

**Enrolled Minutes of the Eighteenth Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Regular Plenary Business Meeting
Monday, August 22, 2016**

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, August 22, 2016 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 Bernie Zemen, Mark Herak, Dan Vassar, Steve Wagner 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 reviewed and discussed the agenda of the imminent regular meeting.
2. The Town Council discussed the particulars of scheduling in the police department and the request regarding paid time off commendation letters.

The study session ended at 7:03 O'clock p.m.

Regular meeting. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, August 22, 2016 at 7:04 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, Bernie Zemen presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with the Town Council President 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 Bernie Zemen, Mark Herak, Dan Vassar, Steve Wagner and Konnie Kuiper. 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; John M. Bach, Public Works Director; 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: Ed Dabrowski, IT Consultant (Contract) was also present.

Minutes of the Previous Meetings: The minutes of the regular meetings of July 25, 2016 and August 08, 2016 were approved by general consent.

Unfinished Business and General Orders:

1. **Proposed Enactment No. 2016-26:** An Exigent Enactment Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications In The Park Non Reverting Capital Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6. And Further Allowing The Parks And Recreation Department To Make Certain Payments In Advance Of Board Allowance, Pursuant To IC 36-5-4-12(B)(13).

Councilor Wagner introduced and moved the consideration of Enactment No. 2016-26 at the same meeting of its 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 at the same meeting of its introduction.

Councilor Wagner moved the passage and adoption of Enactment No. 2016-26 at the same meeting of its introduction. Councilor Herak 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 passed and adopted at the same meeting of its introduction.

TOWN OF HIGHLAND
APPROPRIATION TRANSFER ENACTMENT
ENACTMENT NO. 2016-26

AN EXIGENT ENACTMENT PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the PARK NON REVERTING CAPITAL FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6. And FURTHER ALLOWING THE PARKS AND RECREATION DEPARTMENT TO MAKE CERTAIN PAYMENTS IN ADVANCE OF BOARD ALLOWANCE, PURSUANT TO IC 36-5-4-12(b)(13).

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Park Non Reverting Capital Fund**; and

WHEREAS, It has been further determined that it would be of public utility and benefit to allow certain expenses related to the issuance of Park District Bonds of 2016 to be paid in advance of board allows from the **Park Non Reverting Capital Fund**; and

NOW, THEREFORE BE IT HEREBY 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 appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes 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 unobligated appropriations of the **Park Non Reverting Capital Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

PARK NON REVERTING CAPITAL FUND

Reduce Account:

010-0000-460.13-0017 Sheppard Park Improvements	\$ 40,177.90
<i>Total 400 Series Reductions</i>	\$ 40,177.90

Increase Account:

010-0000-330.04-0017 Fiscal Advisory Services	\$ 40,177.90
<i>Total 300 Series Increases</i>	\$ 40,177.90

Total of All Fund/Department Decreases:	\$ 40,177.90
Total of All Fund/Department Increases:	\$ 40,177.90

Section 3. That those expenses supported for the issuance of the Park District Bonds Series 2016, that are supported by appropriations in the 300 Category of Expenses, pursuant to IC 36-5-4-12(b)(13), are hereby further authorized and defined as payments that may be made in advance of allowance by the Park and Recreation Board provided that all other provisions of IC 36-5-4-6 are observed in the processing of the claim.

Introduced and Filed on the 22nd day of August 2016. Consideration on same day or at same meeting of introduction attained 5 votes in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 22nd day of August 2016 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

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

2. **Works Board Order No. 2016-29:** An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Lakeshore Ford of Chesterton, IN through the State of Indiana (2) two 2017 Ford Utility Police Interceptor Base pursuant to I.C. 5-22-8-2.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2016-29. Councilor Wagner 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 the Works Board 2016-29**

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Lakeshore Ford of Chesterton, IN through the State of Indiana (2) two 2017 Ford Utility Police Interceptor Base pursuant to I.C. 5-22-8-2.

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 \$150,000.00.

