

**Agenda (Revised)**  
**Eighth Regular or Special Meeting**  
**of the Twenty-Ninth Town Council of Highland**  
**Regular Meeting of Monday, March 23, 2020 at 6:30 p.m.**  
 Agenda organized pursuant to Section 2.05.090 of the Highland Municipal Code  
 This meeting may be convened as an electronic meeting, pursuant to Governor  
 Holcomb's Executive Order 20-04 allowing meetings, pursuant to IC 5-14-1.5-  
 3.6 for the duration of the emergency

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Prayer: Bernie Zemen

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Pledge of Allegiance: Bernie Zemen

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Roll Call: Bernie Zemen



Mark A. Herak

Mark J. Schocke

**A GREAT PLACE  
TO CALL HOME**

Thomas (Tom) Black

Roger Sheeman

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Minutes of Previous Session: Minutes of the Regular Meeting of 09 March, 2020;  
 Memorandum of Special meetings of March 13, 2020  
 and March 16, 2020.

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- Special Orders:**
1. **Consideration of Proposed Additional Appropriations:** (*non-controlled funds*) Proposed Additional Appropriations in Excess of the 2020 Budget for the Information Communications Technology Fund in the amount of \$25,000.00.
    - (a) Attorney verification of Proofs of Publication: The TIMES 11 March 2020.
    - (b) **Public Hearing.**
    - (c) Action on **Appropriation Enactment No. 2020-16:** An Enactment Appropriating Additional Moneys in Excess of the 2020 Budget for the *Information Communications Technology Fund* in the amount of \$25,000.00., all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.
  
  2. **Consideration of Proposed Additional Appropriations:** (controlled funds): Proposed Additional Appropriations in Excess of the 2020 Budget for the Works Board Department of the Corporation General Fund in the amount of \$39,083.00.
    - (a) Attorney verification of Proofs of Publication: The TIMES 11 March 2020.
    - (b) **Public Hearing.**
    - (c) Action on **Appropriation Enactment No. 2020-17:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for
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*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.*

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the Works Board Department of the Corporation General Fund in the amount of \$39,083.00, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

3. **Executive Proclamation:** A Proclamation Recognizing APRIL 1, 2020 as Census Day in Highland.
4. **Order of the Municipal Executive No. 2020-12:** An Order for the Temporary Waiver of Late charges by the Municipal Utilities and for a Temporary Moratorium on Cessation of Water Services or Shut-offs to Enforce Payment.

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**COMMENTS FROM THE PUBLIC or VISITORS** This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council regarding matters on the agenda. Persons addressing the Town Council are requested to limit their presentations to **two (2) minutes** and encouraged to avoid repetitious comments.

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**Communications:** 1. Communication from the *Highland Census Complete Count Committee* regarding the status of its Implementation of the Action Plan for the March 23, 2020 Meeting.

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**Appointments:**

- **Statutory Boards and Commissions**  
*Executive Appointments (May be made in meeting or at another time)*  
(Appointments have been placed on agenda in case there is readiness to act)
- 1. **Redevelopment Commission Non-voting advisor (1):** appointment to be made by Town Council President. Must be a member or staff from the School Town of Highland. (Note: Currently held by Patrick Krull; Term expiring June 30, 2020)

*Legislative Appointments*

Home Rule Commissions

1. **Community Events Commission:**  
(1) Appointment to be made by the Town Council. **Term: 4 years.** (Note: vacancy of which term expires January 2022)

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**Unfinished Business & General Orders:**

1. **Introduced Ordinance No. 1715:** An Ordinance to Amend Section 5.11.02 of the Highland compensation and Benefits Ordinance, Particularly Amending the Provisions Special Administrative Leave Under Extreme and Unexpected Circumstances concerning National Emergencies. Councilor Zemen introduced and filed Ordinance No. 1715, at the Town Council meeting of March 16, 2020. There was no further action.
2. **Works Board Order No. 2020-08:** An Order of the Works Board Accepting the Proposal of Lounges Entertainment LLC for Professional Entertainment and Stage Services for the Town of Highland, Associated with Independence Day Festivities, and to Comply with the Provisions of IC 22-5-1.7 et seq. (At the meeting of March 09, 2020, a motion to pass and adopt did not obtain a second. So the matter was not considered. After further review the matter is set for consideration again.)
3. **Works Board Order No. 2020-13:** An Order of the Works Board Accepting the Proposal of Mad Bomber Fire Works Productions for Professional Pyrotechnics and Fireworks Displays Services for the Town of Highland, Associated with Independence Day and New Year's Eve Festivities, and to Comply with the Provisions of IC 22-5-1.7 et seq.
4. **Works Board Order No. 2020-14:** An Order Approving and Authorizing the Transfer of Vehicles Between the Departments of Police and Building and Inspection.

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5. **Works Board Order No. 2020-14: An Order Overturning, Withdrawing and Repealing a Purchase Authorized under Workers Board Order 2020-10 and then Approving and Authorizing the Metropolitan Police Chief to Purchase from Thomas Dodge of Highland, IN (4) four 2020 Dodge Durango Police vehicles pursuant to I.C. 5-22-10.**
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**NEW BUSINESS:**

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**Comments or Remarks from the Town Council:**  
**(Good of the Order)**

**Councilor Bernie Zemen**

**Councilor Mark Herak**

**Councilor Thomas Black**

**Councilor Roger Sheeman**

**Councilor Mark Schocke**

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**COMMENTS FROM THE PUBLIC or VISITORS**

This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council. Depending on the nature of the comments, the Town Council may direct the staff to address the topic or follow-up on matters that may arise from public comments. If necessary, the matter may be set for action at a future meeting. Persons addressing the Town Council are requested to limit their presentations to **two (2) minutes** and encouraged to avoid repetitious comments.

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**ACTION TO PAY Accounts Payable Vouchers**

Accounts payable vouchers March 10, 2020 to March 23, 2020 in the amount of **\$479,462.64.**

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**ADJOURNMENT**

The Town Council may meet in study session immediately following the Regular Meeting.  
*Posted pursuant to IC 5-14-1.5-4(a)*

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**Enrolled Minutes of the Sixth Regular or Special Meeting  
For the Twenty-Ninth Highland Town Council  
Regular Plenary Meeting  
Monday, March 09, 2020**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, March 09, 2020 at 6:30 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Pursuant to HMC Section 2.05.130(A)(2), the Town Council considered and reviewed the agenda in an informal proceeding.

The Town Council President, Mark J. Schocke presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Roger Sheeman offered a prayer.

The Highland Girl Scout Troop 15467 presented the colors and lead all in reciting the Pledge of Allegiance to the Flag of the United States of America. Adult Leader Deb Fiegle was joined by Laura Cosentino and Tiffany Dobyne. The Color Guard was comprised of Noemi Moreno, Katie Lazerus, Kailee Oliver, Gabby Dobyne, Aubrey Southard-Kloc, Natalia Garcia, Ava Hackbarth, and Emily Hackbarth.

**Roll Call:** Present on roll call were Councilors Bernie Zemen, Mark Herak, Mark J. Schocke, Thomas Black and Roger Sheeman. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** John P. Reed, Town Attorney; John M. Bach, Public Works Director; Pat Vassar, Assistant Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; Kathy DeGuilio-Fox, Redevelopment Director; and Kenneth J. Mika, Building Commissioner, were present.

*Also present:* Larry Kondrat of the Board of Waterworks Directors; Richard Underkofler of the Tree Board; Dawn Diamantopolous of the Main Street Bureau; and Ed Dabrowski II Director (Contract) were also present.

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

**Minutes of the Previous Meeting:** The minutes of the regular meeting of February 24, 2020 was submitted for consideration. Councilor Black moved the approval of the minutes. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The minutes of 24 February 2020 were approved.

**Special Orders:**

- 1. Executive Proclamation:** A Proclamation in Recognition of Disability Awareness Month in the Town of Highland.
  - The Town Clerk-Treasurer read aloud the Proclamation. The Town Council President indicated that he approved the proclamation. He executed the proclamation with his signature.

**TOWN OF HIGHLAND  
PROCLAMATION OF THE TOWN EXECUTIVE**

**A PROCLAMATION IN RECOGNITION OF MARCH AS DISABILITY AWARENESS MONTH**

**Whereas,** The month of March 2020 has been designated as "Disability Awareness Month" by the Governor of the State of Indiana in order to celebrate and recognize people with developmental disabilities; and,

**Whereas,** Disability is a natural part of the human experience and in no way diminishes the right of individuals with developmental disabilities to live independently, enjoy self-determination, make choices,

contribute to society and experience in full the economic, political, social, cultural and educational mainstream of American society; and

**Whereas,** Family members, friends and members of the community can play a central role in enhancing the lives of people with developmental disabilities especially when the family and community are provided with necessary support services and public and private employers are aware of the capabilities of people with developmental disabilities to be engaged in competitive work in inclusive settings; and,

**Whereas,** The goals of this municipality and state properly include providing individuals with developmental disabilities the opportunities and support to make informed choices and decisions, live in homes and communities where such individuals can exercise their full rights and responsibilities as citizens, pursue meaningful and productive lives, contribute to their family, community State and Nation, have interdependent friendships and relationships with others, and achieve full inclusion in society,

**Now, Therefore, I, Mark Schocke,** by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim the month of March 2020, as

*Disability Awareness Month*

in the Town of Highland;

**Be it Further Proclaimed,** That the citizens of Highland are hereby called upon to observe the month with appropriate programs and activities; and,

**Be it Still Further Proclaimed,** That the citizens of Highland are hereby encouraged *to seek counsel and input from any person or group with knowledge and expertise in matters concerning disabilities.*

**In Witness Whereof,** I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 9<sup>th</sup> day of March in the year, 2020.

TOWN of HIGHLAND, INDIANA  
BY ITS TOWN COUNCIL PRESIDENT

/s/Mark J. Schocke

Attest:

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

**Comments from the Public or Visitors:**

1. Larry Kondrat, Highland, expressed his impression that one of the petitioners on the agenda seeking to be found in compliance for the tax abatement did not meet the job and payroll targets. Mr. Kondrat asked whether the targets were strict objectives. It was noted that that the petitioners were required to be in substantial compliance and not necessarily exact compliance.

Mr. Kondrat noted that an agreement with Lounges Entertainment to provided entertainment for the Independence Day Festival was on the agenda for action by the Town Council in the amount of \$33,000. Mr. Kondrat asked whether the Canadian National Railroad Grant proceeds were committed to support this agreement and how such a dedication could be made without action by the Town Council.

It was noted that no definite commitment has been made with regard to the CN Railroad grant.

2. Rick Volbrecht, Highland, stated that in his experience as a former School Board member that grant proceeds could not be finally used without approval of the governing board.
3. Connie Wachala, Highland, asked for clarification regarding the actual start time of the Town Council meeting and the website stating the meeting begins at 7:00 p.m.
4. Army Colonel Anthony Daggett,(in uniform) Gary, joined by his wife introduced himself to the Town Council as a candidate for United States Congress and indicated

he was present to listen to the possible needs of the Town. He reported on the successes of his adult children and his interest in education.

The Town Council President thanked Col. Daggett for his remarks and his service.

**Communications:**

1. The Clerk-Treasurer read aloud a letter from J. Douglas Van Ramshorst regarding the Main Street Bureau of the Redevelopment Department and his recent departure and resignation from the Bureau.

With leave from the Town Council, the Town Council President recognized Mr. Van Ramshorst to offer any additional comments regarding his missive. He restated the sentiments of his letter regarding the meeting in which his resignation was acknowledged. In a colloquy between the Town Council President and Mr. Ram Van Ramshorst, Mr. Van Ramshorst indicated that he did not wish to reapply for membership on the Main Street Bureau.

With leave from the Town Council, Councilor Herak suggested that the Town Council should perhaps consider making the Main Street bureau be a separate non-profit or part of the Chamber of commerce rather than a bureau of the Redevelopment Department.

2. The Clerk-Treasurer noted and the Town Council acknowledged the communication from the Highland Census Complete Count Committee regarding its Implementation of the Action Plan for the March 9, 2020 Meeting.

**Staff Reports:** The following staff reports were received and filed.

• **Building & Inspection Report for February 2020**

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	3	0	3	\$117,205.00	\$2,510.50
Commercial Additions or Remodeling:	0	0	0	\$0.00	\$0.00
Signs:	5	0	5	\$38,903.00	\$1,368.50
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	41	41	0	\$440,192.00	\$9,475.00
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	0	0	0	\$0.00	\$0.00
Decks & Porches:	0	0	0	\$0.00	\$0.00
Fences:	5	5	0	\$25,716.00	\$803.50
Swimming Pools:	0	0	0	\$0.00	\$0.00
Drain Tile/ Waterproofing:	4	4	0	\$39,018.00	\$959.50
Miscellaneous	0	0	0	\$0.00	\$0.00
<b>TOTAL:</b>	<b>58</b>	<b>50</b>	<b>8</b>	<b>\$661,034.00</b>	<b>\$15,117.00</b>
<b>Electrical Permits</b>	<b>17</b>	<b>14</b>	<b>3</b>		<b>\$2,061.00</b>
<b>Mechanical Permits</b>	<b>16</b>	<b>11</b>	<b>05</b>		<b>\$1,538.00</b>
<b>Plumbing Permits</b>	<b>8</b>	<b>6</b>	<b>2</b>		<b>\$1,078.90</b>
<b>Water Meters</b>	<b>2</b>	<b>1</b>	<b>1</b>		<b>\$1,175.50</b>
<b>Water Taps</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>\$0.00</b>
<b>Sewer/Storm Taps</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>\$0.00</b>
<b>TOTAL Plumbing:</b>	<b>10</b>	<b>7</b>	<b>3</b>		<b>\$2,254.40</b>

**February Code Enforcement:**

Investigations: 161  
Citations: 009  
Warnings: 000

**February Inspections:**

Building: 39      Electrical: 25      Plumbing: 14      HVAC: 15  
Electrical Exams: 2

**• Fire Department Report for February 2020**

Type of Call	Month	1 <sup>st</sup> half of year	
General Alarms	09	17	
Paid Still Alarms	30	54	
Still Alarms	05	12	
<b>Total Alarms:</b>	<b>44</b>	<b>83</b>	<b>Calls YTD: 83 calls</b>

**• Workplace Safety Report for February 2020**

There were no workplace incidents to report in February. The following report was filed.

Department	Injuries this Month	Year to Date 2020	Total in 2019	Restricted Days 2020	Lost Workdays This Year (2020)	Restricted Days Last Year (2019)	Lost Workdays Last Year (2019)
Parks	0	0	0	0	0	0	0
Fire	0	0	1	0	0	0	0
Police	0	0	4	0	0	0	0
Street	0	0	1	0	0	0	0
Water & Sewer	0	0	5	31	0	0	46
Maint.	0	0	1	0	0	14	2
Other	0	0	1	0	0	0	0
<b>TOTALS</b>	<b>0</b>	<b>0</b>	<b>13</b>	<b>31</b>	<b>0</b>	<b>14</b>	<b>48</b>

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

**Appointments:**

**• Statutory Boards and Commissions**  
*Executive Appointments*

- 1. Advisory Board of Zoning Appeals** (1) appointment to be made by Town Council President. Citizen member (*Filling unexpired term of Bill Leep, who received an appointment to the Redevelopment Commission, extends to First Monday in January 2022*)

The Town Council President as municipal executive announced his appointment of **Matthew A. Thomas, 8605 Liable Road, Highland**, to the unexpired term on the Advisory Board of Zoning Appeals.

**Home Rule Commissions**

**1. Community Events Commission:**

(1) appointments to be made by the Town Council President. **Term: 4 years.** (Note: Vacancy from unexpired term of Late E. Parlor of which term expires January 2021)

The Town Council President announced his appointment of **Jacqueline Herrera, 8112 Wicker Park Drive, Highland** to the unexpired term in a multi-year position on the Community Events Commission. This appointment created a vacancy in the annual legislative appointments.

*Legislative Appointments*

**Home Rule Commissions**

**1. Community Events Commission:**

Councilor Black moved to appoint **Stan M. Allen, 3510 Laverne Drive, Highland**, to the unexpired term in the position just vacated by the appointment of Jacqueline Herrera to the multi-year position. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Mr. Allan was appointed.

**Unfinished Business and General Orders:**

- 1. Introduced Ordinance No. 1712:** An Ordinance to Amend and the Compensation, Benefits and Personnel Program of the Municipality, known as the Compensation and Benefits Ordinance, Commonly Called the Municipal Employee Handbook All Particularly Regarding the Flexible Spending Account as part of the Section 125 Plan and Repealing Prior Ordinances and Enactments in Conflict Therewith, Pursuant to IC 36-1-3 and other relevant Statutes. *Councilor Black introduced and filed Ordinance No. 1712, at the Town Council meeting of January 27, 2020. There was no further action.*

Councilor Zemen moved to pass and adopt Ordinance No. 1712. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

**ORDINANCE NO. 1712  
OF THE  
TOWN OF HIGHLAND, INDIANA**

AN ORDINANCE TO AMEND AND THE COMPENSATION, BENEFITS AND PERSONNEL PROGRAM OF THE MUNICIPALITY, KNOWN AS THE COMPENSATION AND BENEFITS ORDINANCE, COMMONLY CALLED THE MUNICIPAL EMPLOYEE HANDBOOK ALL PARTICULARLY REGARDING THE FLEXIBLE SPENDING ACCOUNT AS PART OF THE SECTION 125 PLAN AND REPEALING PRIOR ORDINANCES AND ENACTMENTS IN CONFLICT THEREWITH, PURSUANT TO IC 36-1-3 AND OTHER RELEVANT STATUTES.

