

Enrolled Memorandum of the Meeting
Study Session/Meeting (In person)
Thirtieth Town Council of Highland
Monday, April 14, 2025

The Thirtieth Town Council of the Town of Highland, Lake County, Indiana met in a study session on **Monday, April 14, 2025**, immediately at the adjournment of the March 10, 2025 Plenary Meeting (7:50 O'clock P.M)., in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

*This meeting was convened as an in person meeting and lived streamed to the Town of Highland Facebook. Facebook permits the public to observe and record the proceedings but allows no interaction between and among the Town Council and members of the public. The public is able to participate in person. All Councilors were simultaneously seen and heard. Councilor Georgeff, Councilor Turich, Councilor Robertson, Councilor Black and Councilor Philip Scheeringa all participated in person. .

Silent Roll Call: Councilors George Georgeff, Doug Turich, Alex Robertson, Tom Black, Philip Scheeringa, were present in person as indicated. The Clerk-Treasurer, Mark Herak was present to memorialize the proceedings. *A quorum was attained.*

Officials Present: IT Director Ed Dabrowski, Commander Anderson and Metropolitan Police Chief Ralph Potesta were in person.

x. Discussion: Appointments.

Unless otherwise noted, all terms expire on the 1st Monday in January 2025 and or until a successor is appointed or qualified, not exceeding ninety (90) days.

• Statutory Boards and Commissions

Executive Appointments (May be made in meeting or at another time)

Regional Statutory Appointments.

- 1.. Lake County Convention and Visitors Bureau Board of Directors.** (1)
Appointment by Town Council President. (NOT DUE UNTIL JUNE 30 2025)
(Currently serving Christine Cash) Appointing authority must give sole consideration to individuals who are knowledgeable about or employed as executives or managers in Hotel, Motel, Banking, Real Estate and hospitality. Cannot hold an elected or appointed political office

Home Rule Commissions or Boards


Legislative Appointments

1. **Advisory Board of Zoning Appeals:** (1) appointment to be made by Fiscal Body.
(Note: Currently held by David Helms, term ending 1st Monday January 2025). Term is for three (3) years.

Regional Statutory Appointments

1. **Main Street Bureau Board:** (17) appointments to be made by the Town Council.
(Note: Current Appointees are: Diane Barr-Roumbus, James Roumbus, Sandy McKnight, Al Simmons, Sandy Ray, Ben Tomera and Desiree Biro, term ending 1st Monday January 2027). Term is for two (2) years.
- x. Discussion: Authorizing and Approving An Extension of the Agreement between The Idea Factory and the Town of Highland to perform Professional Communications and Media Design and Development services for the Municipality. The current contract expired March 31, 2025. There is a provision to Renew and Extend. Also discuss a special addition for the 4th of July.

Theresa Badovich, a partner in the Idea Factory was present and gave the following presentation.

	ONE COURTHOUSE SQUARE SUITE 207 CROWN POINT, IN 46307	THERESA BADOVICH theresa@theideafactory.us.com 219.669.8312 ROBIN CARLASCIO robin@theideafactory.us.com 219.831.0634
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To:
Highland Clerk-Treasurer Mark Herak
Highland IT Director Ed Dabrowski
Highland Town Council

From: The Idea Factory

Subject: 2025 Contract - **Proposal A**

The Idea Factory will honor its current contract for 2025 with a small increase in weekly updates beginning July 1 for additional live streams/recordings.

The charges under our **current agreement for the services:**

Gazebo Express newsletter:	\$2,600 per issue
Stock images:	\$53.56 per image or illustration
Custom graphics/photography:	\$107.12 per image or illustration


Website maintenance/updates:	\$145.00 per week
Web hosting:	\$26.77 a month
Web security:	\$133.90 a month

The charges for our services beginning July 1:

Beginning July 1, Highland is required to provide live streaming/recording links to all meetings held in Town Hall. We will be adding recording links to the website for the Redevelopment Commission, Planning Commission and Board of Zoning Appeals. We are requesting a \$50 increase per week to accommodate these changes:

Website maintenance/updates:	\$195.00 per week
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Please note: If additional work is required, it will be carried out with mutually agreeable terms and conditions.

		THERESA BADOVICH theresa@theideafactory.us.com 219.669.8312
	ONE COURTHOUSE SQUARE SUITE 207 CROWN POINT, IN 46307	ROBIN CARLASCIO robin@theideafactory.us.com 219.831.0634

To:
Highland Clerk-Treasurer Mark Herak
Highland IT Director Ed Dabrowski
Highland Town Council

From: The Idea Factory

Subject: 2025 Contract - **Proposal B**

Proposal B requests a special issue for the this year's Fourth of July Festival. The event, which falls between publications, will be held July 2-6. A special issue would be billed under our current charges:

Gazebo Express newsletter:	\$2,600 per issue
Stock images:	\$53.56 per image or illustration
Custom graphics/photography:	\$107.12 per image or illustration
Full-color printing	\$1,364 (Lithographic Communications charges only)

If the Town Council would like to overrun this publication to distribute additional copies at the festival and around town, The Idea Factory will work with the Highland Council of Community Events and Lithographic Communications to secure quotes for printing.

Councilor Georgeff opened up the discussion asking the Council for they're comments and feedback.

Councilor Turich asked Theresa if the Idea Factory has a measurement of activity on the website? Theresa responded yes and she said she would supply Councilor Turich with a copy. He then asked how the Idea Factory measures success on the website? He also wanted to know the process for making updates? He referenced a conversation that Councilor Black had with the Idea Factory that he was looking for an update and it wasn't there.

Theresa responded we have a queue for web updates that all the departments send their minutes, memos and agendas or any other changes that they want to have added to the website and then we filter through that and make those adjustments. She further explained that when Councilor Black emailed her, she said she was scrambling to find out why this wasn't connecting for him and when Maria sent a link and she was obviously seeing it. Councilor Robertson gave her a call, thank goodness and I learned how he was navigating the website as opposed to how I was navigating on that splash. She said at the beginning of the year, they create archives for all the minutes, memos and agendas and then they start with new pages and that link just got broken on that one splash page. She said she didn't realize how Councilor Black and Councilor Robertson were navigating it. They were able to remedy it immediately.