Whereas, The Metropolitan Police Chief has identified Lakeshore Ford of Chesterton, IN through the State of Indiana to be a desirable source vendor for the purchase of two (2) 2017 Ford Utility Police Interceptor Base at price of \$51,526.00 minus the trade-ins of \$5,300.00 for a total of \$46,226.00.

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)(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)(2) 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 (F)(1) of the Highland Municipal Code, expected that the purchase would be at least \$50,000 and not more than \$150,000.00 and therefore could have solicited quotes from at least three (3) vendors known to deal in the lines or classes of supplies to be purchased;

Whereas, The Purchasing Agent, elected to seek formal bids pursuant to Section 3.05.060 (F)(3) of the Highland Municipal Code, with bids opened and read aloud on August 18th, 2016 at 2:00 P.M., the results of such bids as follows:

- (A) Lake Shore Ford, 244 Melton Road, Chesterton, Indiana at a unit price Of \$25,763.00 for each minus four (4) trade-ins for a price of \$5,300.00 and a total price of \$46,226.00.
- (B) Paul Huring Motors, 720 North Hobart Road, Hobart, Indiana at a unit Price of \$26,501.00 for each minus four (4) trade-ins for a price of \$5,500.00 and a total price of \$47,502.00.

Whereas, The purchase of the vehicle will be supported by an appropriation in the Municipal Capital Cumulative Fund (MCCD) and a duly approved appropriation in the Metropolitan Police Department of the Corporation General 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 authorizes and approves the purchase from Lakeshore Ford of Chesterton for the purchase of two (2) 2017 Ford Utility Police Interceptors at the price of \$51,526.00 minus the trade-ins of \$5,300.00, for a total of \$46,226.00; pursuant to IC 5-22 and Section 3.05.060 (F) (3) of the Highland Municipal Code;

Section 2. That the Works Board hereby finds and determines that the offer from Lake Shore Ford of Chesterton to be the lowest responsive and responsible offered at the unit price of \$51,526.00 and a total price of \$46,226.00, with the \$5,300 trade-in, all pursuant to IC 5-22 and Section 3.05.060 (F)(3) 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 and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 22nd day of August 2016 having passed by a vote of 5 in favor and 0 opposed.

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

Bernie Zemen, 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)

3. **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:

*Commander George Georgeff
Commander Ralph Potesta
Dep. Commander John Banasiak
Sergeant Michael O'Donnell
Sergeant Christopher Balbo
Corporal L. John Siple
Corporal Mark Santino
Lance Corporal Gregory Palmer*

*Officer Brian Orth
Officer Michael Grasc
Officer Daniel Matusik
Officer Lee Natelborg
Officer Brian Stanley
Officer Nicholas Vanni
Officer Andrew Germonprez
Officer Patrick Guider*

Councilor Herak moved that the commendation letters be approved and that the members of the Town Council be authorized to sign the letters. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The commendation letters were approved and the signatures by the individual councilors was authorized.

4. **Action of the Town Council President as appointing authority to consider approval of an Annual Conflict of Interest Disclosure Statement filed by Ed Dabrowski**

who, is a the owner operator of CBL Consulting, under an annual contract to provide certain information technology support for the municipality. Mr. Dabrowski is also one of the municipal executive's appointments to the Highland Redevelopment Commission. This filing is pursuant to IC 35-44-1-3.

(a) Town Council President as Executive to act.

The Town Council President as municipal executive and appointing authority indicated his approval of the filing of the conflict statement and affixed his signature to the form.

(b) Town Council as the governing body of the governing entity to act to accept the disclosure form, if desired.

Councilor Herak moved to approve the conflict statement as filed. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The conflict statement was approved.

5. **Action to approve Letters of Commendation for exemplary public service leading to the award of a single paid day off for 3 workers in the Public Works Department (agency).** 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. In this case, as the Town Council is also works board for the municipality, its approval alone is all that is required.