WHEREAS, The Town Council is the fiscal and legislative body of the Town of Highland;

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

WHEREAS, IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, IC 36-1-4, sections 14 and 15 provide in pertinent parts for the establishment of a system of employment for any class of employee and for fixing the level of compensation of its officers and employees; and



WHEREAS, IC 5-10 in several pertinent chapters further authorizes Indiana political subdivisions to participate in and provide for certain compensation plans, and group benefits for its public workforce and officers, some of which have been duly adopted and established by ordinance of the Town; and

WHEREAS, IC 36-5, Chapters 3 and 4 provide additional authority and guidelines for fixing the level of compensation of officers and employees in towns; and

WHEREAS, The Town Council has determined that an amendment of a program for compensation, benefits and personnel management for its public workforce, particularly regarding group insurance premiums paid by workers would be of benefit to support and carryout the public purposes of the municipality; and,

WHEREAS, The Town Council of the Town of Highland, as the town legislative body also desires to amend the ordinance that was adopted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year 2019 and thereafter as amended;

WHEREAS, The Town Council now desires to make such an amendments,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the established compensation, benefits and personnel program of the municipality pursuant to and consistent with the provisions of the relevant governing law is found and determined to require certain modification;

**Section 2.** That the ordinance, with the short title styled as styled as the "Compensation and Benefits Ordinance" and commonly called Municipal Employee Handbook is hereby amended revising **Section § 4.09** to read as follows:

**§ 6.03.02 IRC Section 125 "Flex Plan"**

The Town of Highland will provide a "~~full flex~~" **limited cafeteria** plan pursuant to and as outlined in § 125 of the Internal Revenue Code. The plan will provide for conversion of employee premiums for group health insurance provided by the Town as employer. **It will provide for a dependent care reimbursement account.** ~~It will further provide for election by covered employees and officials to convert a medical reimbursement account and a dependent care reimbursement account.~~ The governing body may from time to time adopt third party services agreements to carry out portions of the plan. Details of the plan shall be maintained as a plan document and retained on file.

**Section 3.** The flexible spending medical reimbursement account provisions in full force and effect at the time of this ordinances introduction, passage and adoption, will remain in force through January 31, 2021. Following this date the plan will no longer offer the medical reimbursement feature, subject to any lawful grace period provided in the IRC Section 125.

**Section 4.** That amendments adopted by the passage of this ordinance, in its substantive parts shall be compiled into a complete and simplified version, excluding its preambles or formal recitals, featuring a cover and brief narratives regarding the municipality and inserted in to a presented in handbook or similar form, to be distributed to employees and officers of the municipality and may be referred to as the *Employee Handbook*;

**Section 5.** That this ordinance is to be construed as a companion ordinance complimentary to any ordinance passed from time to time establishing wages and rates of pay and known as the salary ordinance;

- (a) That this ordinance shall be effective to the extent that it is not in conflict with Federal or State law;
- (b) That all other ordinances and resolutions related to the subject matter of this ordinance and not in conflict with its provisions, and the enabling instruments dealing with wellness programs, remain in full force and effect;
- (c) That all other ordinances and resolutions in conflict with the provisions of this ordinance are hereby repealed and have no further force or effect;

**Section 6.** That this ordinance shall become and remain in full force and effect from and after the date of its passage and adoption upon its signature by the executive as attested thereto by the clerk-treasurer, in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 27<sup>th</sup> day of January 2020. Consideration on same day or at same meeting of introduction was not sought, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED and ADOPTED** this 9<sup>th</sup> Day March 2020 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, Lake County, INDIANA

/s/Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. **Proposed Ordinance No. 1714:** An Ordinance to Amend Chapters 10.30 and 10.35 of the Highland Municipal Code Relating to Motor Vehicles and Traffic, Providing for the Enforcement Thereof, Repealing All Ordinances in Conflict Therewith, and Declaring an Emergency. *(The ordinance if adopted would amend the Traffic Code adding additional locations for Traffic control signals, parking for persons with disabilities, and parking prohibited at all times.)*

Councilor Herak introduced and moved the consideration of Ordinance No. 1714 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Ordinance No. 1714 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

ORDINANCE No. 1714  
of the  
TOWN of HIGHLAND, INDIANA

AN ORDINANCE to AMEND CHAPTERS 10.30 AND 10.35 of the HIGHLAND MUNICIPAL CODE RELATING to MOTOR VEHICLES and TRAFFIC, PROVIDING for the ENFORCEMENT THEREOF, REPEALING ALL ORDINANCES in CONFLICT THEREWITH, and DECLARING an EMERGENCY

WHEREAS, The Traffic Safety Commission has conducted a study and investigation as to the amendments to Chapter 10.30, and Chapter 10.35 of the Highland Municipal Code within the Town of Highland;

WHEREAS, The Traffic Safety Commission at meetings convened on February 6, 2018, November 6, 2018, April 2, 2019 and August 7, 2019 considered and then did vote to recommend certain amendments to the Highland Municipal Code particularly regarding additions to the Traffic Schedules, and the Parking Schedules;

WHEREAS, I.C. 9-21-1 *et sequitur* authorizes the Town of Highland, through its Town Council as a local authority to adopt local regulations regarding traffic; and

WHEREAS, I.C. the Town Council is interested in amending the appropriate Traffic and Parking Schedules to protect the public health, safety and welfare with regard to traffic and parking control; and

WHEREAS, It would be and is in the best interest of the Town of Highland, and in the best interest of the public health and safety to amend the following section of the Highland Municipal Code,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That Section 10.30.010, Schedule I "Traffic Control Signals at intersections" of the Highland Municipal Code be amended by adding to the existing schedule the following:

Intersection	Ord. No.	Date Passed
Prairie Avenue and Main Street	1714	03.09.2020

Main Street at the Target Retail Store Enter/exit access point	1714	
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**Section 2.** That Section 10.35.020 Schedule II "Parking for persons with disabilities" of the Highland Municipal Code be amended by adding to the existing schedule the following:

Street or place	Location	Ord. No.	Date Passed
Duluth Street	7927 Duluth Street	1714	03.09.2020

**Section 3.** That Section 10.35.040, Schedule III "Parking Prohibited at all Times" of the Highland Municipal Code be amended by adding to the existing schedule the following:

Street	Location	Side	Ord. No.	Date Passed
Prairie Avenue	200 feet north of Whispering Oaks Court on Prairie Avenue running to Main Street	West side	1714	03.09.2020

**Section 4.** That the proper officer be hereby directed to erect appropriate signs, properly citing the traffic or parking regulation herein, to support the enforcement of the provisions herein and to further remove those signs where appropriate as well;

**Section 5.** That all provisions of ordinances in conflict with the provisions hereof are hereby repealed;

**Section 6.** That this ordinance shall become and be in full force and effect from and after its adoption, passage and two (2) weeks following its publication in the manner prescribed by law and until its subsequent amendment or repeal by proper ordinance, all pursuant to IC 36-5-2-10(c).

Introduced and Filed on the 9<sup>th</sup> Day of March 2020. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 9<sup>th</sup> Day of March 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

/s/Mark J. Schocke, President (IC 36-5-2-10)

ATTEST:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

3. **Works Board Order No. 2020-07:** An Order of the Works Board Offering, Authorizing and Approving an Extension to the Contract between the Town of Highland and Walsh & Kelly, Incorporated for Materials and Services – Asphalt Work through December 31, 2020, all Pursuant to Indiana Code 5-22 *et Seq.* and §31.18 of the Highland Purchase Code.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2020-07. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak, Sheeman and Schocke voting in the affirmative and Councilor Black voting in the negative, the motion passed. The Works Board Order was adopted.

TOWN of HIGHLAND  
BOARD OF WORKS  
ORDER of WORKS BOARD NO. 2020-07

**AN ORDER OF THE WORKS BOARD OFFERING, AUTHORIZING AND APPROVING AN EXTENSION TO THE CONTRACT BETWEEN THE TOWN OF HIGHLAND AND WALSH & KELLY, INCORPORATED FOR MATERIALS AND SERVICES – ASPHALT WORK THROUGH DECEMBER 31, 2020, ALL PURSUANT TO INDIANA CODE 5-22 ET SEQ. AND §31.18 OF THE HIGHLAND PURCHASE CODE**

Whereas, Pursuant to IC 36-1-2-24 (3), the Town Council serves as the works board for the Town of Highland;

Whereas, The Town of Highland did receive bids on March 22, 2019 for Road Materials and Services, which included asphaltting work and associated services, pursuant to IC 5-22 *et seq.* and on April 08, 2019, the Town Council for the Town of Highland accepted and awarded a bid for several items of asphalt work and associated services to Walsh & Kelly, Incorporated, as the lowest responsible and responsive bid; and

Whereas, Walsh & Kelly, Incorporated has expressed interest, through a letter dated October 29, 2019, attached hereto, to extend the current contract for an additional year at the same terms and conditions for Road Materials and Services, Asphalt Paving;

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

Whereas, The Town Council for the Town of Highland, pursuant to IC 5-22-17-4, now wishes to offer a contract extension to Walsh & Kelly, Incorporated, through December 31, 2020, for Road Materials and Services – Asphalt Paving, under the original terms, conditions and prices as the original contract (1-year),

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the works board:

**Section 1.** That the Director of Public Works is hereby ordered to offer contract an extension to Walsh & Kelly, Inc. for Road Materials and Services – Asphalt Paving under the same terms, conditions, and prices for the period January 1, 2020 through December 31, 2020;

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

Be it So Ordered

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 9<sup>th</sup> day of March 2020 having passed by a vote of 4 in favor and 1 opposed.

WORKS BOARD of the TOWN of  
HIGHLAND, INDIANA

/s/ Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

EXHIBIT:



October 29, 2019

Mr. John Bach  
Town of Highland  
2332 Ridge Road  
Highland, IN 46022

Re: Extension of existing Yearly Asphalt Paving  
Contract from 2019 through 2020

Dear Mr. Bach:

Walsh & Kelly, Inc. is offering to the Town of Highland an extension of our current pricing for work to be completed in 2020.

We do so by the detail explained under Indiana Code 5-22-17-4. I have enclosed a copy of the code for your convenience and reference.

If the Town is in agreement, please indicate your approval with signatures below.

If you have any questions, please feel free to contact me.

Respectfully,  
WALSH & KELLY, INC.

*Jeffrey L. Swan*  
Jeffrey L. Swan  
Executive Vice President

JLSml

Enclosure



Town of Highland, Board of Public Works & Safety

\_\_\_\_\_  
Date  
\_\_\_\_\_  
Date

4. **Works Board Order No. 2020-08:** An Order of the Works Board Accepting the Proposal of Lounges Entertainment LLC for Professional Entertainment and Stage Services for the Town of Highland, Associated with Independence Day Festivities, and to Comply with the Provisions of IC 22-5-1.7 et seq.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2020-08. There was no second. The matter did not pass owing to no seconding on the motion.

5. **Works Board Order No. 2020-09:** An Order Finding And Determining Certain Personal Property of the Municipality As No Longer Needed For The Purposes For Which Originally Acquired or Have Been Left In The Custody Of An Officer Or Employee Of The Town Of Highland And Have Remained Unclaimed For More Than One (1) Year or Have Been Deemed Worthless and of No Market Value, And Further Authorizing And Approving Disposal Or Transfer of Said Property to a Municipality.

Councilor Herak moved the passage and adoption of Works Board Order No. 2020-09. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

THE TOWN of HIGHLAND  
BOARD of WORKS ORDER NO. 2020-09

AN ORDER FINDING And DETERMINING CERTAIN PERSONAL PROPERTY OF THE MUNICIPALITY AS NO LONGER NEEDED FOR THE PURPOSES FOR WHICH ORIGINALLY ACQUIRED OR HAVE BEEN LEFT IN THE CUSTODY OF AN OFFICER OR EMPLOYEE OF THE TOWN OF HIGHLAND AND HAVE REMAINED UNCLAIMED FOR MORE THAN ONE (1) YEAR OR HAVE BEEN DEEMED WORTHLESS AND OF NO MARKET VALUE, AND FURTHER AUTHORIZING AND APPROVING DISPOSAL OR TRANSFER OF SAID PROPERTY TO A MUNICIPALITY.

**WHEREAS,** The Town Council for the Town of Highland is the Works Board of the Municipality pursuant to IC 36-1-2-24(3) and

**WHEREAS,** The Town Council has been advised by the Metropolitan Police Department that several items of personal property particularly, several non-lethal stun weapons whose conditions, and which all owned by the municipality are no longer needed for the purposes for which it was originally acquired, pursuant to IC 5-22-22; and

**WHEREAS,** The Metropolitan Police Chief in consultation with the Winfield Police Chief has recommended that disposal of the personal property be authorized, all pursuant to the provisions of IC 5-22-22 et seq.;

**WHEREAS,** The Metropolitan Police Chief has further recommended that disposal of the personal property be executed by the purchasing agent and authorize the transfer to the Winfield Police Department, by way of private sale, all pursuant to the provisions of IC 5-22-22, sections 3, 6 and 10;

**WHEREAS** The Town Council now desires to favor the recommendation and take those steps necessary to authorize and approve a disposal of personal property of the municipality pursuant to the applicable law,

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

**Section 1.** That the Town Council of the Town of Highland acting as the works board, hereby finds and determines the following:

(A) That there are certain articles of personal property possessed or owned by the municipality, that are no longer needed, unfit for the purposes for which they were acquired, pursuant to IC 5-22-22-3; or,

(B) That these same articles of personal property possessed or owned by the municipality, that have been left in the custody of an officer or employee of the Town of Highland and have remained unclaimed for more than one (1) year, pursuant to IC 5-22-22-3; or,

(C) That these same articles of personal property possessed or owned by the municipality, that may be deemed worthless or no market value as the estimated costs the sale and transportation of the property exceed the property value, pursuant to IC 5-22-22-8;

(D) That these items of personal property are more particularly described in an exhibit attached to and incorporated in this works board order;

(E) That the value of any single item of personal property is less than one thousand dollars (\$1,000), and that all the items of personal property together are less than \$5,000, all pursuant to IC 5-22-22; and,

(F) That the transfer by private sale without resort to notice of those items of personal property of the Highland Police Department to the Winfield Police Department be hereby found to be authorized and lawful;

**Section 2.** That the Metropolitan Police Chief is hereby authorized and instructed to cause a lawful disposal or transfer of the personal property identified in this Works Board Order by public or private sale or transfer without advertising pursuant to IC 5-22-22-6;

**Section 3.** That a Transfer agreement between the Town of Highland, Police Department and the Town of Winfield, Police Department, made a part of this order by incorporation as an exhibit, is hereby approved in each and every respect;

**Section 4.** That no proceeds are expected but should proceeds arise, any and all proceeds yielded from the lawful disposal or transfer authorized by this order shall be deposited with the Office of the Clerk-Treasurer, where such proceeds shall be deposited to the credit of the proper fund.

**Be It So Ordered.**

**DULY ADOPTED and ORDERED** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 9<sup>th</sup> day of March 2020 having passed by a vote of 5 in favor and 0 opposed.

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

/s/ Mark Schocke, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

**Exhibit of Personal Property for Disposal**

- 1: Yellow X26 Taser, Serial # 00-352030
- 2: Yellow X26 Taser, Serial # 00-503909
- 3: Yellow X26 Taser, Serial # 00-504407
- 4: Yellow X26 Taser, Serial # 00-504413
- 5: Yellow X26 Taser, Serial # 00-528283
- 6: Yellow X26 Taser, Serial # 00-569192
- 7: Yellow X26 Taser, Serial # 00-707596

END of PERSONAL PROPERTY EXHIBIT

**Exhibit of Transfer Resolution Agreement**

**Resolution and Agreement to Transfer Personal Property**

This Agreement also to be construed as a Resolution for the purposes of IC 5-22-22-10(a), approved, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the Town of Highland, Lake County, Indiana, by and through its Town Council, ("Highland"), and the Town of Winfield, Indiana Police Department ("Winfield")

**Resolution and Agreement**

**Whereas**, Highland is the owner of certain personal property specifically identified and set forth in an Exhibit attached hereto and incorporated herein by reference (hereinafter referred to as the "Property"); and

**Whereas**, Pursuant to Indiana Code 5-22-22-10 both Highland and Winfield mutually agree that it would be to the beneficial interests of Highland and Winfield and their respective users, citizens and taxpayers of Highland to

transfer the personal property from the Town of Highland by its Police Department to the Town of Winfield through its Police Department for no consideration;

**Whereas**, IC 5-22-22-10(a) states that "a purchasing agency may exchange property with another governmental body upon terms and conditions agreed upon by the governmental bodies as evidenced by adoption of a substantially identical resolution by each entity;"

**Whereas**, The Town of Winfield Police Department agrees to further evidence this exchange by the adoption of a substantially identical resolution, which for the purposes of this transfer shall be this Resolution and Agreement,

**Now, Therefore, be it hereby resolved** and in consideration of the covenants and conditions herein contained to be observed and performed by each of the parties hereto, and for good and other valuable consideration, the receipt of which is hereby mutually acknowledged, IT IS AGREED and RESOLVED AS FOLLOWS:

**Section 1. Transfer of Personal Property.** That subject to the provisions herein contained, Highland agrees to convey the Property by Bill of Sale to Winfield;

**Section 2. Consideration.** That pursuant to the provisions of I.C. 5-22-22-10, the transfer of the property from Highland to Winfield shall be made for no consideration and shall be evidenced by the adoption of substantially identical resolution by each entity;

**Section 3. Authorization.** That this resolution and agreement shall not be binding upon either party until appropriate resolutions authorizing the execution of this Agreement have been fully adopted and in accordance with the law by the Town of Highland and the Town of Winfield's appropriate governing body.

**Section 4. Survival of Representations, Covenants, Warranties, and Agreements.** That all representations, covenants and warranties made herein shall survive the execution of this Agreement.

**Section 5. Binding Effect.** That this resolution and agreement shall be binding upon the successors and assigns of the parties.

**Section 6. Governing Law.** That this instrument shall be governed by the Laws of the State of Indiana.

In witness whereof, the parties have caused this resolution and agreement is approved to be executed this \_\_\_\_ day of \_\_\_\_\_, 2020.