Councilor Turich then asked how many requests for updates do they receive in a week, per average?

Theresa said she would have to look that number up and get back to Councilor Turich. She said last year, they had over 500 requests. She said those requests have now increased substantially. She said it varies but when July 1st kicks in, we'll obviously have more. That's why I was requesting a slight increase in that weekly update. They update minutes, memos, agendas, as well as the community calendar events. She said today she was talking with Alyce and they set up a hyperlink for the town wide garage sale. As Alyce gets more of the festival planned, she will send them to the Idea Factory and they will update the website. She said she worked with the Clerk-Treasurer and Councilor Robertson to get the fire chief position posted onto the website. They try to keep it fresh. Tomorrow they will promo the Park Clean-up Day, followed by the town wide garage sale.

Hearing no further discussion, the Council President advised the Clerk-Treasurer to place the contract extension with the Idea Factory on the April 28, 2025 plenary meeting agenda. The extension was to be six (6) months.

x. Discussion: Proposed Ordinance No. 1818: An Ordinance to Amend Title X of the Highland Municipal Code relating to Stopping, Standing, and Parking, and the

Ordinance Violations Bureau, providing for the Enforcement Thereof, Repealing all Ordinances in Conflict Therewith:

Proposed

Section 10.20.070 Vehicles Parked on Sidewalks

Section 1. That Section 10.20.070, "*Vehicles Parked on Sidewalks*" of the Highland Municipal Code be amended by repealing section 10.20.070 and replacing it with a new section to be styled as 10.20.070 which shall read as follows: The driver of any vehicle shall not park over any public sidewalk. Penalty, see

Currently

Section 10.20.070 Vehicles Parked on Sidewalks

The driver of any vehicle shall not park over any sidewalk area except at a permanent or temporary driveway.

This request came from Officer Brian Orth of Code Enforcement. He said state law has been changed making Highland's current municipal code obsolete and Officer Orth proposed a revised code.

The Clerk-Treasurer explained to the Council that many subdivisions in Highland are older and the driveways and garages are such that the cars will overhang onto the sidewalk. He said those people would be forced to park in the street. With Highland's ordinance of not parking on the street when more than 2 inches of snow accumulates, what is the homeowner to do? Get a ticket for parking on the street or getting a ticket for parking over a sidewalk? He felt there would be many unhappy residents and before he begins changing the ordinance and penalty section, is the Council interested in finding some middle of the road.

Attorney Reed felt that houses built before the code change should be exempted. He said making matters worse is back in the 50's when the houses were built, people only had one car. Now people have three (3) or four (4) cars per household, not to mention driveways vary in size.

Councilor Georgeff felt that the Code Enforcement Officer had to exhibit some discretion. He thought maybe we limit the number of cars that can be parked in the driveway? If you have one (1) car and it hangs over onto the sidewalk, then they should be exempt. However, if they have two (2) or more cars parked in the driveway and the last car hangs over onto driveway, that car wouldn't be exempt.

Attorney Reed suggested that he will work with the Clerk-Treasurer and draw up some language that is acceptable to all parties. The item will remain on the agenda as a place holder.

x. Discussion: Revisiting plans about a new town hall and an addition to the central fire station.

Councilor Georgeff said he did receive a contract from the architect and gave it to Attorney Reed to review.

Attorney Reed said he did review it and everything appears to be in good shape. He suggested that Derek Snyder of Nies review the contract as to the pricing for construction management and if the pricing is fair. Attorney Reed is not versed in those costs. Other than that, he said the contract is fine and well written. These types of contracts are used all over the country. It is a standard contract.

Councilor Robertson asked about the fire station addition? What is the addition going to house?

Councilor Georgeff said the addition will contain sleeping quarters, a kitchen area, storage and office space. He said when the architect was in Town, he met with the building committee of the fire department. The committee gave the architect some ideas of their vision. He said they asked the architect about putting storage on the second floor. If storage is on the second floor, it doesn't have to be ADA compliant. He cited the Town Garage as an example.

Councilor Scheeringa said beside sleeping quarters, there will be men and women's bathrooms with usable showers. They are trying to bring the fire station up to standards. He said there is no actual kitchen and the times they slept in the station, they are always having to order out, like at Langel's or Amici's and have the food brought in.

Council Turich said his vision of the fire department moving forward is that it will be continued to be a paid on call department. If we're going to be a paid on call department, what do we really need? What was conceptually discussed is a very large expense that we may not need. There are some meeting room areas that if you look behind the walls, there's a lot of risk there especially with the electrical.

The Clerk-Treasurer said funding is not unlimited and he suggested to the Council their prioritize their projects before moving forward.

Councilor Turich said it is great to have a great wish list, but it's got to be realistic. He said they did come up with a wish list but some items are probably are not needed and could be cut out.

Councilor Georgeff commented on the meeting room on the west side of the building. He said that's pretty old and is going to require some renovation.

The Clerk-Treasurer said in the 2025 budget of the Fire Department, \$75,000 was allocated for improvements to the kitchen and \$200,000 for roof replacement.

Councilor Turich said the space in the current kitchen wouldn't allow room for a stove and refrigerator. He suggested that the building committee come to a study session and share their vision with the Town Council.

Councilor Robertson asked if the timeframe allowed input from the new Fire Chief?

Councilor Georgeff said the planning will take place this year and bid lettings and construction wouldn't take place till next year. He said the architect would like to take the town hall down first and build the new town hall next to the police station or you could keep the Town Hall operating during construction. He said there are pro's and con's to both approaches. If we tear the Town Hall down 1st, we are going to have to find space for the various departments currently in the Town Hall. We have to take into consideration the temporary space has to be accessible to the public, whether it's at the police station or Lincoln Center or some other location.

Councilor Turich said he doesn't know the cost of the new Town Hall but he heard between \$8m and \$10m, which is very significant money. When the original police department was designed, take homes cars, wasn't taken into consideration. Now, with all the officers having a take home car, the number of officers actually stationed in the police station is less. He asked if the number of employees in the town hall have changed from say 15 years ago.