The Operations Director requests that the Town Council act favorably on the Letters of Commendation for the following workers, who are selected as Employees of the Month:

- *Paul Bartok, May 2016*
- *Bill Pluncinski, June 2016*
- *Aaron Krestel, July 2016*
- *John Michel, August 2016*

Councilor Herak moved that the commendation letters be approved. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The commendation letters were approved.

Comments or Remarks from the Town Council:

- **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 Dan Vassar:** *• Liaison to the Park and Recreation Board.*

Councilor Vassar acknowledged the Parks and Recreation Superintendent, who reported that the Fall Program Brochure would was distributed on August 17.

- **Councilor Steve Wagner:** *• Advisory Board of Zoning Appeals Liaison.*

Councilor Wagner acknowledged the Building Commissioner, who offered a survey of matters pending before the Advisory Board of Zoning Appeals.

- **Councilor Konnie Kuiper:** *• Town Board of Metropolitan Police Commissioners, Liaison • Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper had no comments or report.

- **Council President Bernie Zemen:** *Municipal Executive Chamber of Commerce Co-Liaison*
• *IT Liaison* • *Redevelopment Commission Liaison.*

The Town Council President acknowledged the Redevelopment Director, who reported that the Redevelopment Commission would be conducting a study session on Wednesday. The Redevelopment Director also indicated that the Town Theater Board would be meeting next Tuesday.

Comments from Visitors or Residents:

1. Carol Kerr, 2185 Timberidge Lane, Highland, suggested that the Town Council consider naming the several new buildings or facilities using the names of the Town Council and other appointed officials, to commend the officials for their efforts.
2. Jerry Kroll, 2905 Condit Street, Highland, inquired whether any new information was available regarding the possible construction of a new Town Hall.

With leave from the Town Council, the Town Council President noted that no final determination had been made and that additional sites in the downtown were being considered. Further, he noted that the Town Council was preparing RFQ in order to make a qualification based determination to select an architect.

3. Peggy Glennie, 9019 Hess Drive, Highland, noting that she was recently engaged as the director of the annual Parks and Recreation musical theater program, "Footloose", commended Alyce DeBoer, Recreation Supervisor, to the Town Council, complimenting her support and work with her during the production.

Ms. Glennie also acknowledged and commended the performance of Councilor Herak, who was in the recent musical.

4. Janice Rebey, 8349 Cottage Grove Avenue, Highland, inquired about the status of the building located at 2819 Lincoln Street, Highland, noting its state of disrepair.

With leave from the Town Council, the Building Commissioner indicated that the property was the subject of an Unsafe Building proceeding. He further noted that the process was complicated by the property being sold at a county tax sale during the proceeding.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Kuiper moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **August 09, 2016 through August 22, 2016** and the **payroll docket for August 05, 2016**. Councilor Vassar 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, \$170,135.70; Motor Vehicle Highway and Street (MVH) Fund, \$23,244.06; Local Road and Street Fund, \$93,544.04; Law Enforcement Continuing Education, Training, and Supply Fund, \$454.97; Corporation Bond and Interest Non Exempt Fund, \$250.00; Information and Communications Technology Fund, \$4,536.80; Special Event Non Reverting Fund, \$59.93; 1925 Law Police Pension Fund, \$63,469.42; Municipal Cumulative Capital Improvement Fund, \$828.00; General Improvement Fund, \$1.00; Traffic Violations and Law Enforcement Agency Fund, \$7,937.00;

Municipal Cumulative Street Fund, \$5,459.12; Gaming Revenue Sharing Fund, \$45,595.11; Public Safety Income Tax Fund, \$7,016.50; Total: \$422,531.65.

Payroll Docket for payday of August 05, 2016:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$15,578.56; Building and Inspection Department, \$8,507.65; Metropolitan Police Department, \$140,373.51; Fire Department, \$3,288.04; Public Works Department (Agency), \$68,370.37 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$236,118.13.

Adjournment of Plenary Meeting. Councilor Vassar moved that the plenary meeting be adjourned. Councilor Kuiper seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, August 22, 2016 was adjourned at 7:26 O'clock p.m.

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