to affix their signatures to the letter, for all those listed *except for Assistant Chief Pat Vassar*. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The letters and the council signing was approved.

Councilor Herak moved that the letter of accommodation for exemplary public service leading to the award of a paid day off for *Assistant Chief Pat Vassar* be approved and further that the individual members of the Town Council be authorized to affix their signatures to the letter. Councilor Wagner seconded. Upon a roll call vote, there were four affirmatives, no negatives and one abstention. With Councilors Zemen, Herak, Wagner and Kuiper voting in the affirmative and

Councilor Vassar abstaining, the motion passed. The letter for Assistant Chief Vassar and the council signing was approved.

9. **Instruction regarding the Town Theater Redevelopment Project.** *At the Study Session of January 23, 2017, the Town Council received a briefing on the project status. Further, the Town Council received public comments regarding the project. Under general consent, the Town Council President asked that the this matter be placed on the Agenda for the Town Council's action. The Town Council's action should be to direct that the project proceed or should be cancelled. It should be noted that if the vote is to proceed, there will be another vote regarding the manner of financing, pursuant to law.*

*Motion.* Councilor Herak moved to terminate the project, and instruct the Redevelopment Commission that there be no further expenditures except to seek RFQ's (sic) for the Box Office and the Marquee. Councilor Wagner seconded.

Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Herak, Wagner, and Kuiper voting in the affirmative and Councilors Zemen and Vassar voting in the negative, the motion passed. The Town Theater Project was terminated and the Redevelopment Commission was instructed to curtail any further expenditures (on the project) except in seeking RFQ's (sic) for the Box Office and the Marquee. *(Note: This instruction is modified under Council Comments at its meeting of February 13, 2017.)*

With leave from the Town Council, the Councilors were recognized to offer any remarks before the vote on the motion. Those remarks follow.

Councilor Zemen noted that he had received many calls and messages regarding the matter. He acknowledged with appreciation all of the many people who worked on the project so far. Councilor Zemen then recounted several places remembered from his childhood that were now gone. He then indicated that he favored the project moving forward.

Councilor Wagner indicated that he favored the Town Theater but did not favor public funding for its rehabilitation.

Councilor Kuiper expressed his "struggle" with the decision. Councilor Kuiper expressed concerns about funding (sic) and unanswered questions.

Council President Vassar expressed his expressed hope first enunciated two years ago that the Commission should think on a grand scale and for plans that exhibited vision.

10. Authorizing the proper officer to publish legal notice of a public hearing to consider additional appropriations in the amount of **\$96,668.00** in the **Unsafe Building Fund**, in the amount of **\$5,000** in the **General Improvement Fund**; in the amount of **\$1,520.95** in the **Indiana Bicentennial Legacy Project Fund**, in the amount of **\$387,776.08** in the **LOIT Special Distribution Fund** and in the amount of **\$147,076.57** in the **Rainy Day Fund**.

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

**Comments from the Town Council:**



Without objection and under general consent, the Town Council elected to omit Comments from the Council as part of the meeting.

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • IT Liaison*
- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*
- **Councilor Steve Wagner:** • *Advisory Board of Zoning Appeals Liaison • Redevelopment Commission Liaison.*
- **Councilor Konnie Kuiper:** • *Town Board of Metropolitan Police Commissioners, Liaison. • Fire Department, Liaison • Chamber of Commerce Co-Liaison.*
- **Councilor President Dan Vassar:** *Town Executive • Chair of the Board of Police Pension Trustees • Liaison to the Park and Recreation Board.*

#### **Comments from Visitors or Residents:**

1. Robert Maxwell, 2760 Hillcrest Drive, Dyer, conveyed thanks to Councilors Zemen and Vassar for their votes and expressed disappointment regarding the Town Theater decision.
2. Dawn Diamantopolous, 2622 Wicker Avenue, Highland, expressed appreciation for the votes of Zemen and Vassar. She expressed disappointment in the vote to stop the Town Theater project.
3. Terry Fuqua, 3042 LaPorte Street, Highland, expressed support for the Town Council's decision.
4. Dave Gearman, 8822 St. James Place, Highland, expressed thanks to both the Town Council and the Redevelopment Commission for its work.

With leave from the Town Council, the Town Council President added thanks to the volunteers on the Town Theater Board of Directors, as well as Attorneys Green-Fraleigh and Tauber who performed legal services gratis for the project.

5. Pat Popa, 8636 2<sup>nd</sup> Street, Highland, expressed disappointment in the vote to stop the Theater project.
6. John Garcia, 2948 100<sup>th</sup> Street, Highland, stated he favored the theater project and he believed his little sister would have liked it too. He was disappointed that the Theater project was stopped.
7. Rick Volbrecht, 9221 Parkway Drive, Highland, expressed thanks to the councilors who voted no. He noted he opposed the project.
8. Ted Oberc, 2704 Lincoln Street, Highland, commended the Town Council for its process and for its vote.
9. Dave Allison, 3322 Garfield Avenue, Highland, thanked Councilors Zemen and Vassar for their yes votes.
10. Brendan Dananay, 2735 North Drive, Highland, thanked Councilors Vassar and Zemen for their votes.

11. Mary Beth Lubarski, 9022 Parrish Avenue, Highland, commented that she was part of a group who obtained a house that was recently rebuilt that will be housing Art as part of a still hoped for Art District. She hoped that she and others would be part of finding a future common good.

**Payment of Accounts Payable Vouchers.** There being no further comments from visitors or residents, Councilor Wagner moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **January 10, 2017 through January 30, 2017** and the **payroll dockets for January 6<sup>th</sup> & 20<sup>th</sup>, 2017**. Councilor Zemen seconded. Upon a roll call vote, there were five 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.

**Vendors Accounts Payable Docket:**

**General Fund, \$256,669.98; Motor Vehicle Highway and Street (MVH) Fund, \$90,583.12; Local Road and Street Fund, \$4,021.20; Law Enforcement Continuing Education, Training, and Supply Fund, \$1,408.78; Capital Projects Retainage Agency Fund, \$3,000.00; Corporation Bond and Interest Fund, \$680,647.00; Flexible Spending Account (FSA) Agency Fund, \$1,325.70; Insurance Premium Agency Fund, \$255,069.04; Gasoline Purchase Agency Fund, \$14,671.12; Information and Communications Technology Fund, \$7,180.47; Solid Waste District Grant Fund, \$525.31; Police Pension Fund (1925 Law), \$67,632.27; Municipal Cumulative Capital Development Fund, \$63,158.71; Traffic Violations and Law Enforcement Agency Fund, \$12,368.50; Gaming Revenue Sharing Fund, \$5,800.00; Public Safety Local Income Tax (LIT) Fund, \$117,359.29; Total: \$1,581,420.49**

**Payroll Docket for payday of January 6, 2017:**

**Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$16,211.66; Building and Inspection Department, \$7,803.32; Metropolitan Police Department, \$104,112.46; Fire Department, \$3,128.64; Public Works Department (Agency), \$61,928.33 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$193,184.41.**

**Payroll Docket for payday of January 20, 2017:**

**Council, Boards and Commissions, \$8,514.00; Office of Clerk-Treasurer, \$16,679.67; Building and Inspection Department, \$8,244.35; Metropolitan Police Department, \$127,228.07 Fire Department, \$28,557.70; Public Works Department (Agency), \$66,115.83 and 1925 Police Pension Plan Pension Fund, \$67,551.53; Total Payroll: \$322,891.15.**

**Adjournment of Plenary Meeting.** Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Wagner seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, January 30, 2017 was adjourned at 7:41 O'clock p.m.

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