

**Topics Tentatively Scheduled for Study Session Discussion
and
Topics Requested for Action at Future Business Meetings of the
Twenty-Ninth Town Council of Highland**

This meeting will be convened as a Hybrid in person and electronic meeting, pursuant to Governor Holcomb's Executive Orders, 20-04, 20-09, 20-25 and extended by Executive Order 22-01 allowing such meetings, pursuant to IC 5-14-1.5-3.6 for the duration of the emergency, through to March 4, 2022.

People may observe and record the meeting for live streaming by joining the meeting on the Zoom platform:

<https://us06web.zoom.us/j/82231071269?pwd=Skswb1FKeU1LZU5GejVBUmprsd3VLQ09>

Further, persons wishing to offer comment in the meeting may access the electronic meeting by using the preceding and adding the password for Meeting ID: 822 3107 1269 • password (code): 910550

**Monday February 7, 2022
Study Session 6:30 p.m.**

This meeting contributes to Agenda building for the plenary meeting. Please, also be aware of the running enrolled list of matters that are likely for the plenary meeting, subject to review by the municipal executive. By practice and local ordinance, study sessions are distinguished from plenary (regular business) meetings of the Town Council "as they shall be conducted with less formality and with no votes or final actions of a dispositive nature unless provided otherwise by proper notice, pursuant to IC [5-14-1.5](#) et seq." (Confer HMC Section 2.05.130(3))

- X. **Discussion:** Conferring with Tom Lounges, (possibly) Kelly Bridges and some Community Events Commission members regarding entertainment for the Annual Independence Day Festival.
- X. **Discussion:** Ms. Carol Parker and a resident from Hampton in Highland request discussion regarding the distribution of the Gazebo Express, the monthly newsletter.
- X. **Discussion:** Authorizing the Fire Department to convert its position of departmental secretary from a part-time position to a full time position. This would involve amending the wage and salary ordinance. *(If approved will require an amendment to the Wage and Salary ordinance.)*
- X. **Discussion:** Appointments to boards and commissions generally, and what remains. *(See the list that is supplied)*
- X. **Discussion:** Ways and means for local match to support Community Crossings Grant Applications for road resurfacing. (See the identified sources from Mark Knesek)
- X. **Discussion:** Continue discussion regarding an appropriate memorial for Dr. Mark Kendra, late of Highland, service on the Plan Commission.

Agenda Building Status Report

- 1 -

The Town of Highland acknowledges its responsibility to comply with the American with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, etc.) for participation in or access to Municipal sponsored public programs, services and or meetings, the Town of Highland requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and or meeting. To make arrangements, contact the ADA Coordinator for the Town of Highland at (219) 972-7595.

- X. **Discussion:** Note the likely matters to be on the agenda for Monday, February 14, 2022 the next plenary meeting.

REMINDER. Jay Lieser, 1st Metropolitan Builders to the Town council agenda for his presentation at 8:00 p.m. (February 14.)

II.

• **Plenary Business Meeting of Monday February 14, 2022 Likely matters**

- X. Minutes of the Meeting of Monday, January 24, 2022.
- X. *Staff reports:* Building Department, Fire Department and Workforce Safety report.
- X. Approval of Conflict of Interest Form: Filed by Executive appointee Christine Cash. Must be approved by both the town council president and the full council.
- X. Approval of workers being paid at higher than the starting pay for the position:
 - Mary Shelton, part time crossing guard at \$11.43. The range is \$10.35 to \$11.52
 - Tracy Anderson, part time records clerk at \$18.14 Starting is \$16.59 and \$18.14
 - James Svetic, part time crossing guard at \$11.43. The range is \$10.35 to \$11.52
- X. Authorization of publication of legal notice of proposed additional appropriations to the General Fund in a **NET** amount of \$17,491, (*there will be a moving of an amount of health insurance premium Code Enforcement Officer*) and an increase in the ICT Fund \$6,485. (*See breakout in spreadsheet accompanying the study session*)
- X. Appointments of Boards and Commissions:

Executive Appointments

- **Municipal Plan Commission** (1) (vacancy) appointment to be made by Town Council President. (*Note: Unexpired term of the Late Dr. Mark Kendra, term ending 1st Monday January 2024*) *No more than two of any party. Current composition is 2 Republicans, 1 Democrat.*
- **Economic Development Commission** (1) appointment to be made by the Town Council President. Term expires 01.30.2022. (*Note: Currently held by Matthew Reardon.*)
- **Tree Board** (1) appointment to be made by the Town Council president **BUT nominated** by the Town Council. See HMC Section 8.25.030 (B). (*Note: Currently a vacancy for a NON-High School Member*)
- **Community Events Commission**

Executive Appointments

Agenda Building Status Report

- 2 -

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- **Multi-year terms** (1) appointment to be made by the Town Council President term expiring 01.01.2023.

Legislative Appointments

- **Redevelopment Commission** (1) appointments to be made by Town Council. *(Note: Currently held by Cyril Huerter)*
- **Community Events Commission**
- **Multi-year terms** (4) appointments to be made by the Town Council with 2 terms expiring 10.01.2022 and 2 terms expiring 01.01.2025.
- **Annual terms** (9) appointments to be made by the Town Council terms ending on 01.01.2022. *(Note: Currently serving Allencia Ballard, Stan Allen, Deborah Trevino, Christine Gonzalez, Linda Carter, Jeffery Pena, Sandra McKnight, Elizabeth Alakel (who does not wish to be reappointed) and a vacancy.)*

- X. Accounts payable vouchers Docket for the period of January 25, 2022 to February 14, 2022 in the amount \$ _____
- X. Payroll Docket for the payday of _____, 2022 in the amount \$ _____.

REMINDER. Jay Lieser, 1st Metropolitan Builders to the ~~January 24th~~ town council agenda for his presentation at 8:00 p.m. (February 14.)

- X. Resolution Sense of the Town Council on Elimination of the Business Personal Property “Floor” Replace Don’t Erase?

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Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
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Statutory Boards & Commissions

<p>1) Town Board of Metropolitan Police Commissioners <i>"Each commissioner shall take and subscribe an oath before the clerk of the county in which the Town is located"</i></p>	<p>Chairman & Vice Chairman IC 36-8-9-4 adopts consistent patterns of the Safety Brds which has chairman IC 36-8-3-3 Also refer IC36-8-9-6(a)</p>	<p>(5) member body Initial body is 3. No more than 2 of same political party. After initial appt of 3, board may be increased by 2 who may not be the same political party. 3 year term <u>Oath</u> by circuit court clerk. Appointees must be of good moral character and legal residents of the Town. If ordinance amended, Town Council members can be appointed with limits.</p>	<p>Legislative Body Town Council Appointment I.C. 36-8-9-3(a)(b) HMC Chapter 9.10</p>
<p>2) Park & Recreation Board</p>	<p>President and Vice President a secretary may be selected from within or without its membership. IC 36-10-3-8(c)</p>	<p>6 member body one an appointee of school board/ one an appointee of Library Board. 4 citizens no more than 2 of same political party. 4 year term. Term goes to 1st Monday in January. If not made by first Monday in April continues for a full term. Members shall be appointed on the basis of their interest in and knowledge of parks and recreation. (In towns must be a resident) Oath of Office</p>	<p>Legislative Body (changed 2007) Town Council Appoints 4 citizen members I.C. 36-10-3-4(a) HMC Chapter 11.05 Formerly Municipal Executive as appointing authority School Board Appoints (1) member Lake County Library Board Appoints (1) member</p>
<p>3) Plan Commission</p>	<p>President and Vice President IC 36-7-4-303 Commission may appoint and fix the duties of a secretary who is not required to be a member of the commission. IC 36-7-4-304 Citizen members shall be appointed because of the member's knowledge, and experience in community affairs, the members' awareness of the social, economic, agricultural, and industrial problems of the area and the member's interest in the development of and integration of the area.</p>	<p>7 member panel no more than two of the citizen members may be of the same political party. 4 year term Commences First Monday in January Citizens: IC 36-7-4-218(a)(1)(b) Legislative: IC 36-7-4-217. Certified by exec & clerk. A citizen member may not hold other elective or appointive office in municipal, state or county government and must be a resident.</p>	<p>Split Appointment: Municipal Executive appoints 4 Citizen members I.C. 36-7-4-207(b)(2) HMC Chapter 14.05) Legislative Body appoints 3 persons who shall be elected or appointed officials or employees in municipal government I.C.36-7-4-207(b)(1) HMC Chapter 14.05</p>
<p>4) Advisory Board of Zoning Appeals</p>	<p>Chairman and Vice-Chairman IC 36-7-4-912 May Appoint a secretary and such employees as are necessary for the discharge of its duties. IC 36-7-4-913</p>	<p>5 member panel 4 year term First Monday in January IC 36-7-4-906(b) None of the members of a BZA may hold other elective or appointive office in municipal, county or state government, except as permitted by I.C. 36-7-14-902. Member must be a resident</p>	<p>Triune Appointment: Municipal Executive appoints 3 citizen members - 1 must be a plan commission member; 2 must not be members. I.C. 36-7-4-902(a)(1) Municipal Fiscal Body</p>