The Clerk-Treasurer said we didn't have a Redevelopment Director and staff. That was the office of the Public Works Director and his assistant. When the public works facility was built, the Public Works Director and his assistant moved into the new facility. Prior to the Public Works Director, that space was occupied by the Park Director and his assistant. When Lincoln Center was acquired, the Park Director and his assistant moved into Lincoln Center. The room upstairs which was used during the sewer separation project was converted into an office for the IT Director (new position). The Sanitary Board meeting room (downstairs), was converted into the offices of code enforcement and the electrical inspector. Overall, the number of employees in this building has increased by three (3).

Councilor Turich wanted to know how many employees are in this building? He was advised 16. He wanted to know if there was existing office space in town that could be utilized for those employees?

Councilor Black said you don't want to utilize the room at Lincoln Center as the rooms are rented and generates revenue for the Park Department.

Councilor Georgeff said they could move several people into the building just acquired by the Town on North Kennedy. He wasn't certain as to the Clerk-Treasurers office but other departments could utilize that building. As Councilor Turich said, it could be utilized for the short term.

Councilor Turich asked IT Director Dabrowski how much time he actually spends in this building. He responded that 60% of his time is spent out of this building. He felt if you took the time to analyze the utilization of this building, there might be an opportunity to retrofit this building. He said there has to be some existing buildings within the Town which would allow us to relocate some of the individuals in this room to a permanent home and not having to spend millions on a new Town Hall or a home temporarily while this building is retrofitted. He felt this building could be retrofitted for between \$500,000 to \$750,000.

Councilor Georgeff said he thought that estimate was low as his client spent \$250,000 to remodel a much smaller building in Munster to put in eight (8) offices. He said there is 2,100 square feet of rental space available off of Kleinman but it is on the second floor.

Councilor Robertson said he wonders if the building off of Kennedy and Lincoln, Lincoln Plaza, has any office space to lease?

Councilor Turich said the Community Room in the police station is ten (10) times nicer than this room could be used as a meeting room for the Town Council. He doesn't understand why we aren't using it. He said, he would like the opportunity to talk about his more and tour some buildings as a group to see if we cannot accommodate the head count.

x. Discussion: Animal Control Facility.

Commander Anderson passed out a packet for the Council to review. If you haven't been to the facility he said, it is block cylinder building, maybe 15' x 15'. It has been used as the dog pound since 1972. He said they started talking about a new animal shelter sometime last year when the sanitary sewer project was going on and it was thought that the current shelter would be in the way of the project. At that time, they started to look for a temporary facility. We understand that project has been delayed but they are moving ahead looking for a new facility. He said he reached out to FBI Buildings to get an idea of pricing and their price was \$83,000. He said he reached out to two (2) manufacturers, Milner and RWE Designs. RWE Designs builds hospitals for Vets and animal shelters throughout the Country. He said within the packet he included a basic floor plan, nothing crazy but something that would help meet our needs better. The floor plan is roughly 30' x 50'. Ironically, the bigger you go, the cheaper it is. In order to fund the project, he is scheduling a fund raiser. He is hoping some of the donations will be for labor and craftsman to donate their time. He went ahead and tentatively secured a date and the banquet room at the Lincoln Center contingent upon the Council approving it. Sandy McKnight, who is one of our volunteers at the pound, has volunteered to help with the fundraiser. He said they reached out to the Legacy Foundation about having the donations go through them, however, they declined, so the Highland FOP said they would do it and an account has been set up at the Centier Bank. He said he is meeting with the Munster Town Council President and the Munster Clerk-Treasurer. The

Munster representatives felt that the Community Foundation of Munster would assist in fund raising efforts.

Councilor Georgeff said he talked with former Highland Councilman Bernie Zemen, who is also a member of the Humane Society and he said he would help in the fundraising.

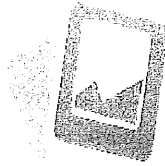
Commander Anderson said he talked with Park Supervisor Alyce Van Drunen on how the tier structure is set up in the Park Department for the various park programs. He said it would behoove us to give the animals a decent place to be kept until their owners come and retrieve them.

Without taking a formal vote, the general consensus was for Commander Anderson to proceed with the fundraising as until the sewer sanitary project resumes and a location of the new pump station is determined, actual build will have to be on hold.

Parcel Identification Information

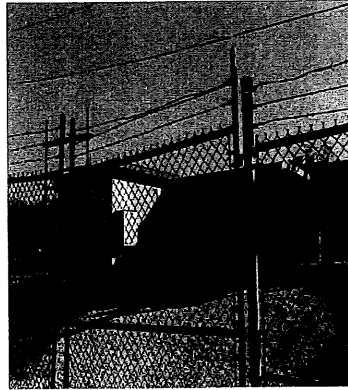
Parcel Number:	45-07-16-476-001.000-026	Property Class:	640
Tax ID:		Township:	NOR
Property Address:	7941 FIFTH APPR ST HIGHLAND IN, 46322	Taxing District:	High
Neighborhood Name:	Neighborhood- 16950	School Corp.:	HIGH
Neighborhood Number / Factor:	16950-026 / 1.0000		
Legal Description:	W. 11 AC. SE. SE. LY'G S. OF LITTLE CALUMET RIVER S.16 T.36 R.9 1.78AC.		

