

**Enrolled Memorandum of the Meeting  
Study Session/Meeting (Convened Electronically/Hybrid)  
Twenty-Ninth Town Council of Highland  
Monday, June 7, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met *electronically* in a study session on **Monday, June 7, 2021** 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 electronic meeting, pursuant to Governor Holcomb's Executive Order 20-04 and 20-09 allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 public health emergency, extended by Executive Order No. 21-14. Some persons were participating remotely on a Zoom platform that allowed for real time interaction between and among all the Town Council and supported the public's ability to observe and record the proceedings. People were able to participate in person and remotely, allowing for all councilors to be simultaneously seen and heard. When the agenda item provided for public comment, this was supported as well. All councilors participated on the Zoom platform. The Town Council President Roger Sheeman and Councilor Mark Herak were also present in person.

The meeting was streamed live on the Town of Highland, Indiana Facebook page and participation was supported by the Zoom on-line communication platform.

***Silent Roll Call:*** Councilors Bernie Zemen, Mark Herak, Mark J. Schocke, Tom Black and Roger Sheeman were present (electronically) as indicated. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings (electronically). The Town Council President, Councilor Herak and the Clerk-Treasurer were present in person as well. *A quorum was attained.*

***Officials Present:*** (electronically) Scott A. Bilse, for the Town Attorney; William Timmer, Fire Chief; Kenneth Mika, Building Commissioner and Kathy DeGuilio-Fox, Redevelopment Director, were also present, participating electronically. Kenneth Mika, Building Commissioner, participated in person also.

***Additional Officials Present:*** Ed Dabrowski, IT Consultant (Contract) and Board of Waterworks Directors, in person; was present..

***Guests:*** Robin Carlascio of the Idea Factory was also present (electronically).

**General Substance of Matters Discussed.**

1. **Discussion:** Desirability or need for revision to or the addition of the following positions:

- Code Enforcement Officer, FTE. (*Draft ordinance to be provided.*)

The Building Commissioner and the Clerk-Treasurer discussed with the Town Council the proposed amendment to the wage and salary ordinance that would render the assistant inspector for ordinance enforcement a full time position. The discussion included an amendment to the compensation and benefits ordinance that would provide an express uniform for the appointed enforcement officer.

Further the discussion included a review of the language for an ordinance that would amend the municipal provisions establishing the assistant inspector for ordinance enforcement, changing the name of the position and making a change to the provisions regarding license revocation and bringing it in compliance with IC 36-5-4-11.

- Information Technology, FTE. Need a job description.

The Town Council discussed the merits of combining the now separate positions of IT Director, who is an independent contractor and the Systems Administrator IT and Training Officer. It is noted that the current Systems Administrator IT and Training Officer will be retiring in July 2021.

The discussion revealed an evinced consensus regarding combining the two positions as one, but there remained the issue of whether the nature of the Town's liability was preferable by providing the service by contracting or by employing directly. The current IT Contract Director noted that the IDACS role for the position might be barred to an independent contractor.

The Town Council also discussed the competing merits of the level of control that may be exercised over an independent contractor versus and employee.

It was noted that sample job descriptions were needed to develop a template for further discussion regarding the possible creation of the single position. Councilor Herak indicated that he would confer with the Police Chief regarding the IDACS matter.

2. **Discussion:** The desirability of vacating the dedicated but unimproved street, 2703 Jewett Avenue, which lays directly in front of the American Legion Post 180, which appears to be on Ridge Road. *The Town Council President indicated he would follow-up with the Legion Post Leaders.*

The Town Council President noted that he had not spoken with the leaders there yet. It was noted that a sewer exists under the public way desired to be vacated. It was further discussed that any such vacation would require an easement be granted to the Town to allow it to work on its sewer. It is noted that IC 36-7-3-16(b) does allow any utility easement to remain if it exists at the time of the vacation proceeding.

3. **Discussion:** Audio Visual Enhancements to the Gathering room at the Lincoln Community Center. (receive information on quotes from Mr. Dabrowski; get additional appropriation in board of works department of the Corporation General Fund.) *Since the Town has adopted IC 36-10-3 instead of IC 36-10-4, the department is a political subdivision;*

The Town Council discussed the purchase by the Town as the board of works of audio visual enhancements and acoustical improvements to the large gathering room at the Lincoln Community Center. It was noted that there was some undesignated unreserve fund balance in the corporation general fund that could be appropriated for support of the improvements.

Mr. Dabrowski indicated that the quotes ranged from \$12,000 to \$16,000 but that all of the improvements would cost in excess of \$28,000. The assets, monitors and speakers were desired and welcomed by the Park Superintendent. Mr. Dabrowski also endorsed the desired vendor and the suggested equipment that is proposed.

It was noted that an additional appropriation would be required to support the purchase and that it might require an interlocal cooperation agreement to be put in place. The clerk-treasurer would pursue this matter to discern what the audit standard may be.

- 4. Discussion:** *Transfer of "bunker gear" to Hearts in Motion a non-profit by the Fire Department. IC 5-22-22 applies.*

The Fire Chief discussed with the Town Council his desire to have some 10 plus year old fire fighter coats and pants as bunker gear donated to the non-profit Hearts in Motion, which would in turn send the equipment that can no longer be used by the Town, to some fire departments in South America.

There seemed to be no objection by the Town Council to moving forward. There was a discussion about whether the personal property should be treated as "worthless" under the relevant statute or determined to be surplus that is unfit or no longer needed. The Fire Chief and the Town Clerk-Treasurer would confer and ready the matter for action at the plenary meeting of June 14, 2021.

- 5. Discussion:** *Consideration of local application of new electronic meeting law set forth in IC 5-14-1.5-3.5. It is expected that Indiana Executive Order No. 21-14, will be the last to authorize the modified electronic meetings. Future electronic meetings will be under the authority of IC 5-14-1.5-3.5 as amended for all bodies except the Redevelopment Commission. By the authority of IC 36-7-14.5-9.5 and HMC Section 14.10.065, the Redevelopment Commission has other authorization for electronic meetings that is unchanged by the new law.*

The Town Council and the Clerk-Treasurer discussed the new law and its granting of electronic meetings. The restrictions that depart from the elements of the electronic meetings allowed under the executive orders of the Indiana Governor. It was noted that the current mode for electronic meetings would end on July 1 and would not likely be renewed. It was further noted that in order to conduct electronic meeting as authorized in the new law, there needs to be a local enabling action by the legislative body.

It was noted that the clerk-treasurer would provide some guidance documents from Aim and would provide a working ordinance for discussion at the plenary meeting on June 21, 2021.

- 6. Ad Hoc:** *Introduced Ordinance No. 1734, An Ordinance Creating a New Candidacy restriction for Town clerk-treasurer and town council that prohibits a candidate's eligibility to file for another term if the candidate had already served two consecutive terms also referred to as the Term Limits Ordinance.* Councilor Schocke, who introduced and authored the introduced ordinance stated his flexibility about the ordinance and invited councilors to express any ideas they may have regarding the ordinance.
- 7. Ad Hoc:** *Park and Recreation Board request to confer on possible debt.* Councilor Zemen reported that the Park and Recreation Board desired to meet with the Town Council at its study session of June 21, 2021 to confer regarding its interest in proposing a bond issue. He further indicated that the Park and Recreation Superintendent would issue the required notice under IC 5-14-1.5 et seq.

There being no further matters to discuss, the Town Council President adjourned the standing study session of Monday, June 7, 2021 at 7:15 p.m.

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