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
			<p>appoints 1 citizen member who must not be a plan commission member. I.C. 36-7-4-902(a)(2)</p> <ul style="list-style-type: none"> • Plan Commission appoints 1 member who must be a plan commission member other than the one appointed under subdivision 1 above I.C. 36-7-4-902(a)(3).
5) Board of Sanitary Commissioners	President and Vice President IC 36-9-25-6	5 member panel No more than three of same political party 4 year term oath of office.	Municipal Executive appointment I.C. 36-9-25-3(b)(1).
6) Redevelopment Commission	IC 36-7-14 President, Vice - President and Secretary	5 member panel one year term from January 1 must be 18 years old & reside in unit. Oath of office.	<p>Split appointment:</p> <ul style="list-style-type: none"> • Municipal Executive appoints 3 members I.C. 36-7-14-6.1 HMC Chapter 14.10 Legislative Body appoints 2 members I.C. 36-7-14-6.1 Ord. No.946 H.M.C.Chapter 14.10
7) Water Works Board of Directors		5 member panel members called Directors w/ oath of office. No more than three of same party. By act of ordinance serve for three year terms. (See HMC 190) Oath of office.	Municipal Executive I.C. 8-1.5-4-2(a)(b). H.M.C.Chapter 12.05
Regional Appointments			
1)Northwest Indiana Regional Planning Commission	Appointee must be a resident of Highland, an <i>elected official</i> and knowledgeable in matters of physical, social, or economic development in the region.	Multi-Member panel One (1) appointment 51 Members called Commissioner :Highland allowed one (1) appointment Term: Serves until recalled	Municipal Executive certified to the MPO IC 36-7-7-4(c)(1)
2)Lake County Convention &Visitor Bureau	No appointee may hold an elective or appointed political office while serving on the bureau. Appointing Authority shall give consideration to appointees knowledgeable about or employed as executives or managers in at least one of the following in the county: Hotel, Motel, Restaurant, Travel, Transportation, Convention, Trade Show; riverboat,banking,real estate, & construction. If not made before July 16	13 Member panel Three (3) year term beginning July 1: Highland allowed one (1) appointment The Executives of the eight (8) largest municipalities shall appoint one member to the bureau. IC 6-9-2-3. Oath & Certificate	Municipal Executive IC 6-9-2-3(c) Note: If a vacancy is not filled within 30 days of vacancy or an appointment is not made by July 16 then the Lt. Governor's appointee shall appoint a qualified person.(IC 6-9-2-3(i).