**Highland:**

Town of Highland, Lake County, Indiana  
By and through its Town Council

By \_\_\_\_\_  
Mark J. Schocke, President

Attest:

By \_\_\_\_\_  
Michael W Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

**Winfield:**

Town of Winfield, Lake County, Indiana  
By and through its Town Council

By \_\_\_\_\_  
Gerald T. Steiner, President

Attest:

By \_\_\_\_\_  
Richard C. Anderson, Jr.  
Clerk-Treasurer

**End of Exhibit of Transfer Resolution Agreement**

**6. Works Board Order No. 2020-10: An Order Approving and Authorizing the Metropolitan Police Chief to Purchase and Purchase from Thomas Dodge of Highland, IN (3) three 2020 Dodge Charger Police vehicles pursuant to I.C. 5-22-7.**

Councilor Black moved the passage and adoption of Works Board Order No. 2020-10. Councilor Herak 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 2020-10**

**An Order Approving and Authorizing the Metropolitan Police Chief to Purchase and Purchase from Thomas Dodge of Highland, IN (3) three 2020 Dodge Charger Police vehicles pursuant to I.C. 5-22-7.**

**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;

**Whereas,** The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be no more than \$150,000.00;

**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) of the Highland Municipal Code, such purchase requires the express approval of the purchasing agency;

**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;

**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;

**Whereas,** The Purchasing Agent, pursuant to Section 3.050.060 (H) of the Highland Municipal Code, elected to use the bidding provisions of the public purchase code, reports bids were solicited, opened and read aloud on March 2, 2020 in the Community Room of the Highland Police Department and the following response(s) were noted;

1. Thomas Dodge - 9604 Indianapolis Blvd., Highland, IN  
\$25,813 per white vehicle (2) and \$25,825 per red (1)

**Whereas,** The Purchasing Agent, elected to purchase pursuant to Section 3.05.060 (H) of the Highland Municipal Code, receiving only a single bid as follows:

Thomas Dodge 9604 Indianapolis Blvd., Highland Indiana at a unit price of \$25,813.00 and \$25,825.00. The purchase of three (3) vehicles at \$77,451.00 minus the trade-ins totaling \$11,000.00 for a total purchase price of \$66,451.00.

**Whereas,** The purchase of the vehicle will be supported duly approved appropriations in the Municipal Capital Cumulative Fund (MCCD) and in the Public Safety LIT Fund; and,

**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 Thomas Dodge of Highland for the purchase of three (3) 2020 Dodge Chargers at the price of \$77,451.00 minus the trade-ins of \$11,000.00 for a total of \$66,451.00;

**Section 2.** That the Works Board hereby finds and determines that the offer from Thomas Dodge of Highland to be the lowest responsive and responsible bidder offered at the total price of \$66,451.00, all pursuant to IC 5-22-7-8 and Section 3.05.060 (H)(8) of the Highland Municipal Code;

**Section 3.** That the Metropolitan Police Chief is now authorized and approved as follows:

(A) To execute the purchase agreement and any additional documents in order to implement this purchase;



(B) To file with the Sr. Chancery/Bursar Clerk in the Office of the Clerk-Treasurer a proper list with serial numbers of the vehicles traded-in to support the recording of these disposals;

(C) To file with the Sr. Chancery/Bursar Clerk in the Office of the Clerk-Treasurer a proper list with serial numbers of the vehicles purchased to support the recording of these acquisitions and then file all other associated 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 9<sup>th</sup> day of March 2020 having passed by a vote of 5 in favor and 0 opposed.

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

Mark J. Schocke, 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)

- 7. Works Board Order No. 2020-11:** An Order of the Works Board Accepting a Proposal from Red Bud Landscape Services, Inc. for Certain Landscape Maintenance Services to Furnish, Install, Mulch and Water fifty Trees Identified by the Tree Board in the amount of Thirty-Nine Thousand Eighty-Three Dollars and no Cents (\$39,083).

Councilor Black moved the passage and adoption of Works Board Order No. 2020-11. Councilor Sheeman 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 No. 2020-11**

**AN ORDER OF THE WORKS BOARD ACCEPTING A PROPOSAL FROM RED BUD LANDSCAPE SERVICES, INC. FOR CERTAIN LANDSCAPE MAINTENANCE SERVICES TO FURNISH, INSTALL, MULCH AND WATER FIFTY TREES IDENTIFIED BY THE TREE BOARD IN THE AMOUNT OF THIRTY-NINE THOUSAND EIGHTY-THREE DOLLARS AND NO CENTS (\$39,083)**

**Whereas,** The Department of Public Works working with the Tree Board had determined to request a special tree grant from the Little Calumet River Basin Development Commission;

**Whereas,** The Public Works Director, pursuant to § 3.05.050(D)(1) of the HMC, serves as the Purchasing Agent for the Public Works Department, which includes executing the Urban Forestry Plan for the Town of Highland;

**Whereas,** The Tree Board had prepared specifications and schedule of services to be performed associated with the planting specified tree species, and continuing care for and had solicited proposals from landscape services contractors, pursuant to the specifications and schedule of services; and

**Whereas,** Pursuant to Section 03.05.060 (F) of the Highland Municipal Purchasing Code, on January 27, 2020, the Tree Board Secretary, the Parks and Recreation Superintendent and the Public Works Director received the following proposals from its solicitation:

	Matt's Landscaping	Redbud Landscape Services	Hubinger Landscaping
	Lump Sum Bids		
Planting: Furnish, install, mulch and initially water 50 trees per attached list.	\$ 23,750	\$ 29,083	\$ 27,957
Watering Base Bid: Water 50 Trees once weekly from May 31 to Oct 31, 2020 (22 Weeks)	\$ 8,800	\$ 5,000	\$ 9,900
Alternative Watering Bid: Water 50 Trees once weekly from May 31, 2020 to Oct 31, 2022 (44 Weeks)	\$ 17,600	\$ 10,000	\$ 19,800
<b>Total Base Bid (22 weeks watering)</b>	<b>\$ 32,550</b>	<b>\$ 34,083</b>	<b>\$ 37,857</b>
<b>Total Alternative Bid (44 weeks watering)</b>	<b>\$ 41,350</b>	<b>\$ 39,083</b>	<b>\$ 47,757</b>

**Whereas**, The Executive Director of the Little Calumet River Basin Development Commission communicated that the Town of Highland was awarded a reimbursement grant in the amount of thirty-thousand dollars (\$30,000) for the planting of 50 trees according to the application filed by the Town;

**Whereas**, The Public Works Director believes that Red Bud Landscape Services, Incorporated has demonstrated professional competence and qualifications in performing the particular professional landscape maintenance services called for in the request for proposals fully in compliance with the specifications and recommends that the Town of Highland, find Red Bud as the lowest, most responsible and responsive respondent and award the service agreement accordingly;

**Whereas**, The Town Council, pursuant to §3.05.030(A)(1) of the HMC, serves as purchasing agency for the Public Works Department;

**Whereas**, The purchase price exceeds \$15,000.00 and pursuant to §3.05.040 (C) and Section 3.05.050(B)(3) of the HMC requires the express approval of the purchasing agency; and

**Whereas**, There are expected to be sufficient and available appropriations balances on hand following a properly enacted additional appropriation, to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

**Whereas**, The Town of Highland, through its Town Council acting as the Works Board, now desires to accept the recommendation of the Public Works Director to accept the proposal and award a contract to Red Bud Landscape Services, Inc. to furnish, install, mulch and water 50 trees as specified by the Town, and associated landscape maintenance services,

**Now, Therefore, Be It Ordered**, by the Town Council, acting as the Works Board of the Town of Highland, Indiana:

**Section 1.** That subject to the provisions of Section 2 of this Order, the proposal of Red Bud Landscape Services, Inc. to furnish, install, mulch and water 50 trees as specified by the Town, and associated landscape maintenance services in the amount of Thirty-nine Thousand eighty-three Dollars (\$39,083.00) be hereby accepted as the lowest responsive and responsible quote;

**Section 2.** That the final award is contingent on the approval of an additional appropriation in the proper amount in a lawful fund of the Town;

**Section 3.** That the following are further authorized and ordered:

- (A) That the reimbursement grant application and award is accepted and ratified;
- (B) That the Tree planting project identified by the Tree Board and supported by the Little Calumet River Basin Development Commission is authorized and approved; and,
- (C) That the Public Works Director is hereby authorized to execute the agreement and all documents necessary to implement and execute the project.

**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 9<sup>th</sup> day of March 2020 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

/s/Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

**CLAUSE (ADDENDUM) and AFFIDAVIT ADDENDUM TO BE ADDED TO CONTRACT FOR SERVICES  
TO BE PROVIDED TO TOWN OF HIGHLAND  
(as required by I.C. 22-5-1.7 -11, effective July 1, 2011)**

**Verification of Work Eligibility Status**

1. \_\_\_\_\_ of RED BUD LANDSCAPE SERVICES, INC., (hereinafter called "Contractor") understands and agrees that:

- (A) It is required to enroll in and verify the work eligibility status of all employees hired after the date of this contract through the E-Verify program.
- (B) This requirement shall be waived if the E-Verify program ceases to exist. For the purposes of this paragraph, the "E-Verify program" means the electronic verification of work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (P.L. 104-208), Division C, Title IV, s. 403(a), as amended, operated by the United States Department of Homeland Security or a successor work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees under the Immigration Reform and control Act of 1986 (P.L. 99-603); and

2. An authorized representative of the Contractor has signed the attached affidavit concerning the employment of unauthorized aliens.

*This contract clause is developed pursuant to SEA 590 codified as IC 22-5-1.7-11 (a)(1).*

\_\_\_\_\_  
Authorized Signatory

Title:

Date: \_\_\_\_\_

**AFFIDAVIT OF SERVICE PROVIDER or CONTRACTOR  
WITH THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA  
REGARDING HIRE OF UNAUTHORIZED ALIENS**

State of Indiana    )  
  )       SS:  
County of Lake    )

**A F F I D A V I T**

I, the undersigned, authorized representative, authorized officer or agent of RED BUD LANDSCAPE SERVICES, INC., hereinafter called "contractor", which has a contract for services or goods with the Town of Highland, Lake County, Indiana, having given solemn affirmation, hereby depose(s) and say(s), that the contractor does not knowingly employ an unauthorized alien.

**FURTHERETH AFFIANT SAYETH NOT.**

Signed: \_\_\_\_\_, Affiant.

**Certificate of Notary**

On this \_\_\_\_ day of \_\_\_\_\_, 2020, before me personally came and appeared the affiant herein named, known and known to me to be the individual described in and who executed the foregoing instrument, and who duly acknowledged to me that she executed same for the purpose therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

My commission expires: \_\_\_\_\_.

County of Residence: \_\_\_\_\_.

(seal)

\_\_\_\_\_  
NOTARY

Affidavit pursuant to IC 22-5-1.7-11

- 8. Action to approve pay for employee who is temporarily replacing another employee at a higher grade level, after thirty full days in the position, pursuant to Section § 4.01 of the Compensation and Benefits Ordinance.** Public Works Director is reporting he had assigned Aaron Krestel to *acting Water/Sewer Supervisor*.

*The Public Works Director made the assignment effective 12.02.2019 and Mr. Krestel held the position from that date through February 16, 2020. Aaron Krestel will be construed as eligible for the pay of a water/sewer supervisor effective January 2, 2020, provided it is approved.*

Councilor Herak moved to approve the temporary assignment and the higher pay for the period following thirty days in the position. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The temporary assignment and the higher pay were approved.

**Reviews for Economic Revitalization Area Compliance (Items 9 through 16)**

The Redevelopment Director offered a brief overview regarding the compliance reviews before the Town Council. The Redevelopment Director noted that the Demand Real Results petitioner had appealed for a reduction to the property assessment after the tax abatement was granted. She noted that owing to that appeal, the petitioner has not yet really obtained the full benefit of the ERA. The Redevelopment Director indicated that she recommended that all be found in compliance.

The Redevelopment Director also introduced all the petitioners or their representatives who were present.

*Motion to Table.* Councilor Black moved to table the consideration of Items 9-16 to allow the Town Council further time to review. Councilor Sheeman seconded. Upon a roll call vote, there were three negatives and two affirmatives. With Councilors Zemen, Herak and Schocke voting in the negative, and Councilors Black and Sheeman voting in the affirmative, the motion did not pass. The motion to table was not adopted.

- 9. Consideration of the Compliance with the Statement of Benefits as filed and represented by People's Bank S.B. 3915, 3919 & 3927 Ridge Road, Highland.** *At its meeting of September 14, 2015, the Highland Town Council passed Resolution No. 2015-37 approving this application and its terms for property tax abatement upon the increase in assessed value of \$667,800 as well as a new job and retention of five existing jobs all in consequence of construction of a new building, a People's Bank SB Branch at 3915, 3919 and 3927 Ridge Road, for a period of time not to exceed ten (10) calendar years, according to the schedule in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and terms of the approving resolution. The Town Council conducted its first review at its meeting of November 13, 2017, its second at the Town Council meeting of 26 February 2018 and its third one at its meeting of 25 February 2019. The Town Council found the applicant in compliance at each meeting. This is the fourth review for compliance by the petitioner of its terms in the application but the third one that applies after*

*filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, seven years remain on the 10 year abatement.*

Councilor Herak moved to find the CF-1 in order, and to find the petitioner Peoples Bank in compliance with the terms of its abatement. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak, Sheeman and Schocke voting in the affirmative, and Councilor Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

10. **Consideration of the Compliance with the Statement of Benefits as filed and represented by High RE 3940, LLC d.b.a., Culver's 3950 Ridge Road, Highland.** *At its meeting of January 30, 2012, the Highland Town Council approved this application for property tax abatement upon the increase in assessed value in consequence of construction of a new building a Culver's Restaurant 3940 and 3950 Ridge Road, for a period of time not to exceed ten (10) calendar years, according to the schedule in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and terms of the approving resolution. The Town Council conducted its first review at its meeting of March 9, 2015, its second at its meeting of February 08, 2016, its third review at its meeting of February 27, 2017, its fourth review at its meeting of 26 February 2018 and its fifth review at its meeting of 25 February 2019. The Town Council found the applicant in compliance at each meeting. This represents the sixth review of compliance for this property and the sixth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, four years remain on the 10 year abatement.*

With leave from the Town Council, Mr. John Terpstra, representing Culvers, was permitted to speak on behalf of the petition for compliance.

Councilor Zemen moved to find the CF-1 in order, and to find the petitioner Culvers in compliance with the terms of its abatement. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak Sheeman and Schocke voting in the affirmative, and Councilor Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

11. **Consideration of the Compliance with the Statement of Benefits as filed and represented by Baldi-Hoobyar Equities Indiana LLC d.b.a., Highland Volkswagen, 9601 Indianapolis Boulevard, Highland.** *At its meeting of October 10, 2012 and confirmed at its meeting of December 10, 2012, the Highland Town Council approved this application for property tax abatement upon the increase in assessed value in consequence of construction of a new building a Volkswagen Retail Dealership, 9601,9553 and 9545 Indianapolis Boulevard, Highland, for a period of time not to exceed ten (10) calendar years, according to the schedule in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and terms of the approving resolution. The Town Council conducted its first review at its meeting of March 9, 2015, its second at its meeting of February 08, 2016, its third at its meeting of February 27, 2017, its fourth at its meeting of 26 February 2018 and its fifth at its meeting of February 25, 2019. The Town Council found the applicant in compliance at each meeting. This represents the sixth review of compliance for this property and the sixth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, four years remain on the 10 year abatement.*

With leave from the Town Council, Mr. Joseph Hoobyar, representing Highland Volkswagen, was permitted to speak on behalf of the petition for compliance.

Councilor Herak moved to find the CF-1 in order, and to find the petitioner Highland Volkswagen in compliance with the terms of its abatement. Councilor Sheeman seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak, Sheeman and Schocke voting in the affirmative, and

Councilor Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

12. **Consideration of the Compliance with the Statement of Benefits as filed and represented by Indiana GROCERY GROUP (formerly known as SVT, LLC.), 2244-45<sup>th</sup> Avenue, Highland.** *At its meeting of March 26, 2012, the Highland Town Council approved this application for **property tax abatement** upon the increase in assessed value in consequence of construction of a new building SVT, LLC Headquarters, 2244 45<sup>th</sup> Avenue, Highland, for a period of time **not to exceed ten (10) calendar years**, according to the schedule in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and terms of the approving resolution. The Town Council conducted its first review at its meeting of April 13, 2015, its second at its meeting of February 08, 2016, its Third review at its meeting of February 27, 2017 its fourth at its meeting of 26 February 2018 and its fifth at its meeting of 25 February 2019. The Town Council found the applicant in compliance at each meeting. This represents the **sixth** review of compliance for this property and the sixth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, four years remain on the 10 year abatement.*

With leave from the Town Council, Phil Latchford Chief Financial Officer of Indiana Grocery Group, representing Strack and Van Til Headquarters, was permitted to speak on behalf of the petition for compliance.

Councilor Zemen moved to find the CF-1 in order, and to find the petitioner Indiana Grocery Group Strack and Van Til Retail Grocery, in compliance with the terms of its abatement. Councilor Herak seconded. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Zemen, Herak, and Schocke voting in the affirmative, and Councilors Sheeman and Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

13. **Consideration of the Compliance with the Statement of Benefits as filed and represented by Druktenis Realty, LP dba CIRCLE GMC/BUICK, 2440-45<sup>th</sup> Avenue, Highland.** *At its meeting of July 19, 2010, the Highland Town Council approved this application for **property tax abatement** upon the increase in assessed value in consequence of conversion of existing building Circle GMC/Buick, 2404 45<sup>th</sup> Avenue, Highland, for a period of time **not to exceed ten (10) calendar years**, according to the schedule in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and terms of the approving resolution. The Town Council conducted its first review at its meeting of April 13, 2015, its second at its meeting of February 08, 2016, its Third at its meeting of February 27, 2017, its fourth at its meeting of 26 February 2018 and its fifth at its meeting 25 February 2019. The Town Council found the applicant in compliance at each meeting. This represents the **sixth** review of compliance for this property and the sixth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, four years remain on the 10 year abatement.*

Councilor Herak moved to find the CF-1 in order, and to find the petitioner Circle GMC/Buick in compliance with the terms of its abatement. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak, Sheeman and Schocke voting in the affirmative, and Councilor Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

14. **Consideration of the Compliance with the Statement of Benefits as filed and represented by Demand Real Results, LLC, dba SAFETY TRAINING SERVICES, INC., 8516 Henry Street, Highland.** *At its meeting of September 8, 2014, the Highland Town Council approved this application for **property tax abatement** upon the increase in assessed value in consequence of conversion of existing vacant building located at 8516 Henry Street, Highland, for a period of time **not to exceed ten (10) calendar years**, according to the*

*schedule in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and terms of the approving resolution. The Town Council conducted its first review at its meeting of February 8, 2016, its second at its meeting of February 27, 2017, its third at its meeting of 26 February 2018 and its fourth at its meeting 25 February 2019. The Town Council found the applicant in compliance at each meeting. This represents the fifth review of compliance for this property and the fifth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, five years remain on the 10 year abatement.*

With leave from the Town Council, Mr. Mark Fleishman, representing Demand Real Results Safety Training, was permitted to speak on behalf of the petition for compliance.