Neighborhood Amenities



NO IMAGE
AVAILABLE

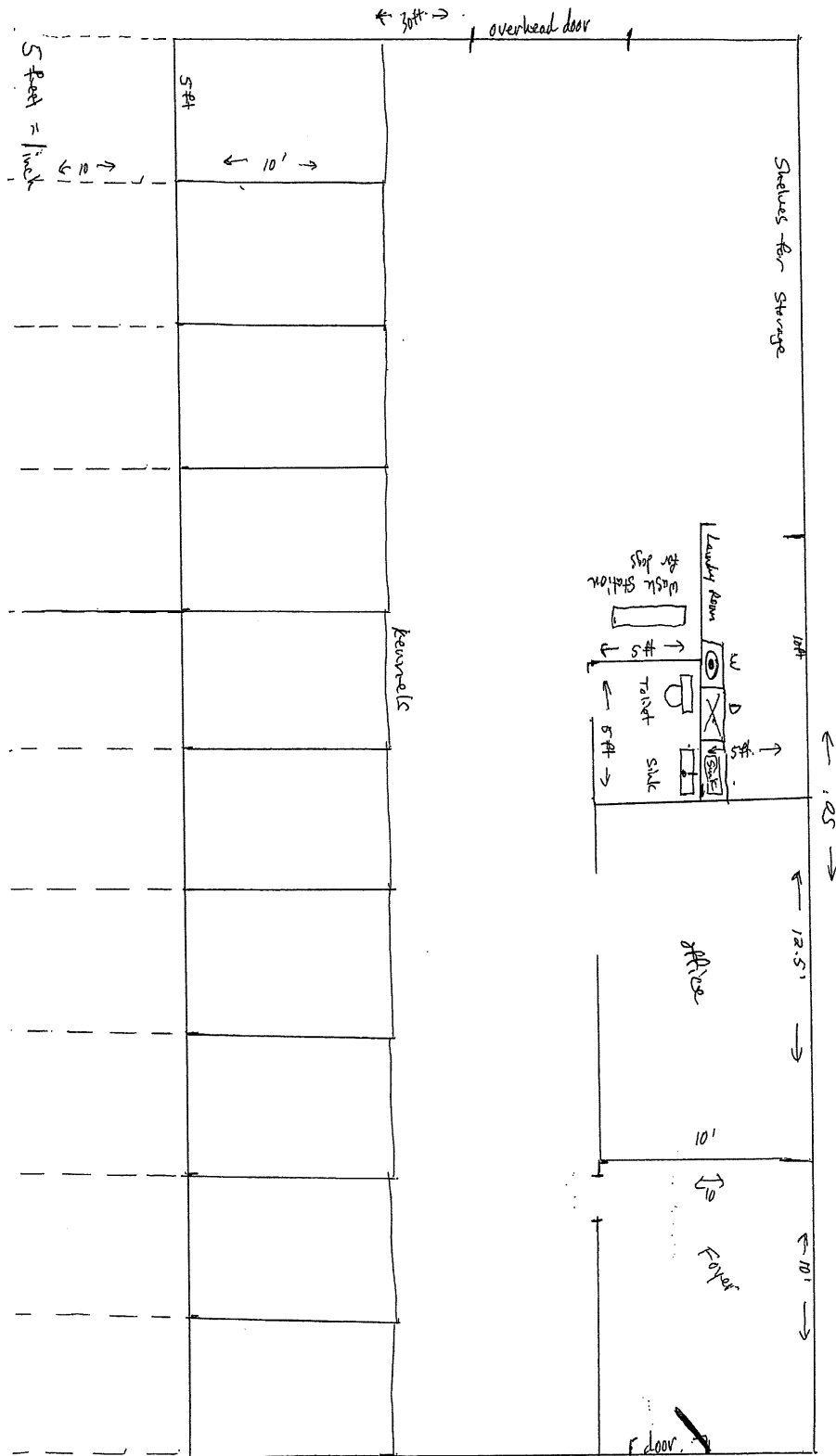
Photos

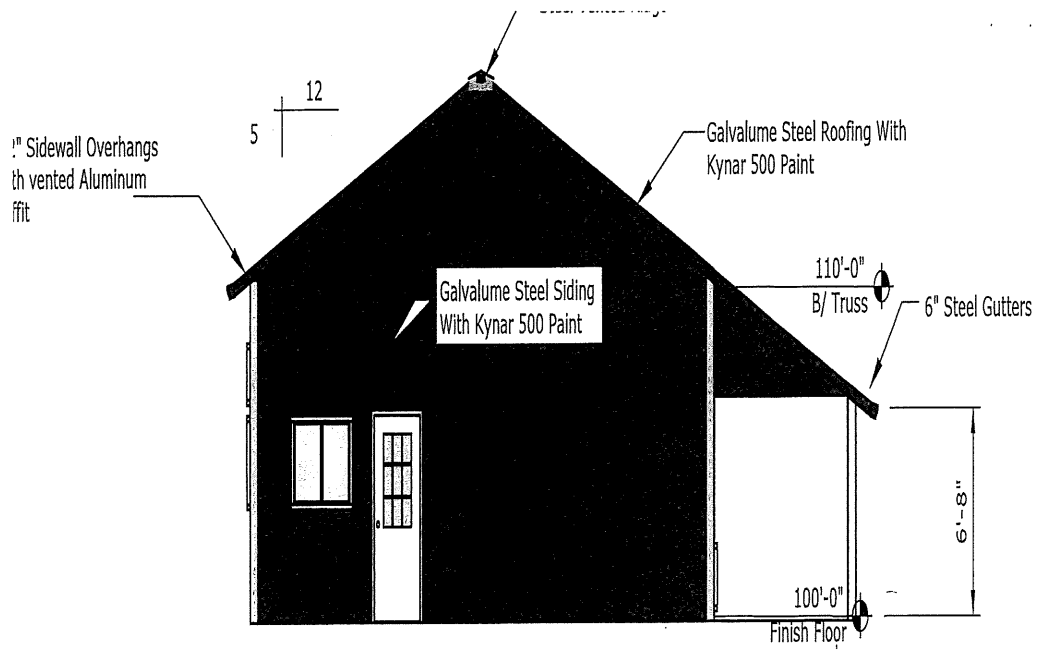


Improvement Information

Memorandum of Meeting
Monday, April 14, 2025

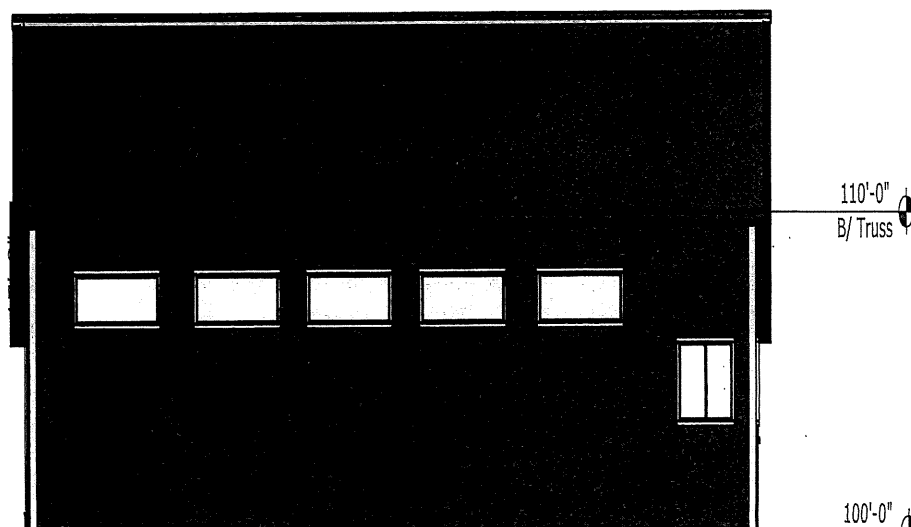


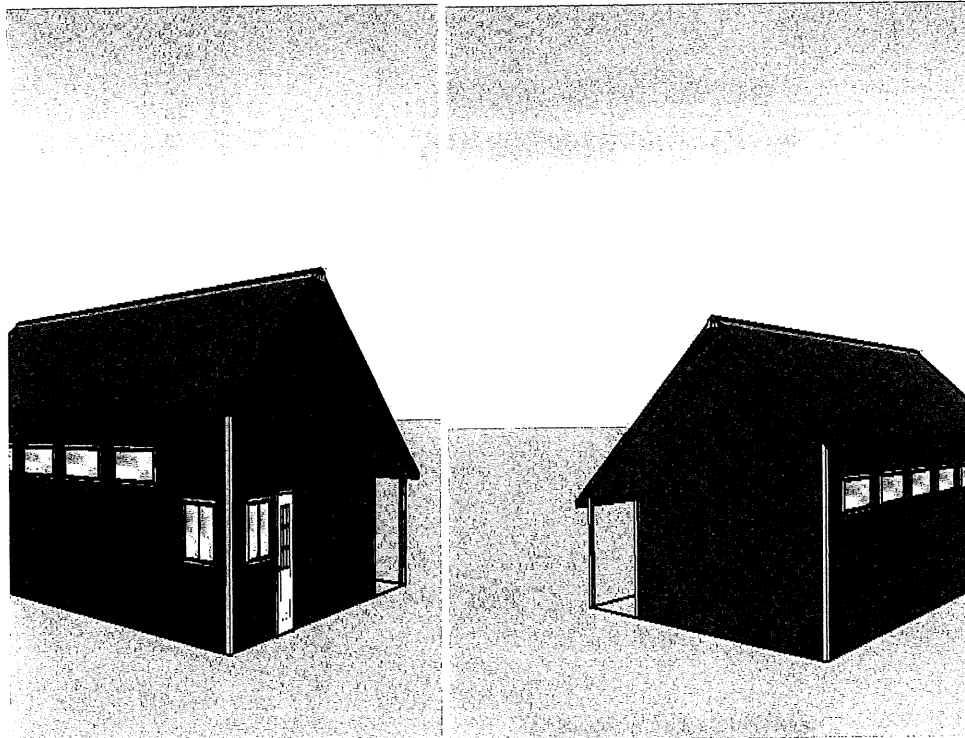
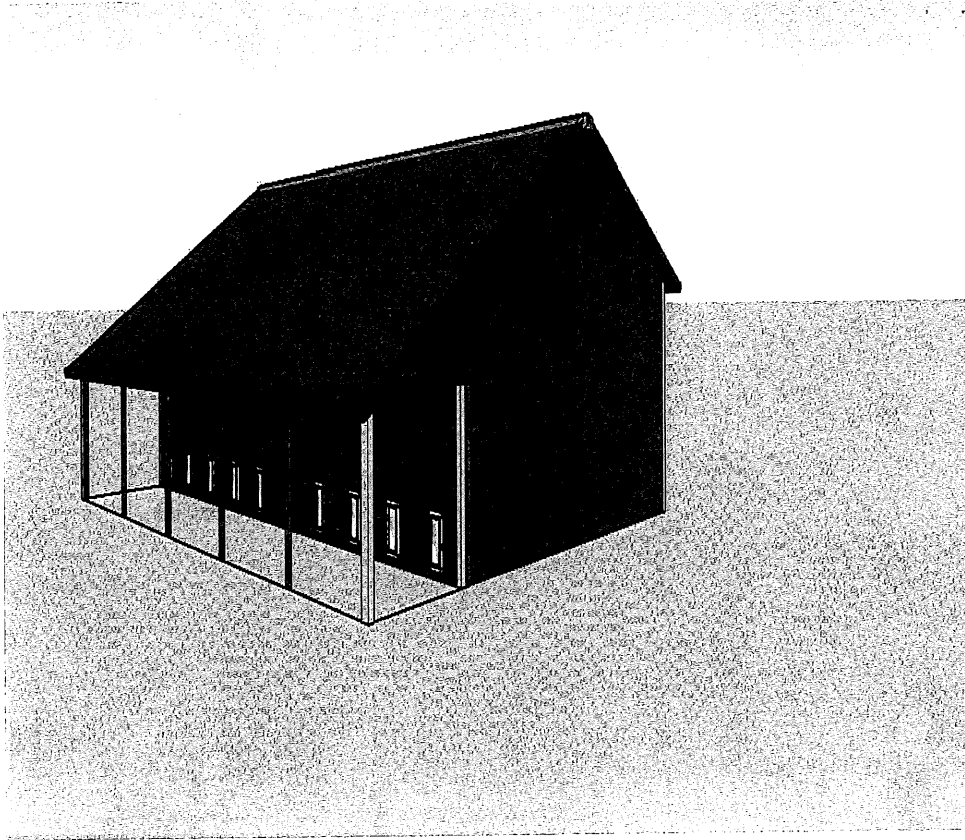




EAST ELEVATION

Continuous Vented Ridge









Animal Control Shelter Building Fundraiser

Saturday, June 7, 2025 • 5 pm - 9 pm

Lincoln Center Banquet Hall

2450 Lincoln Street • Highland, IN

Pasta Dinner ★ Cash Bar ★ Music - I'm With Frank

Donation \$25

x. Discussion: Shared Ethics Membership Renewal.