**Appointment Authority
Highland Town Government**

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
	or 30 days vacancy.(amended 2007)		
3) Lake County Solid Waste Management District		Multi-member Panel 22-23 persons: Highland allowed one (1) member to be selected from membership of fiscal body.Term is co-extensive with member's elective term. Serves at pleasure of appointing authority.	Fiscal Body(Legislative Body) IC13-9.5-2-5(d)(4).
4) Lake County Public Safety Communications Commission	Appointee must be one of the following: Fire Chief, Police Chief, EMA Director or a Town Council Member. A proxy vote can be granted to a deputy of the public safety representative	Multi-member Panel 19 members. Highland allowed one (1) member Term four years.	Municipal Executive (Town Council President) See Section 31.302(A)(1)(b) of the Lake County Code of Ordinances
Home Rule Boards & Commissions			
Traffic Safety Commission		No less than six members. (1) member from Town Council;2 from the Police Department;1 from the Fire Department;1 from Department of Public Works;1 Police Commissioner; Police Chief is <i>ex officio</i> Chairman(HMC §11-203(c))	Legislative Appointment. HMC Chapter 10.45
Community Events Commission	Chair & Vice Chair	consist of 7 voting members; term of 3 years. Also 9 who are annual and appointed as legislative appt.	Three (3) appointed by Municipal Executive; four (4) appointed by legislative body. Three year terms. 9 for one year terms appointed by legislative body. HMC Chapter 11.15.
TREE BOARD	Chairperson	Consists of 7 voting members, staggered terms	Seven (7) appointed by the municipal executive upon nomination by the Town Council. Municipal executive chooses the chair from the membership of the board. HMC Chapter 8.25.
Main Street Bureau Board of Directors Department of Redevelopment	Chairperson	Consists of not less than 7 and not more than 21 members	The municipal executive shall appoint three (3) special constituency members (Town Council, Economic Development and Highland chamber, who serve until a successor is appointed. Municipal legislative body chooses up to 17 members, who serve for 2 year terms. HMC Chapter 14.15.

Legislative Appointment means the appointment comes from the Town Council.

Fiscal Body Appointment means the appointment comes from the Town Council.

Municipal Executive Appointment means the appointment comes from the Town Council President.

**Appointment Authority
Highland Town Government**

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Also note:

IC 36-1-8-10 " Board" defined; political affiliation of board appointees

Sec. 10. (a) As used in this section, "board" means an administration, an agency, an authority, a board, a bureau, a commission, a committee, a council, a department, a division, an institution, an office, a service, or another similarly designated body of a political subdivision.

(b) Whenever a law or political subdivision's resolution requires that an appointment to a board be conditioned upon the political affiliation of the appointee, or that the membership of a board not exceed a stated number of members from the same political party, at the time of an appointment, one (1) of the following must apply to the appointee:

- (1) The most recent primary election in Indiana in which the appointee voted was a primary election held by the party with which the appointee claims affiliation.
- (2) If the appointee has never voted in a primary election in Indiana, the appointee is certified as a member of that party by the party's county chair for the county in which the appointee resides.

(c) If a certification by a county chair of a political party is required under subsection (b), the certification must be filed with the office of the circuit court clerk not later than the time the appointee's oath of office is filed with the clerk under [IC 5-4-1](#). If the county chair's certification is not filed with the circuit court clerk's office as required by this subsection, the appointment is void.

(d) Notwithstanding any other law, if the term of an appointed member of a board expires and the appointing authority does not make an appointment to fill the vacancy, both of the following apply:

- (1) The member may continue to serve on the board for *only ninety (90) days* after the expiration date of the member's term.
- (2) The county chair of the political party of the member whose term has expired shall make the appointment.

Special Law for appointments to the Board of Sanitary Commissioners:

IC 36-9-25-3 Establishment of department; composition of board of commissioners; oaths, surety bonds, and compensation of commissioners.