Councilor Herak moved to find the CF-1 in order, and to find the petitioner Demand Real Results Safety Training in compliance with the terms of its abatement. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak, Sheeman and Schocke voting in the affirmative, and Councilor Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

15. **Consideration of the Compliance with the Statement of Benefits as filed and represented by Nathan Damasius d.b.a. VYTO's Pharmacy 8845 Kennedy Avenue, Highland.** *At its meeting of March 28, 2016, the Highland Town Council passed Resolution No. 2016-14 approving this application and its terms for property tax abatement upon the increase in assessed value of \$1,070,900, as well as four new jobs and retention of six existing jobs all in consequence of construction of a new building, a Corporate HQ for VYTO's, for Medical Specialty and pharmacy on Kennedy Avenue for a period of time not to exceed five (5) calendar years, according to the schedule in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and terms of the approving resolution. The Town Council conducted its first review for compliance at its meeting of February 26, 2018 and its second review at its meeting of 25 February 2019. The Town Council found the applicant in compliance at each meeting. This is the third review for compliance by the petitioner of its terms in the application but the second one that applies after filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, three years remain on the 5 year abatement.*

With leave from the Town Council, Virginia Speaks, representing VYTO's Pharmacy, was permitted to speak on behalf of the petition for compliance.

Councilor Zemen moved to find the CF-1 in order, and to find the petitioner VYTO's Pharmacy in compliance with the terms of its abatement. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

16. **Consideration of the Compliance with the Statement of Benefits as filed and represented by Evajo, L.L.C., d.b.a. Pramuk Dental Center, 2706 Highway Avenue, Highland.** *At its meeting of June 24, 2019, the Highland Town Council passed Resolution No. 2019-24 approving this application and its terms for property tax abatement upon the estimated increase in assessed value of \$960,000 to be a net value of \$102,000 as well as a new job and retention of three existing jobs, all in consequence of construction of a new building, at 2706 Highway Avenue, for a period of time not to exceed five (5) calendar years, according to the schedule in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and terms of the approving resolution. The Town Council is conducted its first review at this meeting. This is the first review for compliance by the petitioner of its terms in the application. This review is for Taxing period 2020 pay 2021. If approved, four years remain on the 5 year abatement.*

With leave from the Town Council, Dr. Kurt Pramuk, representing Pramuk's Dental Center, was permitted to speak on behalf of the petition for compliance.

Councilor Herak moved to find the CF-1 in order, and to find the petitioner Pramuk's Dental Center in compliance with the terms of its abatement. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

17. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of \$39,083 in the **Works Board Department of the Corporation General Fund** and in the amount of \$25,000 in the **Information Communications Technology Fund**.

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

**Remarks from the Town Council:**  
*(For the Good of the Order)*

- **Councilor Bernie Zemen:** • *Fire Department, Liaison* • *Liaison to the Plan Commission*

Councilor Zemen acknowledged the Fire Chief who reported on that he was monitoring the escalating challenge of the Corona Virus and COVID-19.

Councilor Zemen thanked the Girl Scouts for leaving a substantial sample of Girl Scout cookies.

- **Councilor Mark Herak:** • *Budget and Finance Chair* • *Liaison to the Advisory Board of Zoning Appeals* • *Town Board of Metropolitan Police Commissioners, Liaison*.

Councilor Herak acknowledged the passing of the father-in-law of the Police Chief and the Motor Vehicle Maintenance Supervisor.

Councilor Herak requested that at the next study session that the matter of authorizing an exchange of the three Dodge Chargers detailed to the Building and Inspection Department and the possibility to transfer those to the Police Department in exchange for three Dodge Durango sport utility vehicles.

Councilor Herak further asked that a discussion regarding applying the Redevelopment Façade Grant program to include no-profit groups be added to the next study session as well.

Councilor Herak acknowledged the Building Commissioner who offered a survey of the Advisory Board of Zoning Appeals.

- **Councilor Tom Black:** *Liaison to the Board of Sanitary Commissioners* • *Liaison to the Board of Waterworks Directors*.

Councilor Black acknowledged the Public Works Director and inquired about a water main break and repair he noticed on Highway Avenue.



- **Councilor Roger Sheeman:** *Chamber of Commerce Liaison • Liaison to the Community Events Commission • Information Technology Liaison • and Redevelopment Commission Liaison.*

Councilor Sheeman acknowledged and congratulated Dawn Diamantopolous who recently had her artwork selected by the Indiana First Lady to be displayed in the State Capital and in the Governor's residence.

- **Councilor President Mark Schocke:** *Town Executive • Chair of the Board of Police Pension Trustees • Park and Recreation Liaison.*

The Town Council President acknowledged the Parks and Recreation Superintendent who reported on parks and recreation generally and pending lighting improvements planned for the Lincoln Community Center Fieldhouse.

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

1. Kathryn Perrin, Highland, asked whether the Town Council was acquainted with reports from state universities regarding climate change and its impacts. Ms. Perrin asked whether the Town Council had any plans to protect property values that would be negatively impacted by climate change.

The Town Council President indicated that he was not aware of the reports to which she referred but thanked her for her remarks.

2. Terry Steagall, Highland, called the Town Council's attention to electronic mails that he sent regarding the importance of supporting renewal energy projects.

Mr. Steagall further remarked that the Little Calumet River Basin Development Commission was contemplating a sale of a certain parcel of property. Mr. Steagall stated he opposed the sale and encouraged the Town Council to consider opposing the sale as well.

3. Bandon Dothrager, Highland, spoke in support of the speakers who supported renewable energy sources and taking steps slow or reverse climate change.
4. Larry Kondrat, Highland asked about the status of the pending United States EPA consent enforcement matter with the Sanitary District.

The Public Works Director indicated that an estimate had been developed for project responses but they have not been finalized.

5. Connie Wachala, Highland, thanked Councilor Sheeman for his remarks regarding his concerns regarding flooding that is now a concern in our area.
6. Rick Volbrecht, Highland, offered the recent history and context for development of a stormwater plan.

**Payment of Accounts Payable Vouchers.** There being no further comments from the public, Councilor Black moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period February 25, 2020 through March 09, 2020 as well as to ratify the payroll dockets for the payday January 31, 2020, February 14, 2020 and February 2, 2020. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payroll dockets and other payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

**Vendors Accounts Payable Docket:**

**General Fund, \$216,647.03; Motor Vehicle Highway and Street (MVH) Fund, \$56,777.07; Local Road and Streets Fund, \$11,112.75; Law Enforcement Continuing Education and Training and Supply Fund, \$1,029.10; Flexible Spending Accounts Agency Fund, \$619.20; Insurance Premium Agency Fund, \$200,624.02; Gasoline Agency Fund, \$2,043.48; Information Communications Technology Fund, \$5,038.94; Civil Donation Fund, \$723.80; Police Pension 1925 Fund, \$71,381.88; Municipal Cumulative Capital Development Fund, \$2,926.66; Traffic Violations and Law Enforcement Agency Fund, \$3,750.00; Total: \$572,673.93.**

**Payroll Docket for payday of January 31, 2020:**

**Council, Boards and Commissions, \$8,460.06; Office of Clerk-Treasurer, \$16,763.00; Building and Inspection Department, \$8,494.05; Metropolitan Police Department, \$116,062.50; Fire Department, \$35,397.39; Public Works Department (Agency), \$79,211.90 and 1925 Police Pension Plan Pension Fund, \$72,302.03; Total Payroll: \$336,690.93.**

**Payroll Docket for payday of February 14, 2020:**

**Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$16,048.19; Building and Inspection Department, \$9,297.5139; Metropolitan Police Department, \$123,191.31; Fire Department, \$3,975.64; Public Works Department (Agency), \$72,819.34 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$225,331.99.**

**Payroll Docket for payday of February 28, 2020:**

**Council, Boards and Commissions, \$8,482.81; Office of Clerk-Treasurer, \$16,179.87; Building and Inspection Department, \$8,329.01; Metropolitan Police Department, \$115,796.69; Fire Department, \$3,405.84; Public Works Department (Agency), \$73,282.44 and 1925 Police Pension Plan Pension Fund, \$70,514.23; Total Payroll: \$295,990.89.**

**Adjournment of Plenary Meeting.** Councilor Zemen moved that the plenary meeting be adjourned. Councilor Sheeman seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, March 09, 2020 was adjourned at 9:02 O'clock p.m.

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

Approved by the Town Council at its meeting of \_\_\_\_\_, 2020.

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

**Enrolled Memorandum of the Meeting  
Sixth Special or Regular Meeting  
Special Meeting  
Twenty-Ninth Town Council of Highland  
Friday, March 13, 2020**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in a **special meeting** called on **Friday, March 13, 2020** at 6:30 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 called a **special meeting** of the Town Council to address an emergency involving actual or threatened injury to persons or property, or actual disruption of the governmental activity conducted by the Town of Highland, owing to the emerging state and national emergency regarding Corona Virus COVID 19. Notice of the special meeting was issued to the Town Council and to all members of the media that had presented a request before January 1 of the current year at the same time earlier in the day. (No media presented such a request.) Nevertheless, notices were issued to journalists and representatives of the TIMES of NWI and the POST-TRIBUNE as well as Lakeshore Radio and WJOB by electronic mail. (Confer IC 5-14-1.5-5(d))

*Silent Roll Call:* Councilors Mark Herak, Mark Schocke, Thomas Black, Roger Sheeman and Councilor Bernie Zemen were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

*Officials Present:* John P. Reed, Town Attorney; John M Bach, Public Works Director; Mark Knesek, Operations Director; Peter T. Hojnicky, Police Chief; Pat Vassar, Assistant Police Chief; John Banasiak, Police Commander; Ralph Potesta, Police Commander CID; Alex M. Brown, CPRP, Parks and Recreation Superintendent; Kenneth J. Mika, Building Commissioner; and William R. Timmer, Jr., CFOD, Fire Chief, were present.

*Additional Officials Present:* Luanne Jurczak, Highland School Town Board of Trustees; Chris Ray and Carlos Aburto, Park and Recreation Board; and Larry Kondrat, Board of Waterworks Directors, were also present.

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

- 1. Reviewed Circumstances with the Corona Virus COVID 19 and the Activation of the Communications Protocol by the Fire Chief:** The Town Council President explained that the special meeting to deal with emergency circumstances. The Town Council President reported that the Fire Chief had convened a meeting of department leadership earlier in the morning in light of the need to preserve continuity of government and to begin to assist the policy leaders with developing or activating policies that the emerging situation required.

With leave from the Town Council, the Fire Chief then offered an overview of the situation and how there would be increasing changes owing to the corona virus COVID 19. He noted that the School Town just announced additional days of closure one week before the scheduled spring break and a two weeks following.

It was noted that the state universities had closed for a month around the scheduled Spring breaks as well. The Fire Chief circulated a packet of materials containing guidance and information from the Centers for Disease Control, the Indiana State Board of Health and Community Healthcare dealing with the corona virus and the

importance of washing hands and initiating social separation, to slow the spread of the virus.

It was further noted that the virus had been defined as a pandemic.

- 2. Discussion of how to protect municipal employees and their compensation as well as the current sufficiency of existing policies for paid time off and care for workers who may test positively for the virus.** The Town Council and the Town Attorney discussed the existing policies regarding paid time off and sick leave. It was discerned that for the full-time work force there were sufficient policies to allow for workers to remain employed and compensated.

The Town Council and the group assembled discussed the ways and means of dealing with a (full-time) worker who is not symptomatic but has been possibly exposed. It was noted that it was desirable to have the worker quarantine outside the workplace for 15 days. It was further noted that a provision in the Compensation and Benefits Ordinance commonly called the Employee Handbook provides for an administrative leave of 10 days that is renewable (Confer Section 5.11.02). The predicate for it is relatively broad. It was suggested that this could be used in such a case if a worker had no other paid time off.

The discussion included the aspiration of some of the department heads to be able to restore to workers any accumulated paid time off used in consequence of the corona virus if possible. The Town Council did not act on that but did not express objection to the concept. Excerpts of some of the relevant provisions in the Compensation and Benefits Ordinance were distributed to the Town Council and Town Attorney.

**§ 5.11.02 Special Administrative Leave**

A municipal employee may be granted administrative leave with pay and continuation of benefits in limited circumstances, where deemed necessary and appropriate. The leave shall not exceed ten (10) days but may be renewed or extended with the same approval needed for the initial grant of leave. The leave may not be initiated by the employee for whom the leave is granted. Before administrative leave with pay and continuation of benefits may be granted, documentation of and rationale for the leave must be made on a form approved by and filed with the Clerk-Treasurer, and carrying the signatures of the following persons for the accompanying purposes:

1. The appropriate department head, evidencing approval; if the employee is a department head, only the signatures of the following officers will be required;
2. Chairman, of the relevant Board or Commission; and
3. The Municipal Executive (Town Council President), evidencing notice of the action.

**§ 5.04 Use of Donated Leave**

**§ 5.04.01** An employee may volunteer to share accumulated vacation leave or personal leave hours with another employee. Leave may only be donated to an employee for the beneficiary employee's own illness or injury when the beneficiary employee does not have enough time in his or her own accumulated leave accounts. Donated leave may not be used for the care or support of the employee's family.

**§ 5.04.02** Donated leave time must be in increments of at least eight (8) hours.

**§ 5.04.03** Both employees must receive approval from their departmental director and document the exchange of time with the Office of the Clerk-Treasurer. An employee must exhaust all sick leave, vacation leave, personal and overtime compensatory leave to be eligible to receive donated hours from other employees. The maximum amount of leave time an employee may accept is 1,040 hours. The employee will receive the time on an as needed basis and not in one lump sum.

**§ 5.04.04** If donated time exceeds the amount of leave needed by the ill or injured employee, the leave balance will be restored for use by the donor employee.

**§ 5.03 Personal Leave**

Regular full-time employees earn personal leave at the rate of 6 days per year. Unused personal leave may be accumulated to a maximum of 20 days. Accumulated personal leave is paid to employees upon separation of employment.

§ 5.03.01 Each regular full-time employee is entitled to six (6) personal days after employment of one (1) full calendar year with the Town, and six (6) personal days each year thereafter. These days may be used as personal business or sick days. These days are cumulative and if not used will be paid at the employee's current rate upon retirement or termination, subject to a maximum number. If a separation occurs while an employee is on a medical disability, the personal days will be paid at the rate immediately prior to the medical disability going into effect.

§ 5.03.02 The maximum number of personal days that may be cumulated and carried by any employee is fixed at twenty (20). Accumulations will be annually determined at the amount duly cumulated and credited to the worker as of December 31 of each year. At no time will any employee be paid for any more than twenty unused personal days at retirement or separation from service.

The Town Council and the Fire Chief discussed the challenges to obtain any diagnostic testing in the event that a worker was concerned about exposure and as a way to confirm worker's valid absence if the worker was diagnosed with the virus.

- 3. Discussion of Building Closure and the Lincoln Community Center.** The Town Council and the Department Heads discussed the policy of closing the Town Hall from public entrance and conducting as much business as possible for utility customers online, or by drop boxes.

There was general assent to the idea of closing the Town hall generally from usual traffic and to make it limited during meetings of various boards and commissions.

It was noted that the School Town closed all the schools and that the Board of School Town Trustees intended to pass a resolution to pay workers during the closing owing to the corona virus.

The Town Council, the representatives from the Park and Recreation Board and the Parks and Recreation Superintendent discussed whether to close the Lincoln Community Center. The discussion included the issues of revenue dependence for the operating budget of the Parks and Recreation Department from the Fitness Center and the Daycare. The discussion included the likely increased assembly of kids seeking to use the fieldhouse owing to the closing of the schools.

- 4. Protecting compensation for Part-Time workers and Paid n Call Firefighters.** The Town Council, the Town Council President and the several department heads discussed the desirability of protecting the compensation for part-time workers. The discussion included the differences between and among the types of part-time workers in the several departments.

The discussion included a consideration of the special part-time workers styled as "eligible" workers who are regularly scheduled 30 or more hours and are offered participation in the group health insurance pursuant to the requirements of the Affordable Care Act. It was noted that some part-time workers have no expectation of continued compensation when there is no work or an inability to work.

The discussion included the costs of protecting workers. The required reserves for the Corporation General Fund, the Parks and Recreation General Fund and the Redevelopment General Fund, are in all cases funded in excess of the required reserve target. It was noted that these reserves were offsetting losses from property tax caps but could be in some cases support some compensation for part time and full time workers.

There was no apparent consensus exhibited by the Town Council regarding the matter. The Town Attorney stated that he would try to prepare an ordinance that could be considered by the Town Council to address the part-time compensation and other issues.

5. **Preliminary Authorization for Town Council President to Close Buildings.** The Town Council, the Town Council President and the Town Attorney discussed whether it was desirable to authorize the Town Council President to be empowered to determine whether other buildings could be further restricted or closed such as the Lincoln Community Center, rather than requiring the Town Council to reconvene for that issue. It was determined that interim authority could be granted.

*Authorization for Town Council President Action on Buildings.* Councilor Zemen moved to authorize the Town Council President to order closure or some sections in whole or in part to be closed to the public. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The Town Council President was authorized to act on partial or total public closure of public buildings.

There being no further business necessary or desired to be discussed by the Town Council, the special meeting of the Town Council of **Friday, March 13, 2020**, was adjourned by the Town Council President at 8:00 o'clock p.m.

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

Approved by the Town Council at its meeting of \_\_\_\_\_, 2020.

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

**Enrolled Memorandum of the Meeting  
Study Session/ Special Meeting  
Seventh Special or Regular Meeting  
Twenty-Ninth Town Council of Highland  
Monday, March 16, 2020**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in a **special meeting** and concurrent, co-extensive study session on **Monday, March 16, 2020** at 6:30 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 called a special meeting of the Town Council to run concurrently and co-extensively with the standing study session of the Town Council. The special meeting was called to address an emergency involving actual or threatened injury to persons or property, or actual disruption of the governmental activity conducted by the Town of Highland, owing to the emerging state and national emergency regarding Corona Virus COVID 19. Notice of the special meeting was issued to the Town Council and to all members of the media that had presented a request before January 1 of the current year at the same time. (No media presented such a request.) Nevertheless, notices were issued to journalists and representatives of the TIMES of NWI and the POST-TRIBUNE as well as Lakeshore Radio and WJOB by electronic mail. (Confer IC 5-14-1.5-5(d))

**Silent Roll Call:** Councilors Mark Herak, Mark Schocke, Thomas Black, Roger Sheeman and Councilor Bernie Zemen were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Larry Kondrat, Board of Waterworks Directors; and Ed Dabrowski, IT Consultant (Contract) were present.