The Clerk-Treasurer passed out the Annual Dues Membership Letter the Town received. He explained to the Council that reason it was on the agenda was not the dollar amount but the fact that whereas Highland has been a member since its inception, our employees don't participate in the trainings. If our employees don't participate, do we still want to be a member only to be able to say we are a member.

Attorney Reed said he felt the same when he was a councilman in Munster. Did the employees get anything out of it or was it something nice you could put on a piece of paper that you are a member. He remembers being a candidate and if you didn't sign the ethics pledge, your opponent would use it against you.

Councilor Black said he attended some of the trainings and they are nice. A guest will come in and do different ethic scenarios and then you break into smaller groups and discuss it. He said however, he always thought ethics was something you got or you don't.

The Council President said to leave it on the study session agenda to discuss at the next study Session.

Memorandum of Meeting
Monday, April 14, 2025

For the Shared Ethics Entity

February 5, 2025

Hon. Mark Herak
Clerk-Treasurer
Town of Highland
3333 Ridge Rd
Highland, Indiana 46322

Re: Transmittal of Invoice for Annual Membership fees of the Shared Ethics Advisory Commission, a body created under the terms of an Interlocal Cooperation Agreement on Ethics currently between the Town of Burns Harbor, the Town of Cedar Lake, the City of Crown Point, the Town of Chesterton, the Town of Dyer, the City of East Chicago, the City of Gary, the Town of Highland, the Town of Hebron, the City of Hobart, the County of Lake, the City of Lake Station, the County of LaPorte, the Town of Lowell, the Town of Merrillville, the Town of Munster, the Town of Ogden Dunes, the City of Portage, the County of Porter, the Town of Schererville, the Town of St. John, the City of Valparaiso, the Town of Westville and the City of Whiting, pursuant to IC 36-1-7 et seq.

Dear Mr. Herak:

I am sending this letter to you, on behalf of the Shared Ethics Entity, as cover in order to place in your hands the invoice for the annual membership fee as described in the caption above. As you know, this fee is due within 60 days following receipt of this mailing.

Please find enclosed one (1) invoice signed by me as the designated fiscal officer of the Shared Ethics Entity. Please review the invoice to be sure that the group assignment based upon the number of full-time workers for your community is correct. If you find it to be in order, please present it to the proper board of jurisdiction for allowance in accordance with IC 5-11-10, IC 36-4-8, and IC 36-5-4.

If you have any further questions, please don't hesitate to contact me.

Sincerely,



Courtney Udvardi
Clerk-Treasurer

Enclosure: (1) Shared Ethics Entity Invoice

Memorandum of Meeting
Monday, April 14, 2025

Interlocal Cooperative Ethics Entity Claim and Invoice
Please attach to an Accounts Payable Voucher
FY 2025

This claim for payment is made upon the Town of Highland and its Town Council, 3333 Ridge Road, Highland, Indiana 46322, for payment of a sum identified in an Interlocal Government Cooperation Agreement, *Recorded Document Number 2012 006896*, adopted by the participating entities to be effective from its adoption and through December 31, 2012, there after renewable automatically, for shared services related to the operation of its Cooperative Ethics Entity.

In pertinent part, the foregoing agreement provides: *In order to support the on-going administration and programs associated with this agreement, participating communities shall pay an annual membership fee according to the group to which the participating community belongs. The annual membership fee shall be according to the following schedule as modified by action of the Joint Board of Delegates at its meeting held November 13, 2024:*

Annual membership fee:

- (1) Group I annual membership fee is (~~\$3,000~~). \$2,250 in FY 2025.
(Entities whose number of full-time employees exceeds 150.)
- (2) Group II annual membership fee is (~~\$1,500~~). \$1,125 in FY 2025.
(Entities whose number of full-time employees is from 101 to 150.)
- (3) Group III annual membership fee is five hundred dollars (~~\$500~~). \$375 in FY 2025.
(Entities whose number of full-time employees is from 50 to 100.)
- (4) Group IV annual membership fee is two hundred fifty dollars (~~\$250~~). \$187.50 in FY 2025.
(Entities whose number of full-time employees is less than 50.)

So, pursuant to that agreement and its terms, undertaken by the authority of IC. 36-1-7-1, et seq., I set before the Town Council of the Town of Highland, Indiana, the invoice for payment as set forth below:

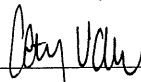
Please make your warrant payable to the Shared Ethics Initiative Fund, Town of Chesterton, Custodian.

Payment due within sixty (60) days of receipt of invoice:

One thousand one hundred and twenty-five dollars and no Cents: **\$1,125.00**

I hereby certify that the foregoing is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid.

Town of Chesterton for Shared Ethics Initiative Fund
1490 Broadway • Chesterton, Indiana 46304



Courtney Udvar
Clerk-Treasurer/Entity Fiscal Officer

Date: Wednesday, February 5, 2025

x. Discussion: Switching from OneAmerica Retirement Services (was acquired by Voya) to Hoosier Start which is the State of Indiana's Deferred Compensation Plan.

The Clerk-Treasurer said he has already met with the department heads and representatives of Hoosier Start explain the plan in details of the plan. He said the department heads are on board with the program. It's a better program for our employees, with more options and better pricing than One American offers. One America, which was acquired by Voya, has hidden costs that are taken off the top each year, which is roughly 8% of the total about of what the employee has in the fund, whereas the Hoosier Start Program charges \$45 a year. The Hoosier Start Program is what the employees of the state are enrolled in. The program was recently opened up to cities and towns.