IC 36-9-25-3 (f)

Notwithstanding IC 36-1-8-10, whenever this section requires that the membership of the board of sanitary commissioners not exceed a stated number of members from the same political party, at the time of appointment the appointee must:

(1) have voted in the two (2) most recent primary elections held by the party with which the appointee claims affiliation; or

(2) if the appointee did not vote in the two (2) most recent primary elections or only voted in one (1) of those elections, be certified as a member of the party with which the appointee claims affiliation by that party's county chairman for the county in which the appointee resides.

(Print optimized 85%)

**APPOINTMENTS REMAINING
AFTER 01.24.2022**

Executive Appointments

- **Municipal Plan Commission** (1) (vacancy) appointment to be made by **Town Council President**. (Note: Unexpired term of the Late Dr. Mark Kendra, term ending 1st Monday January 2024)) No more than two of any party. Current composition is 2 Republicans, 1 Democrat.
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- **Community Events Commission**

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- **Multi-year terms** (1) appointment to be made by the **Town Council President** term expiring 01.01.2023.

Legislative Appointments

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IC 36-1-8-10 Board; political affiliation of board appointees

Sec. 10. (a) As used in this section, "board" means an administration, an agency, an authority, a board, a bureau, a commission, a committee, a council, a department, a division, an institution, an office, a service, or another similarly designated body of a political subdivision.

(b) Whenever a law or political subdivision's resolution requires that an appointment to a board be conditioned upon the political affiliation of the appointee, or that the membership of a board not exceed a stated number of members from the same political party, at the time of an appointment, one (1) of the following must apply to the appointee:

- (1) The most recent primary election in Indiana in which the appointee voted was a primary election held by the party with which the appointee claims affiliation.
- (2) If the appointee has never voted in a primary election in Indiana, the appointee is certified as a member of that party by the party's county chair for the county in which the appointee resides.

(c) If a certification by a county chair of a political party is required under subsection (b), the certification must be filed with the office of the circuit court clerk not later than the time the appointee's oath of office is filed with the clerk under [IC 5-4-1](#). If the county chair's certification is not filed with the circuit court clerk's office as required by this subsection, the appointment is void.

(d) Notwithstanding any other law, if the term of an appointed member of a board expires and the appointing authority does not make an appointment to fill the vacancy, both of the following apply:

- (1) The member may continue to serve on the board for only ninety (90) days after the expiration date of the member's term.
- (2) The county chair of the political party of the member whose term has expired shall make the appointment.

Attached are a list of street for the 2022 Community Crossing Match Grant and the possible funds to pay for the match.

We will need to apply for 2022 CCMG funds by January 28, 2022.

Looking ahead there are the following budget amounts available:

CEDIT 250-0000-47118	\$250,000.00	
CCI 054-0000-39009	\$100,000.00	
LR&S 004-0000-39009	\$257,000.00	
MHV 002-0017-39009	\$100,000.00	
<u>CCMG 2021 104-</u>	<u>\$100,262.53</u>	(remaining balance after CO#1)
Total	\$807,262.53	

I just wanted to give you a heads up because we are looking at approximately 1.6 million in resurfacing (aka 800k local match which is less than the available \$807,262.53).

*Mark Knesek, Public Works Director
Town of Highland, Public Works
(219)972-5069*

GENERAL FUND

Increase

Office of Town Council

Town Council Salaries	\$ 16,248	001-0001-11101
FICA	\$ 1,243	001-0001-11201
	<u>\$ 17,491</u>	

Increase

Building Inspection & Zoning Department

Group Health Insurance	\$ 35,648	001-0006-34023
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Reduce

Police Department

Health/Medical Insurance	\$ (35,648)	001-0009-34023
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*Cash
enforcement.*

NET INCREASE \$ 17,491

INFORMATION COMMUNICATIONS TECHNOLOGY FUND

Salary Director of IT	\$ 3,999	030-0000-11101
FICA	\$ 306	030-0000-11201
PENSION	\$ 448	030-0000-11209
PERF PAID BY EMPLOYER	\$ 120	030-0000-11210
IT MEDICAL DENTAL	\$ 1,612	030-0000-34023
	<u>\$ 6,485</u>	

*To authorize
the publication
of notice.*