**General Substance of Matters Discussed.**

- 1. Executive Emergency Proclamation Issued Pursuant to 10-14-3-29.** The Town Attorney and the Town Clerk-Treasurer briefed the Town Council regarding the executive proclamation and the companion enactment. These measures were recommended owing to the need to make the Town Council President able to issue instructions during the emergency period owing to the Corona Virus COVID-19.

It was noted that this action would also release cumulative capital development fund resources for any purpose associated with the emergency.

The Town Council President indicated that he adopted the proclamation and executed it with his signature.

**THE TOWN of HIGHLAND  
PROCLAMATION of the MUNICIPAL EXECUTIVE NO. 2020-02**

**FINDING AND DETERMINATION AN EMERGENCY EXISTS AND DECLARING A LOCAL DISASTER  
EMERGENCY**

**Whereas,** From time to time circumstances exist such that an exigency occurs that could not reasonably be foreseen and that threatens the public health, welfare, or safety and requires immediate action; and

**Whereas,** The President of the United States and the Governor of the State of Indiana have issued emergency declarations in consequence of the Corona Virus COVID-19 Pandemic;

**Whereas,** The Town of Highland, through its Town Council President, as the principal executive officer now desires to issue a finding and determination that an emergency exists sufficient to support the declaration of a *Local Disaster Emergency*, all pursuant to IC 10-14-3-29;

Now Therefore be it hereby Proclaimed and declared by the Town Council President of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That pursuant to IC 10-14-3-29, there now exists a local disaster emergency in the Town of Highland, Lake County, Indiana, to be continued for a period not to exceed seven (7) days from the date of its entry, except by the consent of the Town Council as the governing body of the Town of Highland;

**Section 2.** That this declaration shall be given prompt and general publicity and shall be filed promptly in the office of the Clerk-Treasurer of the Town of Highland;

**Section 3.** That the effect of this declaration of a local disaster emergency is to: (1) activate the response and recovery aspects of all applicable local or inter-jurisdictional disaster emergency plans; and (2) authorize the furnishing of aid and assistance under the plans;

**Section 4.** That the public health, welfare, or safety is in immediate danger such that requires the expenditure of money in the Municipal Cumulative Capital Development Fund, provided such expenditure shall be for purposes to protect the public health, welfare, or safety in this emergency situation that demands immediate action, all pursuant to Section 3.45.140 (B)(1) of the Municipal Code and IC 36-9-15.5-8(c).

**BE IT SO PROCLAIMED, DECLARED and ORDERED** pursuant to and under the authority of Highland Municipal Code Section 3.45.140 (B)(1) and IC 10-14-3-29. Entered this 16<sup>th</sup> day of March 2020 by the Town Council President of the Town of Highland, Lake County, Indiana. Filed with the Clerk-Treasurer on 16<sup>th</sup> day of March 2020 at 6:30 O'clock p.m.

**TOWN of HIGHLAND, INDIANA**  
**By its Town Council President**

/s/ Mark J. Schocke, President

Attest:

/s/ Michael W. Griffin, Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

- 2. Executive Enactment No. 2020-20:** An Enactment Expressing a Finding and Determination that an Emergency Exists and Declaring a Local Disaster Emergency and Conferring Special Authority on the Municipal Executive of the Town of Highland. *(This enactment served as a companion to the Executive Proclamation clarifying the extent of the executive powers that the Town Council President possessed in consequence of the emergency and extended the period of authority for a total of 28 days.)*

Councilor Sheeman introduced and moved the consideration of Enactment No. 2020-20 at the same meeting of its introduction. Councilor Black seconded. 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 introduction.

Councilor moved the passage and adoption of Enactment No. 2020-20 at the same meeting of its introduction. Councilor Black seconded. 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 introduction.

**TOWN OF HIGHLAND**  
**ENACTMENT (ORDINANCE)**  
**Enactment No. 2020-20**

**AN ENACTMENT EXPRESSING A FINDING AND DETERMINATION THAT AN EMERGENCY EXISTS AND DECLARING A LOCAL DISASTER EMERGENCY AND CONFERRING SPECIAL AUTHORITY ON THE MUNICIPAL EXECUTIVE OF THE TOWN OF HIGHLAND**

**Whereas,** From time to time circumstances exist such that an exigency occurs that could not reasonably be foreseen and that threatens the public health, welfare, or safety and requires immediate action; and



**Whereas,** The President of the United States and the Governor of the State of Indiana have issued emergency declarations in consequence of the Corona Virus COVID-19 Pandemic;

**Whereas,** It is of vital public interest that continuity of government operations be preserved and supported during the national, state and local responses to the current exigency;

**Whereas,** It is expected that the Town of Highland, through its Town Council President, as the principal executive officer will issue a finding and determination that an emergency exists sufficient to support the declaration of a *Local Disaster Emergency*, all pursuant to IC 10-14-3-29;

**Whereas,** In order to allow the lawful alacrity of response and action by the public resources of the Town of Highland, the Town Council President, as municipal executive, should be expressly granted such authority to act for the town, in the interest of administrative efficiency and where the public good requires it, the Highland Town Council desires to authorize certain emergency powers consistent with IC 10-14-3-29;

**Now Therefore be it hereby Enacted** by the Town Council of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That in the event the Town Council President, pursuant to IC 10-14-3-29, issues a proclamation stating, that there now exists a local disaster emergency in the Town of Highland, Lake County, Indiana, to be continued for a period not to exceed seven (7) days from the date of its entry, except by the consent of the Town Council as the governing body of the Town of Highland;

**Section 2.** That subject to law, that this enactment serves as approval of the governing body that it grants the Town Council President, to act during the local exigency for three additional periods of authority, bringing the period to twenty-eight (28) days, after which, such authority will require action by the Town Council as the legislative body of the municipality;

**Section 3.** That the effect of this enactment is to confer such powers that are granted a municipal executive under IC 36-4 et seq and IC 36-4 et sequitur, except the authority to dismiss or demote a public officer acting as a department head, and the procedure affecting the adoption of ordinances or resolutions of the municipality;

**Section 4.** That the tolling for the extension of authority under this enactment shall begin upon the passage and adoption of the enactment and the Clerk-Treasurer shall inform the Town Council as to the duration remaining as conferred by this enactment.

Introduced and Filed on the 16<sup>th</sup> Day of March 2020. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED AND ADOPTED** this 16<sup>th</sup> Day of March 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

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

/s/Mark J. Schocke, President (IC 36-5-2-10)

**ATTEST:**

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

- 3. Proposed Ordinance No. 1715:** An Ordinance to Amend Section 5.11.02 of the Highland compensation and Benefits Ordinance, Particularly Amending the Provisions Special Administrative Leave Under Extreme and Unexpected Circumstances concerning National Emergencies.

The Town Council and the Town Attorney discussed a draft version of the proposed ordinance that would amend the Compensation and Benefits Ordinance provisions regarding Special Administrative Leave, purporting to modify the language to create enduring section for preserving the pay for regular full-time workers. It also provided for some pay for some part-timers except for those in the Public Works Department

and the Parks and Recreation Department, based upon the initial concerns raised by those department heads in prior meetings.

The Town Council had an extended discussion about the difficulty of protecting pay for some part-timers and not all. There was a discussion about whether some part-time workers had any expectation of protection of income if there was a work stoppage.

The discussion included whether the determination could be left to department heads. There was a discussion regarding the possibility of distinguishing those "eligible part-time workers" who are offered access to group health insurance pursuant to the Affordable Care Act. It was determined that the Town Attorney would rework some of the language and bring it back for review and mark-up.

Councilor Zemen introduced and filed the proposed Ordinance No. 1715. There was no further action.

4. *Discussion of Information shared during daily telephone conferences with Department Heads, and two members of the Town Council.* The Town Council President reported that it had been determined that the Town hall would close to the public, while operations would continue within, to practice social distancing.

The Town Council President further reported that the Lincoln Community Center fitness center would be closed in addition to the Lincoln Community Center fieldhouse. The Town Council discussed whether the daycare that is a lessee operating at the Lincoln Community Center should be closed. A consensus emerged that owing to guidance from the Indiana Governor, it would be still helpful to keep the daycare open for the present time. The Town Council indicated that he would advise the Parks and Recreation Superintendent.

5. *Discuss the prospect of a vehicle exchange between the Town of Highland Building and Inspection Department and the Town of Highland Police Department.* The Town Council discussed that the Police Department is experiencing undue difficulty in purchasing replacement vehicles as the supply is lower than demand. It was further noted that recently, the Town purchased new chargers for the police department and three were included that were designated for the Building and Inspection Department.

It was further noted that the Police Department could obtain Dodge brand Durango Sport Utility Style vehicles, and would exchange three of the Dodge Durango vehicles with the Building and Inspection Department for the three Dodge Chargers. The Chargers would need to be repurposed by removing the Building and Inspection Department logo and applying the police department markings.

The discussion included an inquiry regarding whether the price and application of the Durango vehicles was appropriate for the Building and Inspection Department's purposes. The inquiry included a discussion of whether there was a less expensive alternative vehicle or in the alternative an alternative fuel vehicle that could be obtained.

The Clerk-Treasurer indicated that since these vehicles are documented in the capital asset report, assigned to a specific department, the Town Council would need to act to approve or authorize the exchange of assets between departments.

- 6. Discuss the agreement with Lounges Entertainment for Professional Entertainment Services for the Independence Day Festival In July 2020 in the amount of \$33,000. This was an agenda matter for the meeting of Monday, March 9, 2020. At that meeting, the works board order that would approve the agreement the motion to approve the Works Board Order did not attain a second. So, the motion could not be considered. That tells me this needs to be discussed.*

The Town Council discussed why the motion to pass and adopt Works Board No. 2020-08, which would have approved the Lounges Entertainment Agreement did not attain a second, thereby the motion to pass was not enabled. The discussion included the omission of the signatures on the affidavit and the certificate for the e-verify use as required in Indiana law. It was noted that it is common for those to have them signed following adopting action by the Town Council. It was noted that the agreements would not be operative without those being signed.

The discussion included the apparent increase in cost for the services over the previous year, which was \$21,000 plus \$3,000 for the production services. The discussion included and exploration of the Fifteen thousand dollar (\$15,000) Canadian National Railroad Grant for which the Police Department had successfully applied and whether some of that could or would be dedicated to support enhanced entertainment bands. It was noted that some amount from that grant, not yet received, would be available to support entertainment.

The Town Council discussed the possibility of authorizing a Special Event with Alcohol Permit, (SEAP) issued by the Park and Recreation Board under HMC Section 11.10.225, and then approved by the Town Council, to support a craft beer garden to coincide with the Independence Day Festival at Main Square. There was an extended discussion regarding the location of the beer garden and the use of fencing with an extensive parameter. It was noted that Councilor Herak had participated in a site review at Main Square with others that explored the siting of the craft beer garden.

- 7. Discussed the Prospect of Modifying the Power Transmission for the Existing Town Hall Generator.* The Town Council noted that the exigent generator dedicated for the Town Hall was still programmed to fully power the basement where the police department formerly was housed. The size of the generator was limited in terms of output when purchased so, it was dedicated to fully powering the police department and some offices in the main floor. It was noted that the Building and Inspection Department had no power from the generator. The Town Council discussed perhaps having the Assistant Electrical Inspector to perhaps perform the necessary change at the electrical distribution box. It was noted that such a measure should be cleared with the Building Commissioner and there was the issue of funding the work outside of the Building Budget.

**Adjournment.** There being no further business necessary or desired to be discussed by the Town Council, the special meeting and study session of the Town Council of **Monday, March 16, 2020**, was adjourned by the Town Council President at 8:21 o'clock p.m.

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

Approved by the Town Council at its meeting of \_\_\_\_\_, 2020.

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

# Customer Ad Proof

60008515 TOWN OF HIGHLAND, CLERK TREASURER - LEGALS

Order Nbr 38820

**Publication**      **The Times**

**Contact**            TOWN OF HIGHLAND, CLERK TREASURER -

**Address 1**           3333 RIDGE ROAD

**Address 2**

**City St Zip**        HIGHLAND IN 46322

**Phone**              2198381080

**Fax**                  2199725097

**PO Number**

**Rate**                            Legal

**Order Price**                 19.97

**Amount Paid**                0.00

**Amount Due**                19.97

**Section**                    Legals

**SubSection**

**Category**                 198 Legal - Lake County

**Start/End Dates**            03/11/2020 - 03/11/2020

**Insertions**                 1

**Size**                         44

**Ad Key**                    38820-1

**Keywords**                Notice Add'l Non-Ctrl Information and

**Salesperson(s)**            Nicole Muscari

**Taken By**                  Sallie Gucwa

**Notes**

**Ad Proof**

**TOWN OF HIGHLAND  
NOTICE TO TAXPAYERS  
OF PROPOSED ADDITIONAL  
APPROPRIATIONS**

Notice is hereby given the taxpayers of the Town of Highland, Lake County, Indiana, that the Town Council of said Municipality in said Municipal Building, 3333 Ridge Road, at 6:30 p.m. on the 23rd day of March 2020, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

**INFORMATION COMMUNICATIONS AND TECHNOLOGY FUND**  
Acct. No. 030-0000-4XXXX  
Software:            \$ 25,000.00  
Total Series:        \$ 25,000.00  
**Fund Total:            \$ 25,000.00**

Funds to support these additional appropriations in the **Information and Communication Technology Fund** shall be from interest earnings, miscellaneous revenues, payments of departmental charges assessed against certain municipal funds or information and communication technological services, and unobligated fund balance on deposit to the credit of the Fund.

Taxpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its information and file.

**TOWN COUNCIL of HIGHLAND**  
**Mark Schocke, President**  
By: Michael W. Griffin, IAMC  
/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer  
3/11 - 38820 -hspaxlp

**Town of Highland  
Appropriation Enactment  
Enactment No. 2020-16**

**AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET for the INFORMATION AND COMMUNICATIONS TECHNOLOGY FUND, ALL PURSUANT TO I.C. 6-1.1-18, and I.C. 36-5-3-5.**

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Information Communications Technology Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT 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 additional sums of money are hereby appropriated and ordered set apart out of the **Information Communications Technology Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

**INFORMATION COMMUNICATIONS AND TECHNOLOGY FUND**

Acct. No. 030-0000-4XXXX Software:	\$ 25,000.00
Total Series:	\$ 25,000.00
<b>Fund Total:</b>	<b>\$ 25,000.00</b>

**Section 2.** That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 6-1.1-18.

**Section 3.** That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 23<sup>rd</sup> Day of March 2020. Consideration on the same day or at same meeting of introduction sustained a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this \_\_\_\_\_ Day of \_\_\_\_\_ 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

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

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**Mark J. Schocke, President (IC 36-5-2-10)**

**ATTEST:**

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**Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)**

# Customer Ad Proof

60008515 TOWN OF HIGHLAND, CLERK TREASURER - LEGALS

Order Nbr 38827

<b>Publication</b>	<b>The Times</b>	<b>PO Number</b>	
<b>Contact</b>	TOWN OF HIGHLAND, CLERK TREASURER -	<b>Rate</b>	Legal
<b>Address 1</b>	3333 RIDGE ROAD	<b>Order Price</b>	22.76
<b>Address 2</b>		<b>Amount Paid</b>	0.00
<b>City St Zip</b>	HIGHLAND IN 46322	<b>Amount Due</b>	22.76
<b>Phone</b>	2198381080		
<b>Fax</b>	2199725097		
<b>Section</b>	Legals	<b>Start/End Dates</b>	03/11/2020 - 03/11/2020
<b>SubSection</b>		<b>Insertions</b>	1
<b>Category</b>	198 Legal - Lake County	<b>Size</b>	50
<b>Ad Key</b>	38827-1	<b>Salesperson(s)</b>	Nicole Muscari
<b>Keywords</b>	Notice Add'l Non-Ctrl Corporation General Fund	<b>Taken By</b>	Sallie Gucwa
<b>Notes</b>			

**Ad Proof**

**TOWN OF HIGHLAND  
NOTICE TO TAXPAYERS  
OF PROPOSED ADDITIONAL  
APPROPRIATIONS**

Notice is hereby given the taxpayers of the Town of Highland, Lake County, Indiana, that the Town Council of said Municipality in said Municipal Building, 3333 Ridge Road, at 6:30 p.m. on the 23rd day of March 2020, will consider the following additional appropriations in excess of the budget for the current year in the following funds:  
CORPORATION GENERAL FUND

**Works Board Department**

Increase the following:  
001-0011-38004 Tree Landscape Project \$ 39,083.00  
Total 300 Series: \$ 39,083.00  
Total for Department: \$ 39,083.00  
**TOTAL for the FUND: \$39,083.00**

Funds to support these additional appropriations in the **Corporation General Fund** shall be supported by a reimbursement grant from the Little Calumet River Basin Development Commission and unreserve fund balance on deposit to the fund.

Taxpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its review. The Department of Local Government Finance shall make a written determination of the sufficiency of funds within fifteen days of receipt of a certified copy of the action taken.

**TOWN COUNCIL of HIGHLAND  
Mark Schocke, President**

By: Michael W. Griffin, IAMC  
/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer  
3/11 - 38827 -hspaxlp



**TOWN OF HIGHLAND  
APPROPRIATION ENACTMENT  
ENACTMENT NO. 2020-17**

**An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Works Board Department of the Corporation General Fund, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.**

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Works Board Department of the Corporation General Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT 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 additional sums of money are hereby appropriated and ordered set apart out of the **Works Board Department of the Corporation General Fund** and for the purposes herein specified, subject to the laws governing the same:

CORPORATION GENERAL FUND

**Works Board Department**

Increase the following:

001-0011-38004 Tree Landscape Project	\$ 39,083.00
<i>Total 300 Series:</i>	<u>\$ 39,083.00</u>

<b>Total for Department:</b>	<u><b>\$ 39,083.00</b></u>
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<b>TOTAL for the FUND:</b>	<u><b>\$ 39,083.00</b></u>
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**Section 2.** That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure **subject to an order** of the Commissioner, pursuant to IC 6-1.1-18.