Hearing no further discussion, the Council President advised the Clerk-Treasurer to place the item on the April 28, 2025 plenary meeting agenda.



ucts 403(b)/457/408

PATRIOT SELECT Non-Registered 467	
Underwriting Guidelines	No minimum.
Administrative Charges	Options B, C, and D: Lesser of \$8.75 or 0.875% of the Participant Account Value per qtr for balances < \$35,000.
Guaranteed Interest Rate	3%
Free Out	Only option "C" has 10% free out
M & E Charges	1.25%
Loans	YES
SLABS	YES - optional feature
Benefit Responsive	Options A & B are BR for retirement, death, disability, MFD termination, or unforeseen emergencies
Withdrawal Charges	Options A & B: 10 yr. Surrender chg scale (8,5,5,7,5,5,4,3,2,1,0) Option C: 5 yr. Surrender chg scale (6,5,4,3,2,1,0) Option D: No surrender charges
Compensation	<p>Opt: 1st Yr. Renewal Trailer</p> <p>A 8.0% Yr 2-10 1.0% Yr 11+ 0.50%</p> <p>B 5.0% Yr 2-10 3.0% Yr 11+ 0.50%</p> <p>C 5.0% Yr 2-5 3.0% Yr 7+ 0.50%</p> <p>D 1.0% None Yr 2+ 0.75%</p> <p>A,B,C External Transfer: Yrs 1-3 3.75% Internal Transfer: Yrs 1+ 1.0%</p> <p>D External Transfer: Yrs 1-3 1.0% Internal Transfer: Yrs 1+ 1.0%</p>
State Approval	Not approved in FL, OR

For Producer Use Only—Not For Use
Registered group variable annuity policy of AUL.
© 2003 American United Life Insurance



**THE STATE OF INDIANA DEFERRED
COMPENSATION PLAN
RESOLUTION AND ADOPTION AGREEMENT
FOR A PARTICIPATING
LOCAL POLITICAL SUBDIVISION**

ADMINISTRATOR
Indiana State Comptroller
State House, Room 240
Indianapolis, Indiana 46204



RESOLUTION

WHEREAS, the Town of Highland, Indiana, (hereinafter referred to as the "Participating Employer") has determined that in the interest of attracting and retaining qualified employees, it wishes to offer a defined contribution plan, funded by employee contributions;

WHEREAS, the Participating Employer has reviewed the State of Indiana Deferred Compensation Plan ("Plan");

WHEREAS, the Participating Employer wishes to participate in the Plan to provide certain benefits to its employees, reduce overall administrative costs, and afford attractive investment opportunities;

WHEREAS, the Participating Employer is an Employer as defined in the Plan;

WHEREAS, the _____ ("Governing Body") is authorized by law, IC 5-10-1.1-7.3, to adopt this resolution approving the Adoption Agreement on behalf of the Participating Employer;

Therefore, the Governing Body of the Participating Employer hereby resolves:

A. The Participating Employer adopts the Plan and the Trust Agreement ("Trust") for the Plan for its Employees.

B. The Participating Employer acknowledges that the Deferred Compensation Committee ("Trustees") are only responsible for the Plan and have no responsibility for other employee benefit plans maintained by the Participating Employer.

C. The Participating Employer hereby adopts the terms of the Adoption Agreement, which is attached hereto and made a part of this resolution. The Adoption Agreement sets forth the Employees to be covered by the Plan, the benefits to be provided by the Participating Employer under the Plan, and any conditions imposed by the Participating Employer with respect to, but not inconsistent with, the Plan. The Participating Employer reserves the right to amend its elections under the Adoption Agreement, so long as the amendment is not inconsistent with the Plan or the Internal Revenue Code or other applicable law and is approved by the Trustees of the Plan.

D. The Participating Employer hereby authorizes the State Comptroller of Indiana ("Administrator"), in conjunction with the Deferred Compensation Committee ("Trustees"), to amend the Plan on its behalf as provided under Section 18.01 of the Plan.

The Trustees and the Administrator will maintain or have maintained on their behalf a record of the Participating Employers, and the Trustees and the Administrator will make reasonable and diligent efforts to ensure that Participating Employers have actually received and are aware of all Plan amendments.

E.

a. The Participating Employer shall abide by the terms of the Plan and the Trust, including amendments to the Plan and the Trust made by the Trustees of the Plan, all investment, administrative, and other service agreements of the Plan and the Trust, and all applicable provisions of the Internal Revenue Code and other applicable law.

b. The Participating Employer accepts the administrative services to be provided by the Administrator of the Plan and any services provided by a Service Manager (as defined in the Plan) as delegated by the Administrator or Trustees. The Participating Employer acknowledges that fees will be imposed with respect to the services provided and that such fees will be charged to the Participants' Accounts, and not to the Participating Employer.

F.

a. The Participating Employer may terminate its participation in the Plan, including but not limited to, its contribution requirements, if it takes the following actions:

(i) A resolution must be adopted terminating its participation in the Plan.

(ii) The resolution must specify when the participation will end.

The Trustees shall determine whether the resolution complies with the Plan, and all applicable federal and state laws, shall determine an appropriate effective date, and shall provide appropriate forms to terminate ongoing participation. However, distributions under the Plan of existing accounts to Participants will be made in accordance with the Plan.

b. The Participating Employer acknowledges that the Plan contains provisions for involuntary Plan termination.

G. The Participating Employer acknowledges that all assets held in connection with the Plan, including all contributions to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights shall be held in trust for the exclusive benefit of Participants and their Beneficiaries under the Plan. No part of the assets and income of the Plan shall be used for, or diverted to, purposes other than for the exclusive benefit of Participants and their Beneficiaries and for defraying reasonable expenses of the Plan. All amounts of compensation deferred pursuant to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights held as part of the Plan, shall be transferred to the Trustees to be held, managed, invested and distributed as part of the Trust Fund in accordance with the provisions of the Plan. All contributions to the Plan must be transferred by the Participating Employer to the Trust Fund. All benefits under the Plan shall be distributed solely from the Trust Fund pursuant to the Plan. Only the assets attributable to a particular Participating Employer and its Employees are available to pay benefits to those Employees and their Beneficiaries.

H. This resolution and the Adoption Agreement shall be submitted to the Trustees for their approval. The Trustees shall determine whether the resolution complies with the Plan, and, if it does, shall provide appropriate forms to the Participating Employer to implement participation in the Plan. The Trustees may refuse to approve an Adoption Agreement by an Employer that does not have state statutory authority to participate in the Plan. The Trustees may

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also refuse to approve an Adoption Agreement that is ambiguous or that does not comply with the requirements of the Plan. The Governing Body hereby acknowledges that it is responsible to assure that this resolution and the Adoption Agreement are adopted and executed in accordance with the requirements of applicable law.