**Section 3.** That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 23<sup>rd</sup> Day of March 2020. Consideration on the same day or at same meeting of introduction sustained a vote of \_\_\_\_ in favor and \_\_\_\_ opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this \_\_\_\_ Day of \_\_\_\_\_, 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

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

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**Mark J. Schocke, President (IC 36-5-2-10)**

**ATTEST:**

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**Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)**

**TOWN OF HIGHLAND  
PROCLAMATION OF the TOWN EXECUTIVE**

**A PROCLAMATION RECOGNIZING APRIL 1, 2020 AS CENSUS DAY IN HIGHLAND**

- Whereas,** The Decennial Census determines political representation to the United States House of Representatives, state legislatures and local government; and,
- Whereas,** These determinations affect every aspect of life, in employment, social and health delivery services, and community resources; and,
- Whereas,** The Town of Highland, through its elected officers, recognizes that a complete and accurate census count is necessary for the greater good of all residents of the Town; and
- Whereas,** The Town of Highland, through its elected and appointed officers, enthusiastically endorses the efforts of the United States Census Bureau to make every resident aware of the importance of the Decennial Census;
- Whereas,** It is further recognized that each and every resident, from the smallest rural community to the largest metropolitan area, is equally important to Indiana in the 2020 Census count,
- Whereas,** The Town of Highland, through its Town Council, encourages all businesses, private and public institutions, media outlets, service organizations, community groups, clubs and individual residents of the community to lend full support to the all aspects of the 2020 Census,
- Whereas,** The Town of Highland, through its Town Council, encourages all community members to cooperate with the census takers as they go door to door to count the residents of Highland,

**Now, Therefore,** I, Mark J. Schocke by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim and designate **Wednesday, April 1, 2020**, as **CENSUS DAY** in the Town of Highland;

**Be it Further Proclaimed,** That I urge all residents of Highland to participate in, and respond to, the 2020 Census in a timely and proper manner, in order to ensure that there is an accurate, complete count in the Town of Highland

**In Witness Whereof,** I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 23<sup>rd</sup> day of March in the year of the common era 2020, the period of Highland's incorporation, one hundred-tenth and the Independence of the United States of America, the two hundred forty-fourth.

**TOWN of HIGHLAND, INDIANA  
BY ITS TOWN COUNCIL PRESIDENT**

\_\_\_\_\_  
Mark J. Schocke

Attest:

\_\_\_\_\_  
Michael W. Griffin, Clerk-Treasurer

(Print optimized at 72%)

**THE TOWN of HIGHLAND**  
**ORDER of the MUNICIPAL EXECUTIVE NO. 2020-12**

**AN ORDER FOR THE TEMPORARY WAIVER OF LATE CHARGES BY THE  
MUNICIPAL UTILITIES AND FOR A TEMPORARY MORATORIUM ON  
CESSATION OF WATER SERVICES OR SHUT-OFFS TO ENFORCE PAYMENT**

**Whereas,** The President of the United States and the Governor of the State of Indiana have issued emergency declarations in consequence of the Corona Virus COVID-19 Pandemic;

**Whereas,** The Town of Highland, through its Town Council President, as the principal executive officer did to issue a finding and determination that an emergency exists sufficient to support the declaration of a *Local Disaster Emergency*, all pursuant to IC 10-14-3-29 and on March 16, 2020 did issue Proclamation of the Municipal Executive No. 2020-02;

**Whereas,** The Town Council, as Legislative Body, in order to allow the *"lawful alacrity of response and action of public resources"* clarified the executive powers of the Town Council President and extended his executive proclamation for a period of 28 days, which such period will expire on April 16, unless otherwise extended by the Town council as the legislative body of the Town;

**Whereas,** Section 3 of Executive Proclamation 2020-02 provides the Town Council President with the authority to furnish aid and assistance under disaster plans; and,

**Whereas,** The Town of Highland through its Town Council President has determine that as persons practice social distancing, they may experience reduction in or elimination of work, now desires to issue an order to bring temporary relief for a time certain owing to the circumstances as herein described, pursuant to lawful authority previously conferred,

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

**Section 1.** That pursuant to Indiana Governor Executive Order 20-05, that the effective from the date of this order for services incurred or accrued on April 1 and thereafter for a period of sixty days, unless extended, that cessation of water service or shut offs shall be suspended and not carried out by the municipality or its utilities;

**Section 2.** That effective from the date of this order for services incurred or accrued on April 1 and thereafter for a period of sixty days, unless extended, no delinquency or penalties shall be charged on services provided by the utilities, except that fees shall still be subject to the procedures set forth in IC 36-9-25-11-(g);

**Section 3.** That nothing in this order shall be construed to relieve utility customers of their obligation to pay their monthly user charges or to comply with ordinances, rules and regulations of the municipal utilities;

**Section 4.** That any actions described in this order but carried out prior to its execution, are hereby ratified and affirmed pursuant to IC 36-1-4-16

**Section 5** That the Public Works Director and the Clerk-Treasurer are hereby directed to carry-out, execute, and honor the purposes and objects of this order in performing their usual duties outlined in Title 12 of the Highland Municipal Code;

**BE IT SO ORDERED** pursuant to and under the authority of Proclamation of the Municipal Executive No. 2020-02, further pursuant to IC 10-14-3-29 and Enactment No. 2020-20. Entered this 23<sup>rd</sup> day of March 2020 by the Town Council President of the Town of Highland, Lake County, Indiana.

**TOWN of HIGHLAND, INDIANA**  
**By its Town Council President**

---

Mark J. Schocke, President

**Attest:**

---

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

## **HIGHLAND 2020 CENSUS COMPLETE COUNT COMMITTEE**

### **Town Council Staff Report- March 23rd Meeting**

Upcoming activities include the following: Ongoing Census message on Park Department electronic marquees; Census messages on electronic signs in Highland, operated by Lamar sign company, as space is available; Census message at the electronic sign site on north Indianapolis Blvd. from March 24<sup>th</sup> through March 31<sup>st</sup>; I have asked for a Census message to be placed on the April water bill; a press release will be issued early next week; and, I will be working with The Idea Factory to get Census content on the town's website and April's Gazebo Express.

I have provided a Proclamation for President Schocke's approval at your March 23<sup>rd</sup> meeting.

**Online response to the Census is already underway. Residents can go to [my2020census.gov](https://my2020census.gov) to respond.** Residents will be sent additional reminders from the US Census Bureau throughout April. However, while online participation is being emphasized, everyone will have the option to complete the form either online (including through use of a smart phone), by mail or by phone.

Unfortunately, the COVID-17 challenge has altered plans that the Complete Count Committee had put together. As part of our town's Complete Count Committee's Action Plan, we hope to have opportunities for internet access available through the Highland Library and both the Civil and School Towns of Highland to residents who might need it, in order to encourage response to the Census online. Current closings of town, school and library facilities could likely make such plans unworkable, but the committee will continue to monitor the situation.

The virus response has also cancelled a planned outreach at the Chamber's "Breakfast With the Easter Bunny", which has been cancelled and a planned insert in the next newsletter to the Hampton-in-Highland complex. Whether additional activities can be done in mid-to-late April remains to be seen.

Respectfully submitted,  
Lance Ryskamp- Co-Chair

**Ordinance No. 1715**  
**of the**  
**TOWN of HIGHLAND, INDIANA**

**AN ORDINANCE to AMEND SECTION 5.11.02 OF the HIGHLAND  
COMPENSATION AND BENEFITS ORDINANCE, PARTICULARLY AMENDING  
THE PROVISIONS SPECIAL ADMINISTRATIVE LEAVE UNDER EXTREME AND  
UNEXPECTED CIRCUMSTANCES CONCERNING NATIONAL EMERGENCIES**

**WHEREAS**, IC 36-8-1 et.seq, and particularly IC 36-8-2-4 confer upon all local units, except Townships, the powers to "regulate conduct, or use or possession of property, that might endanger the public health, safety, or welfare.";

**Whereas**, On March 13, 2020, the President of the United States of America declared a National Emergency concerning the novel coronavirus, now more specifically known as COVID-19, and the State of Indiana, though the Governor and other authorities have proposed guidelines, bans, and various edicts concerning the conduct of society in light of the National Emergency;

**Whereas**, The Town Council determines that a change of the section regarding Special Administrative Leave amending the chapter to include certain guidelines related to the treatment of exempt and non-exempt employees of the Town of Highland, along with some clarifying modifications, to be necessary and desirable in the administration of the municipality and of benefit to the Town of Highland Employees and the public.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY** the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the Highland Compensation and Benefits Ordinance be hereby amended as to Section 5.11.02, which shall hereafter read as follows:

**5.11.02 Special Administrative Leave**

A municipal employee may be granted administrative leave with pay and continuation of benefits in limited circumstances, where deemed necessary and appropriate. The leave shall not exceed ten (10) days but may be renewed or extended with the same approval needed for the initial grant of leave. The leave may not be initiated by the employee to whom the leave is granted, except in the case of an illness reasonably suspected by the employee to be the same illness that resulted in the declaration of a National Emergency as declared by the President of the United States.

(A) Categories of Employees and Treatment under this Section.

1. Full-Time Exempt Employees, regardless of the department of the Town in which they are so employed, shall be eligible for the application of this policy, to its fullest extent.
2. Full-Time Non-Exempt Employees who are required to work at least forty (40) hours per calendar week, and are eligible for overtime pay, regardless of the department of the Town in which they are so employed, shall be eligible for the application of this policy, to its fullest extent.
3. Part-Time Non-Exempt Employees, who are eligible for overtime pay, and work at least thirty (30) hours per week, shall be eligible for the application of this policy, but to a limited extent as more fully described in subsection (ii) below, unless:
  - i. Said Employee has been employed by the Town of Highland for less than six (6) months, in which case this Section shall not apply.
  - ii. Part-Time Non-Exempt Employees that work at least thirty (30) hours per week shall be eligible for Special Administrative Leave under this policy. In calculating the pay for said Employees under this Section 5.11.02(A)(3)(ii), said Employees shall receive the average weekly pay received by said Employee for the preceding year, adjusted for seasonal work and hours as determined by the Clerk-Treasurer. If it is the case that said Employee has been in the employ of the Town of Highland for less than one (1) year, (but for greater than six (6) months), the average weekly pay shall be calculated using the average of the actual time worked while in the employ of the Town of Highland.

(B) Before administrative leave with pay and continuation of benefits may be granted, except in the case of an illness reasonably suspected by the Employee to be the same illness that resulted in the declaration of a National Emergency as declared by the President of the United States, documentation of and rationale for the leave must be made on a form approved by and filed with the Clerk-Treasurer, and carrying the signatures of the following persons for the accompanying purposes:

1. The appropriate department head, evidencing approval; if the employee is a department head, only the signatures of the following officers will be required;
2. Chairman of the relevant Board or Commission; and
3. The Municipal Executive (Town Council President), evidencing notice of the action.

(C) In the case of an Employee who takes leave without prior approval because they reasonably suspect that they may have contracted or know that they have been exposed to the same illness that resulted in the declaration of a National Emergency as declared by the President of the United States, the approval, retroactive or otherwise, of the Special Administrative Leave will depend upon the Employee's enumerated reasons and rationale for taking said leave and an opinion from a licensed medical professional stating that said reason(s) were medically justifiable.



Introduced on the 16<sup>th</sup> day of March 2020.

**DULY ORDAINED AND ADOPTED** this 23<sup>rd</sup> Day of March 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

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

---

Mark Schocke, President (IC 36-5-2-10)

Attest:

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Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

**Town of Highland  
Board of Works  
Order of the Works Board 2020-08**

**AN ORDER OF THE WORKS BOARD ACCEPTING THE PROPOSAL OF LOUNGES ENTERTAINMENT LLC FOR PROFESSIONAL ENTERTAINMENT AND STAGE SERVICES FOR THE TOWN OF HIGHLAND, ASSOCIATED WITH INDEPENDENCE DAY FESTIVITIES, AND TO COMPLY WITH THE PROVISIONS OF IC 22-5-1.7 ET SEQ.**

**Whereas**, The Town of Highland, as part of its exercise of public powers related to culture and recreation, generally conferred in IC 36-10-2, annually marks the anniversary of the Nation's declaration of Independence with appropriate festivals including live musical performance as entertainment;

**Whereas**, The *Tom Lounges Entertainment, LLC* has presented to the Community Events Commission a proposed agreement for professional entertainment and stage services for the Town of Highland to be conducted during the 2020 Independence Day Festival;

**Whereas**, The Community Events Commission favorably recommends to the purchasing agency, the approval of the proposed agreement for professional entertainment and stage services for the Town of Highland to be conducted during the 2020 Independence Day Festival as submitted by Tom Lounges Entertainment, LLC;

**Whereas**, These professional services owing to their unique requirements and character, as a service, may be purchased in a manner that is determined to be reasonable, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

**Whereas**, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1) of the HMC serves as purchasing agency for the Municipality and its executive departments except those executive departments which are expressly subject to the purchasing authority of a relevant governing board of jurisdiction; and

**Whereas**, The purchase price exceeds \$15,000.00, pursuant to Section 3.05.040 (C) and Section 3.05.050(B)(3) of the HMC requires the express approval of the purchasing agency; and

**Whereas**, The purchase of services will be supported by the several funds of the Town and there is sufficient appropriation or resources in order to support the purchase of services; and

**Whereas**, The Town Council now desires to approve, authorize and allow the purchase of services pursuant to the terms stated herein,

**Now Therefore Be it Ordered** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, as follows:

**Section 1.** That the proposal/agreement for professional entertainment and stage services of **Tom Lounges Entertainment, LLC**, 104 Fraser Lane, Hobart, Indiana, 46342, prepared and presented by its principal, Tom Lounges, which

includes providing appropriate stage production for the events booked, all entertainment booking, providing lighting, offering emcee services, contracting and artist payments and related services according to the written terms set forth in the agreement, for the *all the days of the event* is hereby accepted, approved and adopted in every respect, provided that **Tom Lounges Entertainment, LLC** complies with the provisions of IC 22-5-1.7 et seq., and completes the relevant portions of the attached exhibit styled as Addendum for e-verify;

**Section 2.** That the fees for performance of the service identified in the proposal of **\$33,000** for the entertainment to be booked for the annual Independence Day festival to be conducted on and around July 4<sup>th</sup> 2020, and production services, is found to be reasonable and fair;

**Section 3.** That the Town Council finds and determines that the manner of purchase for these professional services owing to their unique requirements and character as a service, are both reasonable and appropriate, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

**Section 4.** That the Clerk-Treasurer is hereby authorized to issue a purchase order, in the proper year, to **Tom Lounges Entertainment, LLC** and to execute all documents necessary to implement the purchase of services thereof;

**Section 5.** That the proper officers of the municipality are hereby authorized to identify the proper funds of the municipality that may be lawfully expended in order to support and implement the purchase of these services.

**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 23<sup>rd</sup> day of March 2020 having passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

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

---

Mark J. Schocke, 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)

**TOM LOUNGES ENTERTAINMENT, LLC**  
**2020 AGREEMENT FOR ENTERTAINMENT & STAGE SERVICES**  
SUMMER FESTIVAL ENTERTAINMENT BUDGET: \$30,000.00  
SPECIALLY ALLOCATED PRODUCTION BUDGET: \$3,000.00  
TOTAL AGREED BUDGET: \$33,000.00

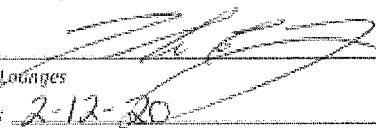
a) The above budget is the stand alone agreed price for the service of managing the entertainment stage for the *2020 Highland Fourth of July Summer Festival*. This service includes providing appropriate stage production (sound/lights) for the events, a sound engineer when live entertainment is presented, and all entertainment bookings and payments. As part of this one-stop/turn-key package, Tom Lounges Entertainment, LLC will also provide a live daily stage emcee, an on-site production trailer used as an office and dressing room, custom-recorded announcements inserted into daily music to play through PA that is appropriate to each day's theme or musical genre. Our company also actively promotes events that it produces. All payments made payable by cashier's check, money order or municipal check to: Tom Lounges Entertainment, LLC (50% of each event's agreed upon budget to be paid 60 days in advance of each contracted event with remaining balances due in full the last day of event).

b) The final price may differ from the above budget price if the The Highland Council of Community Events Board makes any notable changes or additions to the current event hours or length of each events' run. If so, both parties will sign an amendment to this agreement pertaining to said changes and any additional costs incurred.

c) Highland Council of Community Events Board and The Town of Highland agrees to hold Tom Lounges and Tom Lounges Entertainment, LLC blameless and in no way liable in the event of any mishaps or accidents causing injury or death on Main Square Park Grounds during the course of this contract.

d) Highland Council of Community Events Board and The Town of Highland agrees to provide electrical access to Tom Lounges Entertainment, LLC at no cost for its production trailer, and grants use of its event logs and public information for online promoting of the said contracted events. Also agreeing to provide a link from its official web page to any specially-created online pages promoting said contracted events.

Submitted by: Tom Lounges Entertainment, LLC

X   
Tom Lounges  
Date: 2-12-20

Accepted by: The Highland Council of Community Events & Town Council Of Highland

By: X \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**CLAUSE (ADDENDUM) and AFFIDAVIT ADDENDUM TO BE ADDED  
TO CONTRACT FOR SERVICES TO BE PROVIDED TO TOWN OF  
HIGHLAND  
(as required by I.C. 22-5-1.7 -11, effective July 1, 2011)**

**Verification of Work Eligibility Status**

1. Tom Lounges, Principal of **TOM LOUNGES PRODUCTIONS, LLC** (hereinafter called "Contractor") understands and agrees that:

(A) it is required to enroll in and verify the work eligibility status of all employees hired after the date of this contract through the E-Verify program.

(B) This requirement shall be waived if the E-Verify program ceases to exist. For the purposes of this paragraph, the "E-Verify program" means the electronic verification of work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (P.L. 104-208), Division C, Title IV, s. 403(a), as amended, operated by the United States Department of Homeland Security or a successor work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees under the Immigration Reform and Control Act of 1986 (P.L. 99-603); and

2. An authorized representative of the Contractor has signed the attached affidavit concerning the employment of unauthorized aliens.

*This contract clause is developed pursuant to SEA 590 codified as IC 22-5-1.7-11 (a)(1).*



**Town of Highland  
Board of Works  
Order of the Works Board 2020-13**

**AN ORDER OF THE WORKS BOARD ACCEPTING THE PROPOSAL OF MAD BOMBER FIRE WORKS PRODUCTIONS FOR PROFESSIONAL PYROTECHNICS AND FIREWORKS DISPLAYS SERVICES FOR THE TOWN OF HIGHLAND, ASSOCIATED WITH INDEPENDENCE DAY AND NEW YEAR'S EVE FESTIVITIES, AND TO COMPLY WITH THE PROVISIONS OF IC 22-5-1.7 ET SEQ.**

**Whereas**, The Town of Highland, as part of its exercise of public powers related to culture and recreation, generally conferred in IC 36-10-2, annually marks the anniversary of the Nation's declaration of Independence, and the special period of New Year's eve, with appropriate festivals and fireworks and pyrotechnics displays;

**Whereas**, The Clerk-Treasurer, pursuant to Section 3.05.050(D)(9) of the HMC, serves as the Purchasing Agent for any department or office for which an agent is not otherwise expressly provided, and for all executive departments of the municipality; and

**Whereas**, The *Mad Bomber Fireworks Productions* of Kingsbury Indiana has presented to the Community Events Commission a proposed agreement for professional pyrotechnic and Fire works Display services for the Town of Highland to be conducted on Independence Day and New Year's Eve;

**Whereas**, The Community Events Commission favorably recommends to the purchasing agency, the approval of the proposed agreement for professional pyrotechnic and Fire works Display services for the Town of Highland to be conducted on Independence Day and New Year's Eve *Mad Bomber Fireworks Productions* of LaPorte, Indiana;

**Whereas**, These professional services owing to their unique requirements and character, as a service, may be purchased in a manner that is determined to be reasonable, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

**Whereas**, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1) of the HMC serves as purchasing agency for the Municipality and its executive departments except those executive departments which are expressly subject to the purchasing authority of a relevant governing board of jurisdiction; and

**Whereas**, The purchase price exceeds \$15,000.00, pursuant to Section 3.05.040 (C) and Section 3.05.050(B)(3) of the HMC requires the express approval of the purchasing agency; and

**Whereas**, The purchase of services will be supported by the several funds of the Town and there is sufficient appropriation or resources in order to support the purchase of services; and

**Whereas**, The Town Council now desires to approve, authorize and allow the purchase of services pursuant to the terms stated herein,

**Now Therefore Be it Ordered** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, as follows:

**Section 1.** That the proposal for pyrotechnic and fireworks display services of **Mad Bomber Fireworks Productions**, 3999 E. Hupp Road, Building R-3-1, LaPorte, Indiana, 46350, prepared and presented by Randy McCasland, its Director of Operations, which includes presentation of a Fireworks Display in the Evenings of July 4<sup>th</sup>, and December 31, 2020, according to the written terms set forth in the proposal, is hereby accepted, approved and adopted in every respect, provided that **Mad Bomber Fireworks Productions** complies with the provisions of IC 22-5-1.7 et seq., and provided that Mad Bomber completes the relevant portions of the attached exhibit styled as Addendum for e-verify;

**Section 2.** That the fees for performance of the service identified in the proposal of **\$25,000** for the fireworks display to be conducted on July 4<sup>th</sup>, and **\$5,000** for the fireworks display to be conducted on December 31 in 2020, for a total of **\$30,000** are found to be reasonable and fair for the services and *frequencies* described;

**Section 3.** That the Town Council finds and determines that the manner of purchase for these professional services owing to their unique requirements and character as a service, are both reasonable and appropriate, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

**Section 4.** That the Clerk-Treasurer is hereby authorized to issue a purchase order, if applicable, to **Mad Bomber Fireworks Productions** and to execute all documents necessary to implement the purchase of services thereof;

**Section 5.** That the proper officers of the municipality are hereby authorized to identify the proper funds of the municipality that may be lawfully expended in order to support and implement the purchase of these services.

**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 23<sup>rd</sup> day of March 2020 having passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

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

\_\_\_\_\_  
Mark J. Schocke, 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)



**MAD BOMBER  
FIREWORKS PRODUCTIONS  
AGREEMENT**

This contract entered into this 5th day of March, 2020 by and between Mad Bomber Fireworks Productions of Kingsbury, Indiana hereinafter referred to as Seller, and

Herein after referred to as Buyer, of Highland Council and Community Events  
Highland State Indiana

Witness: Seller agrees to provide and Buyer agrees to purchase two Fireworks Displays in accordance with the program agreed upon. Buyer will pay Seller a sum of \$30,000.00 for both Displays. Upon acceptance of this agreement Buyer will pay Seller a sum of Waived as an Earnest Money Deposit with the Balance due and payable within 30 days after the display date agreed upon. A late charge of 1 1/2% per month will be assessed on accounts not paid within thirty days of display date Buyer agrees to pay any and all collection costs, including reasonable attorney's fees and court cost incurred by Seller in the collection or attempted collection of any amount due under this agreement and invoice..

Both Seller and Buyer mutually agree to the following terms, conditions, and stipulations:

1. Seller will present said Fireworks Display on the evenings of the July 4, and December 31, 2020, it being understood that ~~the~~ inclement weather the day of the display the Seller has sole discretion to cancel display. An alternate display date will be given within six months of the original display date agreeable to both the Seller and Buyer.
2. The Fee for cancellation for any reason of the Fireworks Display is 40% of the agreement price if Buyer chooses to not select another display date within six months of the original display date.
3. Buyer will provide a sufficient area for the Display, including a minimum spectator set back of 350' feet at all points from the discharge area. Buyer will provide protection of the display by roping-off or other suitable means. Buyer will provide adequate police protection to prevent spectators from entering display area. Buyer agrees to search the fallout area at first light following a night display.
4. Seller reserves the right to terminate the Display in the event that persons enter the secured Danger Zone and Security is unable to secure the Danger Zone.
5. Seller agrees to provide Qualified Technicians to take charge of and present said Display.
6. Seller agrees to provide Liability Insurance in the amount of \$10,000,000.00 for the benefit of both the Buyer and Seller.
7. Mad Bomber Fireworks Productions retains the right to substitute product of equal or greater value in the event of shortages or unavailability of any particular item on the proposal.
8. Seller and Buyer agree to included Attachments, if any. See Attachments: July 4, 2020 display \$25,000.00 and December 31, 2020 Display \$5,000.00

Both Seller and Buyer hereto do mutually and severally guarantee terms, conditions, and payments of this contract, these articles to be binding upon the parties, themselves, their heirs, executors, administrators, successors and assigns.

Mad Bomber Fireworks Productions

BUYER

By \_\_\_\_\_  
Randy McCasland, Director of Operations

By \_\_\_\_\_  
(Its duly authorized agent, who represents that he/she has full authority to Bind the Buyer.)

Date \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

**CLAUSE (ADDENDUM) and AFFIDAVIT ADDENDUM TO BE ADDED  
TO CONTRACT FOR SERVICES TO BE PROVIDED TO TOWN OF  
HIGHLAND  
(as required by I.C. 22-5-1.7 -11, effective July 1, 2011)**

**Verification of Work Eligibility Status**

1. Randy McCasland, Director of Operations of **MAD BOMBER FIREWORKS PRODUCTIONS**, (hereinafter called "Contractor") understands and agrees that:

(A) it is required to enroll in and verify the work eligibility status of all employees hired after the date of this contract through the E-Verify program.

(B) This requirement shall be waived if the E-Verify program ceases to exist. For the purposes of this paragraph, the "E-Verify program" means the electronic verification of work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (P.L. 104-208), Division C, Title IV, s. 403(a), as amended, operated by the United States Department of Homeland Security or a successor work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees under the Immigration Reform and Control Act of 1986 (P.L. 99-603); and

2. An authorized representative of the Contractor has signed the attached affidavit concerning the employment of unauthorized aliens.

*This contract clause is developed pursuant to SEA 590 codified as IC 22-5-1.7-11 (a)(1).*

**AFFIDAVIT OF SERVICE PROVIDER or CONTRACTOR  
WITH THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA  
REGARDING HIRE OF UNAUTHORIZED ALIENS**

State of Indiana     )  
                                  )  
County of Lake     )     SS:

**A F F I D A V I T**

I, the undersigned, authorized representative, authorized officer or agent of **MAD BOMBER FIREWORKS PRODUCTIONS**, hereinafter called "contractor", which has a contract for services or goods with the Town of Highland, Lake County, Indiana, having given solemn affirmation, hereby depose(s) and say(s), that the contractor does not knowingly employ an unauthorized alien.

**FURTHERETH AFFIANT SAYETH NOT.**

Signed: \_\_\_\_\_, Affiant.  
                                  RANDY McCASLAND, DIRECTOR OF OPERATIONS

**Certificate of Notary**

On this \_\_\_\_ day of \_\_\_\_\_, 2020, before me personally came and appeared **the affiant herein named**, known and known to me to be the individual described in and who executed the foregoing instrument, and who duly acknowledged to me that she executed same for the purpose therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

My commission expires: \_\_\_\_\_.

County of Residence: \_\_\_\_\_.

(seal)

\_\_\_\_\_  
NOTARY

**THE TOWN of HIGHLAND  
BOARD of WORKS ORDER NO. 2020-14**

**AN ORDER APPROVING AND AUTHORIZING THE TRANSFER of VEHICLES  
BETWEEN THE DEPARTMENTS OF POLICE AND BUILDING AND INSPECTION.**

**WHEREAS,** The Town Council for the Town of Highland is the Works Board of the Municipality pursuant to IC 36-1-2-24(3);

**WHEREAS,** The Town Council has been advised by the Metropolitan Police Department that it has been unduly impeded in purchasing police equipped patrol vehicles owing to unusual demand and inadequate supply from the few vendors that produce these specially equipped vehicles;

**WHEREAS,** The Town Council, acting as the works board, at its meeting of April 22, 2019 passed and adopted Works Board Order No 2019-11, authorizing the purchase of seven (7) new police equipped Dodge Chargers from Thomas Dodge of Highland, IN, with the purchase supported in part by trade-ins of some existing Vehicles, three of which were detailed to the Building and Inspection Department, all pursuant to I.C. 5-22-8 et seq.

**WHEREAS,** The Metropolitan Police Chief in consultation with the Building Commissioner, owing to the difficulty in procuring police equipped vehicles, has recommended that an exchange between the departments be authorized, in which, the Police Department would proffer three (3) new Dodge Brand Durango Sport Utility Vehicles, not yet purchased, to the Building and Inspection Department, and the Building and Inspection Department would tender its three (3) Dodge Chargers, all police equipped, to the Police Department;

**WHEREAS,** The Metropolitan Police Chief and the Building Commissioner have further recommended that disposal of the personal property to be executed as an exchange between two executive departments of the same governmental entity, constitutes a reassignment of municipal assets within the municipality, however to the extent *that it may apply*, constitutes a transfer of personal property supported by the provisions of IC 5-22-22, sections 9 and 10;

**WHEREAS** The Town Council now desires to favor the recommendation and take those steps necessary to authorize and approve the exchange of the of personal property between and among two executive department of the municipality pursuant to the applicable law,

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

**Section 1.** That the Town Council of the Town of Highland acting as the works board, hereby finds and determines the following:

(A) That there are certain articles of personal property possessed or owned by the municipality, through its Building and Inspection Department that are expressly described as follows:

- (1) 2019 Dodge Charger White VIN 2C3CDXKT9KH685927;
- (2) 2019 Dodge Charger White VIN 2C3CDXKT0KH685928;

(3) 2019 Dodge Charger White VIN 2C3CDXKT2KH685929

(B) That these same articles of personal property possessed or owned by the municipality, through its Building and Inspection Department are desired by the Town of Highland, Police Department;

(C) That a transfer of the Dodge Chargers from the Building and Inspection Department is authorized provided that the Police Department obtains authorization and properly purchases three (3) new Dodge Durango Sport Utility Vehicles, and that these be tendered to the Building and Inspection Department;

(D) That the transfer and exchange as described in this order, between the Town of Highland Building and Inspection Department and the Town of Highland Police Department, two executive departments of the same municipality, and thereby within the authority of the town as a municipal government to acquire and own interests in personal property, as well as to use and maintain and dispose of its interests in such property, all pursuant to IC 36-1-4-5 and IC 36-1-4-6 as well as the authority of the municipality to operate a government, pursuant to IC 36-1-4-2, now be hereby found to be authorized and lawful;

**Section 2.** That the "disposal" of the personal property described herein, to be executed as an exchange between two executive departments of the same governmental entity, constitutes a reassignment of municipal assets within the municipality, however to the extent that it may apply, constitutes a transfer of personal property supported by the provisions of IC 5-22-22, sections 9 and 10;

**Section 3.** That the passage and adoption of this order does not relieve the Police chief from complying with the purchasing code of the town when acquiring the sport utility vehicles;

**Section 4.** That any records necessary to support this exchange between departments including but not limited to the re-titling of vehicles to the proper department of the Town of Highland by this order is hereby authorized.

**Be It So Ordered.**

**DULY ADOPTED and ORDERED** BY the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 23<sup>rd</sup> day of March 2020 having passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

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

\_\_\_\_\_  
Mark Schocke, 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)

**Town of Highland  
Board of Works  
Order of the Works Board 2020-15**

**An Order Overturning, Withdrawing and Repealing a Purchase Authorized under Workers Board Order 2020-10 and then Approving and Authorizing the Metropolitan Police Chief to Purchase from Thomas Dodge of Highland, IN (4) four 2020 Dodge Durango Police vehicles pursuant to I.C. 5-22-10.**

**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;

**Whereas,** The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be no more than \$150,000.00;

**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) of the Highland Municipal Code, such purchase requires the express approval of the purchasing agency;

**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;

**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;

**Whereas,** The Purchasing Agent, pursuant to IC 5-22-10, sections 4 and 5 and Section 3.05.065(E) and (F) of the Highland Municipal Code, elected to seek this purchase owing to emergency circumstances and the opportunity to get savings to the Town owing to the purchase prices being lower than that of the State QPA from Thomas Dodge, 9604 Indianapolis Blvd., Highland, IN at a stated price of \$28,288 per vehicle for (3) and \$27,897 for (1) for a total of \$112,761;

**Whereas,** The purchase of the vehicle will be supported duly approved appropriations in the Municipal Capital Cumulative Fund (MCCD) and in the Public Safety LIT Fund; and,

**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 Thomas Dodge of Highland for the purchase of four (4) 2020 AWD

Dodge Durangos at the total price of \$112,761.00 minus the trade-ins of \$11,000.00, for a total price of \$101,761;

**Section 2.** That the Works Board hereby finds and determines that the purchase from Thomas Dodge of Highland to offer a unique savings to the Town of Highland as it is lower than the State QPA for the same vehicles and owing to emergency circumstances, all pursuant to IC 5-22-10, sections 4 & 5 and Section 3.05.065 (E) and (F) of the Highland Municipal Code;

**Section 3.** That the Metropolitan Police Chief is now authorized and approved as follows:

(A) To execute the purchase agreement and any additional documents in order to implement this purchase;

(B) To file with the Sr. Chancery/Bursar Clerk in the Office of the Clerk-Treasurer a proper list with serial numbers of the vehicles traded-in to support the recording of these disposals;

(C) To file with the Sr. Chancery/Bursar Clerk in the Office of the Clerk-Treasurer a proper list with serial numbers of the vehicles purchased to support the recording of these acquisitions and then file all other associated 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 23<sup>rd</sup> day of March 2020 having passed by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

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

---

Mark J. Schocke, 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)

ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

TOWN OF HIGHLAND, INDIANA

I hereby certify that each of the above listed vouchers and the invoices, or bills attached thereto, are true and correct and I have audited same in accordance with IC-5-11-10-1.6

DATED THIS 20<sup>th</sup> DAY OF March, 2020 [Signature]  
FISCAL OFFICER

ALLOWANCE OF VOUCHERS

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 5 pages and except for accounts payables not allowed as shown on the Register such accounts payables are hereby allowed in the total amount of \$ 479,462.64.