I. This Adoption Agreement may be used only in conjunction with the Plan. Failure to properly complete this Adoption Agreement may result in the failure of the Plan to qualify.

Adopted by the Governing Body on _____, 20____, in accordance with applicable law.

By: _____
Signature

Name and Title

Attest: _____

Date: _____

[Governing Body should assure that applicable law is followed in the adoption and execution of this resolution.]

x. Discussion: Establishing a Police Merit Board that replicates the State's with modifications

Councilor Turich asked that this item be placed on the agenda as he wanted to circle back to the discussion on October 21, 2024. He said the Council spent about 15 minutes talking on this topic. He said there was a lot of discussion about what the future of the Merit Board would look like if we went with the option from the State or if we decided to say no and then utilize our own opportunities. He said he went through the meeting live stream and took some notes. He said the consultant presented information to the Council and the FOP and on November 11th it was actually voted on. Going back to the discussion of the 21st, there was a lot of conversation about allowing more representation or input on the Police Commission from the FOP. He said a statement made by one of the Councilman was to have an advisory person on that commission. He went further to say, this person said that things can change and its not out of the question to allow members of the Union to have a say in selecting members of the police commission. He asked if there was a side by side comparison provided to the FOP of what it would look like if we stayed in with our current police commission versus if we opted out and went with the state merit board? He was informed that the comparison did take place. He said at the meeting on the 21st, there was an appetite from the Council to change or to modify the design of the police commission, to allow the FOP to have a larger voice in the selection of the police commissioners going forward.

Attorney Reed commented from a legal standpoint. He said the composition of the Board of Metropolitan Police Commissioners is set by state statute and since they have already spoken on it, Highland has no Home Rule capability to change the actual composition. He said you can have an advisory board, selected by the FOP and they can go to the police commission meetings. The meetings are open to the public and they can even speak at those meeting. They would not have the ability to vote but could take topics back to the FOP membership. He said state statute prohibits current police officers from serving as a member of the police commission. There's no reason that the FOP can't send emails to the police commission on their views. He said I can't image the commission not listening to the advice of the people that they're depending on.

Councilor Turich said at the 34 minute 42 second mark of that evening, the comment was made that it is never out of the question to allow members of FOP to have a say so in selecting members of the Commission when making appointments. This individual further said, we don't want to jump in and terminate people as they sit but when they come up for reappointment, we would then reach out to the FOP for their thoughts. At the 35 minute 52 second mark of that meeting, it was said the FOP can always be a part of the conversation as we are not going to kick anyone off the commission but it could be staggered and we would have to work together. This individual further said that he felt that they work already great with the FOP but there is always an option for us to get advice from the FOP. Councilor Turich said he doesn't feel like we did a very good job in the last interview process. Of the two (2) members appointed, one (1) was automatically appointed without even an interview. He went back to the statements of the 21st, we

didn't do a very good job of getting their opinion. This is why I am bringing it up for discussion. We didn't let them have a voice. He said rather than automatically appointing someone, let the FOP bring us names of candidates they would like to see considered and then let the Council interview them.

Councilor Scheeringa said there is nothing wrong with having an ad hoc subcommittee and providing advice. He said he is always more than willing to listen. He added that a lot of what Councilor Turich was referencing was said by him. He said if members of the FOP wanted to sit in on the interviews, I would have had no problem with that. The interviews are open to the public, anyone can attend.

Councilor Turich said he never mentioned Councilor Scheeringa by name. He acknowledged the interviews are open to the public but after the conversations on the 21st, we didn't invite the FOP to attend?

Councilor Georgeff said the FOP always did a pretty good job of negotiating with the Town. When he was on the department, other departments would come to the FOP and ask what are we getting next year because the FOP are the ones that did the negotiating. They are the only ones that came before this Council to negotiate salaries. They gave us input and we listened. The same could be for the appointments to the police commission.

Councilor Turich said his other question was, do members of the FOP attend the Police Commission meetings and are they allowed to speak?

Chief Potesta responded that on occasions a member of the FOP will attend but not on a regular basis. He said they were allowed to speak.

Councilor Turich asked the Council if we honored the statements made on the 21st? Do you feel like you closed the loop and everybody got what they were looking for at the end?

Councilor Scheeringa said we were trying to stop from having the State plan forced down our throats which was bad for everybody and I don't think we did anything wrong. Could we have done more, maybe. He said the conversation kind of ended there and he was never approached or contacted

Councilor Turich asked the Council if there was an opportunity to reopen the conversation and to make adjustments to meet the needs of the FOP and the Department.

Councilor Georgeff said he has no problem but asked Councilor Turich how he proposed to do that? What did Councilor Turich see as an opportunity? What would you like to see moving forward? He then asked the FOP President for his comments.

FOP President Glidewell said based upon the conversations that took place last October, the only thing appealing would be to allow the FOP to have two (2) selections on the

Police Commission and letting the Council make the other three (3) selections. He said that was most appealing to the guys. The rest was kind of weird jargon or gray area and we didn't want to be a part of the state's plan.

Councilor Georgeff said the merit board would be separate from the police commission. The merit board would only oversee promotions and disciplinary actions.

Councilor Turich said at the 41 minute 2 second mark, the merit board and police commission were tied together, referencing they were almost the same thing. He wanted to know if the consultant hired explained the difference between the 2? He was advised yes. He said he wasn't there and wasn't certain she explained it properly and then he asked the Council if any of them attended. He was advised that the Council could not be present. He reiterated that he would like to reopen those conversations. He said he wasn't sure the platform but maybe the police department liaison could meet with the FOP President. After that meeting, the police department liaison could bring it back to the full Council and we can go from there.

Councilor Scheeringa said his phone is always on.

Councilor Georgeff said we will keep the item on the study session agenda as a place holder, that the liaison to the police department will meet with the FOP President.

Councilor Georgeff asked if there were any additional agenda items. Hearing none, he adjourned the meeting at 9:10 p.m.

• **Plenary Business Meeting of Monday April 28, 2025**

- Minutes of the Meeting of Monday, April 14, 2025
- Appointments
- Payroll Docket