Dated this \_\_\_\_\_ day of \_\_\_\_\_,

TOWN COUNCIL

MARK A. HERAK

ROGER SHEEMAN

BERNIE ZEMEN

MARK SCHOCKE

TOM BLACK



GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 001 General						
Dept 0000						
001-0000-09000	MEALS 03/09-03/11	85655	DENISE BECK (R)	ILMCT MUNCIE ACADEMY MAR 08/2020	51.29	
001-0000-45200	GEN FUND TRANSFERS GROSS	85531	PAYROLL ACCOUNT	3/13PRL D/S TRANSFER GENERAL	167,431.11	43772
			Total For Dept 0000		167,482.40	
Dept 0001 TOWN COUNCIL						
001-0001-33001	CASH & INVESTMENTS COMBINED S	85558	THE TIMES	CASH & INVESTMENTS COMBINED STAT-	137.96	
001-0001-33001	ADDITIONAL APPROPRIATIONS	85660	THE TIMES	ADDITIONAL APPROPRIATIONS- 3/11/2	22.76	
001-0001-33001	ADDITIONAL APPROPRIATIONS	85661	THE TIMES	ADDITIONAL APPROPRIATIONS- 3/11/2	19.97	
001-0001-39004	INSERTING GAZEBO INTO BILLS	85658	LITHOGRAPHIC COMMUNICATIONS	MARCH 2020 GAZEBO EXPRESS INSERT-	685.98	
001-0001-39004	GAZEBO EXPRESS MARCH 2020	85489	THE IDEA FACTORY, INC	GAZEBO EXPRESS MARCH/WEBSITE UPDA	2,338.55	
001-0001-39044	BIOMETRIC SCREENING FLAT FEE	85530	COMMUNITY FOUNDATION OF NWI	WELLNESS SCREENING FEB - MINI HEA	1,737.00	43771
			Total For Dept 0001 TOWN COUNCIL		4,942.22	
Dept 0002 BOARD OF ZONING APPEALS						
001-0002-31001	LEGAL FEES INV 37595 BZA	85644	ABRAHAMSON, REED & BILSE	LEGAL FEES INV 37595 BZA	684.00	
			Total For Dept 0002 BOARD OF ZONING APPEALS		684.00	
Dept 0003 VIPS						
001-0003-22004	INV 334922 VEH PARTS V2	85690	VAN SENSUS AUTO VALUE	VIPS VEH PARTS FOR FEB 33740250	115.38	
001-0003-39007	D/S VIPS CAR WASHES FOR FEB	85681	EASY CLEAN CAR WASH, INC	D/S VIPS CAR WASHES FOR FEB	6.00	
			Total For Dept 0003 VIPS		121.38	
Dept 0004 CLERK-TREASURER						
001-0004-20003	REIMBURSEMENT LYSOL	85662	KELLI ANN STRBJAK (R)	REIMBURSEMENT LYSOL	27.46	
001-0004-32002	LODGING 03/08/2020 D BECK	85655	DENISE BECK (R)	ILMCT MUNCIE ACADEMY MAR 08/2020	612.90	
001-0004-34023	HEALTH INS	85501	TOWN OF HIGHLAND INS FUND (	MARCH 2020 HEALTH/LIFE INS PREM C	5,575.47	
001-0004-34043	LIFE INS	85501	TOWN OF HIGHLAND INS FUND (	MARCH 2020 HEALTH/LIFE INS PREM C	37.66	
001-0004-39001	2020 MEMBERSHIP RENEWAL	85495	AMERICAN PAYROLL ASSOCIATIO	D KOVACICH MEMBERSHIP RENEWAL	258.00	
001-0004-39001	MICHAEL W GRIFFIN C-T	85657	IACT	2020 IMPACT MEMBERSHIP DUES	110.00	
			Total For Dept 0004 CLERK-TREASURER		6,621.49	
Dept 0006 BUILDING & INSPECTION						
001-0006-33002	IRC 2018 CODE BOOKS INV100116	85645	INTERNATIONAL CODE COUNCIL	IRC 2018 CODE BOOKS INV1001165818	276.00	
001-0006-34023	HEALTH INS	85502	TOWN OF HIGHLAND INS FUND (	MARCH 2020 HEALTH/LIFE INS PREM B	5,549.14	
001-0006-34043	LIFE INS	85502	TOWN OF HIGHLAND INS FUND (	MARCH 2020 HEALTH/LIFE INS PREM B	29.94	
			Total For Dept 0006 BUILDING & INSPECTION		5,855.08	
Dept 0007 FIRE DEPARTMENT						
001-0007-20003	INVOICE P2020-012	85651	WILLIAM M NEEDLES	TABLET BATTERIES	196.00	
001-0007-23004	LIT235 PL123BKD	85646	BEECHY BATTERY INC	AED BATTERIES	93.60	
001-0007-32005	STATIONS SECURITY SYSTEM	85647	PHIL & SON, INC	STATIONS SECURITY	145.60	
001-0007-32005	FIRE ALARM MONITORING - CENTR	85648	STANLEY CONVERGENT SECURITY	FIRE ALARM MONITORING BOTH STATIO	186.63	
001-0007-34023	HEALTH INS	85500	TOWN OF HIGHLAND INS FUND (	MARCH 2020 HEALTH/LIFE INS PREM	1,960.82	
001-0007-34043	LIFE INS	85500	TOWN OF HIGHLAND INS FUND (	MARCH 2020 HEALTH/LIFE INS PREM	12.45	
001-0007-35005	HYDRANT - SOUTH STATION	85649	TOWN OF HIGHLAND UTILITIES	SOUTH STATION WATER & SEWER	100.94	
001-0007-35005	HYDRANT - CENTRAL STATION	85650	TOWN OF HIGHLAND UTILITIES	CENTRAL STATION WATER & SEWER	105.77	
001-0007-35007	STORM - SOUTH STATION	85649	TOWN OF HIGHLAND UTILITIES	SOUTH STATION WATER & SEWER	57.54	
001-0007-35007	STORM - CENTRAL STATION	85650	TOWN OF HIGHLAND UTILITIES	CENTRAL STATION WATER & SEWER	67.32	
			Total For Dept 0007 FIRE DEPARTMENT		2,926.67	
Dept 0009 POLICE DEPARTMENT						
001-0009-21001	1204.6 GAL OF GAS	85691	WARREN OIL COMPANY	1204.6 GAL OF GAS DELV ON 3/12	1,910.86	
001-0009-21001	1153.6 GAL OF GAS	85692	WARREN OIL COMPANY	1153.6 GAL OF GAS DELV ON 3/2	2,212.26	

INVOICE GL DISTRIBUTION REPORT FOR TOWN OF HIGHLAND  
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 DB: Highland

Invoice Line Desc Ref # Vendor Invoice Description Amount Check #

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 001 General						
Dept 0009 POLICE DEPARTMENT						
001-0009-21004	MEDICAL SUPPLIES FOR BOOKING CAB	85680	CINTAS CORPORATION NO 2	MEDICAL SUPPLIES FOR BOOKING CAB	81.98	
001-0009-22004	NEW GRAPHICS FOR CAR 5	85686	NWI EMERGENCY OUTFITTERS,LL	GRAPHICES AND INSTALL FOR CAR 5	225.00	
001-0009-22004	INV333933	85689	VAN SENSU AUTO VALUE	FEB VEH PARTS AND SUPPLIES 337403	700.60	
001-0009-32003	IDACS NETWORK ACCESS FOR FEB	85682	INDIANA OFFICE OF TECHNOLOG	IDACS NETWORK ACCESS FOR FEB	118.57	
001-0009-32004	CID INTERNET SEARCHES FOR FEB	85687	TLO, LLC	CID INTERNET SEARCHES FOR FEB	58.90	
001-0009-34023	HEALTH INS	85499	TOWN OF HIGHLAND INS FUND (	MARCH 2020 HEALTH/LIFE INS PREM P	87,748.99	
001-0009-34042	SURVIVORS ADJ	85499	TOWN OF HIGHLAND INS FUND (	MARCH 2020 HEALTH/LIFE INS PREM P	1,892.08	
001-0009-34043	LIFE RETIREE	85499	TOWN OF HIGHLAND INS FUND (	MARCH 2020 HEALTH/LIFE INS PREM P	19.69	
001-0009-35001	CAMERA AT 3949 HIGHWAY READ O	85684	NORTHERN IN PUBLIC SERVICE	CAMERA SYSTEM AT 3949 HIGHWAY	66.46	
001-0009-35001	CAMERA AT 2000 RIDGE RD READ	85685	NORTHERN IN PUBLIC SERVICE	CAMERA SYSTEM AT 2000 RIDGE READ	30.42	
001-0009-35005	WATER SERVICE 1/17-2/17	85688	TOWN OF HIGHLAND UTILITIES	WATER SERVICE FOR 3315 RIDGE 1/17	460.01	
001-0009-35005	INSTALL OF NEW LINES	85683	M/S CHICAGO INC	5 NEW PHONES AND INSTALL AT PD	200.00	
001-0009-36001	NSTALL OF GRAPHICS	85686	NWI EMERGENCY OUTFITTERS,LL	GRAPHICES AND INSTALL FOR CAR 5	125.00	
001-0009-36001	5 NEW PHONES AND SHIPPING	85683	M/S CHICAGO INC	5 NEW PHONES AND INSTALL AT PD	527.12	
001-0009-38006	MAT CHANGE ON 3/10	85679	CINTAS CORPORATION #319	MAT CHANGE AT PD ON 3/10	36.66	
			Total For Dept 0009 POLICE DEPARTMENT		96,414.60	
Dept 0011 SERVICES & WORKS						999345
001-0011-32008	ACCT. SERVICE FEES	85529	INVOICE CLOUD, INC	FEBRUARY ACCOUNT SERVICE FEES 202	234.40	
001-0011-35005	TOWN GARAGE WATER/HYDRANT	85497	TOWN OF HIGHLAND UTILITIES	#0382013660 TOWN GARAGE WATER/SE	231.21	
001-0011-35005	WATER/HYDRANT	85498	TOWN OF HIGHLAND UTILITIES	#0542303600 TOWN HALL WATER/SEWER	107.38	
001-0011-35007	VIPS WATER/HYDRANT	85496	TOWN OF HIGHLAND UTILITIES	0643112591 VIPS WATER/SEWER	44.50	
001-0011-35007	TOWN GARAGE SEWER/STORM	85497	TOWN OF HIGHLAND UTILITIES	#0382013660 TOWN GARAGE WATER/SE	317.25	
001-0011-35007	STORM/SEWER	85498	TOWN OF HIGHLAND UTILITIES	#0542303600 TOWN HALL WATER/SEWER	101.11	
001-0011-38005	D/S CT FOR BANK RECS	85623	BAKER TILLY MUNICIPAL ADVIS	D/S CT BANK RECONCILIATION	533.99	43774
			Total For Dept 0011 SERVICES & WORKS		1,569.84	
Dept 0012 TOWN HALL						
001-0012-36003	TOWN HALL MATS	85503	CINTAS CORPORATION #319	TOWN HALL MATS 1/7,1/14,2/18,3/3/	118.23	
001-0012-36003	TOWN HALL MATS	85653	CINTAS CORPORATION #319	TOWN HALL MATS 3/10/20	39.41	
001-0012-36003	PREVENTATIVE MAINT PER CONTRA	85663	MECHANICAL CONCEPTS, INC.	PREVENTIVE MAINT. PER CONTRACT TH	812.50	
			Total For Dept 0012 TOWN HALL		970.14	
			Total For Fund 001 General		287,587.82	
Fund 002 MVH						
Dept 0000						
002-0000-45200	MVH TRANSFERS GROSS	85532	PAYROLL ACCOUNT	3/13PRL D/S TRANSFER MVH	28,707.86	43773
			Total For Dept 0000		28,707.86	
Dept 0016 MVH ADMIN						
002-0016-36003	GATE REPAIRS	85666	FENCE MASTERS INC	REPAIR TO GATE DAMAGED BY HIGH WI	1,350.00	
002-0016-36003	PREVENTATIVE MAINT. PER CONTRAC	85671	MECHANICAL CONCEPTS, INC.	PREVENTIVE MAINTENANCE PER CONTRA	812.50	
			Total For Dept 0016 MVH ADMIN		2,162.50	
Dept 0017 MVH RECONSTRUCTION/MAINTENANCE						
002-0017-21003	8167280 DIELECTRIC GREASE 3.3	85669	LINDY'S ACE HARDWARE, INC	MISC SUPPLIES FOR STREET DEPT.	26.55	
002-0017-22004	SERVICE CALL (SEE ATTACHED IN	85667	HELLMANS AUTO SPLY CO.	SERVICE CALL FOR STREET DEPT UNIT	1,479.09	
002-0017-22004	6602-12-12-12 MALE JIC X FEMA	85668	HOSE CONNECTIONS INC	HOSE FOR STREET DEPT. UNIT #24	35.08	
002-0017-23002	3/6/2020 4014846 COLD MIX	85677	RIETH-RILEY CONSTR CO., INC	COLD MIX FOR STREET DEPT.	415.80	
002-0017-23002	3/5/2020 4014837 COLD MIX	85678	RIETH-RILEY CONSTR CO., INC	COLD PATCH FOR STREET DEPT.	1,184.40	
002-0017-23005	UNTREATED ROAD SALT	85675	MORTON SALT, INC	UNTREATED ROAD SALT	1,817.10	
002-0017-23005	UNTREATED ROAD SALT	85676	MORTON SALT, INC	UNTREATED ROAD SALT	18,336.87	

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User: DMJ

DB: Highland

Check #

Invoice Description

Vendor

Ref #

Invoice Line Desc

GL Number

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 002 MVH						
Dept 0017 MVH RECONSTRUCTION/MAINTENANCE						
002-0017-23006	GEL MVR175/U 47760 MULTIVAPOR	85665	EESCO, A DIVISION OF WESCO D	DOWNTOWN STREET LIGHT BULBS FOR S	155.76	
002-0017-31002	MONTHLY MEETING RETAINER	85664	DVG TEAM INC	MONTHLY MEETING RETAINER NOV/DEC/	900.00	
002-0017-36006	175W LAMP	85672	MIDWESTERN ELECTRIC INC	REPAIR STREET LIGHTS ON HIGHWAY P	1,153.00	
002-0017-36006	PHOTOCELL	85673	MIDWESTERN ELECTRIC INC	REPLACE PHOTOCELL RIDGE RD @WALGR	247.50	
002-0017-36006	TRAFFIC CONE	85674	MIDWESTERN ELECTRIC INC	EMERGENCY REPAIR OF STREET LIGHT	331.25	
	Total For Dept 0017 MVH RECONSTRUCTION/MAINTENANCE				26,082.40	
	Total For Fund 002 MVH				56,952.76	
Fund 016 FEDERAL FORFEITED & SEIZED						
Dept 0000						
016-0000-00200	39 NEW VEST CARRIERS	85693	THE EAGLE UNIFORM CO	NEW VEST CARRIERS FOR ALL OFFICER	11,758.00	
	Total For Dept 0000				11,758.00	
	Total For Fund 016 FEDERAL FORFEITED & SEIZED				11,758.00	
Fund 018 Law Enforce Con't Ed						
Dept 0000						
018-0000-21401	PLYWOOD FOR RANGE	85697	MENARDS CORP - SCHERERVILLE	PLYWOOD- RANGE SUPPLIES	29.18	
018-0000-23006	500' PULL LINE FOR COMPUTERS	85696	MENARDS	500' PULL LINE FOR COMPUTERS	11.98	
018-0000-23006	BLK INK CARTRIDGE	85698	OFFICE DEPOT, INC	BLK INK CARTRIDGE	40.89	
018-0000-31004	LODGING 3/9-3/10 TRAINING	85695	JASON E HILDENBRAND (R)	REIMBURSE FOR LODGING FOR TRAININ	107.52	
018-0000-31004	LODGING 3/9-3/10 FOR TRAINING	85699	RALPH J POESTA JR (R)	REIMBURSE FOR LODING FROM TRAININ	107.52	
018-0000-39005	D/S PD CAR WASHES FOR FEB	85694	EASY CLEAN CAR WASH, INC	D/S PD CAR WASHES FOR FEB	288.00	
	Total For Dept 0000				585.09	
	Total For Fund 018 Law Enforce Con't Ed				585.09	
Fund 027 Insurance Premium						
Dept 0000						
027-0000-34005	WRK'S COMP RENEW WC 119-2IN02	85506	BROWN INSURANCE GROUP	WORKER'S COMP RENEW POLICY WC 119	101,465.00	
027-0000-34005	INSURANCE 2020	85654	CROWEL AGENCY INC.	MUNICIPAL PACKAGE INS. RENEWAL PO	2,098.00	
	Total For Dept 0000				103,563.00	
	Total For Fund 027 Insurance Premium				103,563.00	
Fund 030 ICT Fund						
Dept 0000						
030-0000-32003	ELEVATOR PHONE--2/2-3/1	85526	AT&T	219923-2320 260 1 ELEVATOR PHONE	182.36	43768
030-0000-32003	MO INTERNET SVC 8771400250188	85524	AT&T	219 R10 2255 255 7 2/2/20-3/1/2	572.51	43768
030-0000-32003	PHONE/INTERNET FD CENTRAL	85525	COMCAST CABLE	TOWN HALL ACCT 8771400250188267	284.07	43769
030-0000-32003	PARK INTERNET ACCT 8771400250	85523	COMCAST CABLE	FD CENTRAL/2901 HIGHWAY-PHONE/INT	264.07	43769
030-0000-32003	SIP TRUNKING CHARGES 2/1-2/29	85652	COMCAST CABLE	PARK INTERNET ACCT 87714002502083	295.35	43770
030-0000-32003	MONTHLY TELEPHONE FEE- PD/MAR	85557	CBL CONSULTING, INC	SIP TRUNKING CHARGES 2/1-2/29/202	209.49	
030-0000-32003	BRIVO CLOUD HOSTED MONTHLY SI	85659	PHIL & SON, INC	MONTHLY TELEPHONE FEE- PD MARCH	821.82	
030-0000-32003	TECHNICAL EQUIPMENT-AUDIO SYS	85670	CBL CONSULTING, INC	BRIVO CLOUD HOSTED MONTHLY SITE/A	100.95	
030-0000-38006	JANUARY 2020 COPIER AGREEMEN	85505	RICOH USA, INC	TECHNICAL EQUIPMENT-AUDIO SYSTEM/	5,688.81	
030-0000-38006	WEB SECURITY MONTHLY	85489	THE IDEA FACTORY, INC	FEB 2020 COPIER AGREEMENT	327.17	
030-0000-39024	WEB UPDATE WEEKLY	85489	THE IDEA FACTORY, INC	GAZEBO EXPRESS MARCH/WEBSITE UPDA	149.99	
	Total For Dept 0000				525.32	
	Total For Fund 030 ICT Fund				9,421.91	

INVOICE GL DISTRIBUTION REPORT FOR TOWN OF HIGHLAND  
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 BOTH OPEN AND PAID

03/19/2020 12:36 PM  
 User: DMJ  
 DB: Highland

Check #

Invoice Line Desc      Ref #      Vendor      Invoice Description      Amount

Fund 033 Donation  
 Dept 0000  
 033-0000-39067      CPA SHIRTS      85702      VARSITY SPORTS INC      CPA SHIRTS FOR CLASS      406.65  
 033-0000-39070      SPECIAL NEEDS KITS      85700      AMAZON      SPECIAL NEEDS KITS      2,674.44  
 Total For Dept 0000                               3,081.09

Dept 0009 POLICE DEPARTMENT  
 033-0009-00200      CPA CLASS SUPPLIES      85701      INDIANA GROCERY GROUP, LLC      CPA CLASS SUPPLIES      35.98  
 Total For Dept 0009 POLICE DEPARTMENT                               35.98  
 Total For Fund 033 Donation                               3,117.07

Fund 036 Special Events  
 Dept 0000  
 036-0000-38610      LED COUNTDOWN CLOCK      85656      ELIZABETH BRESLIN (R)      LED COUNTDOWN CLOCK      176.99  
 Total For Dept 0000                               176.99  
 Total For Fund 036 Special Events                               176.99

Fund 050 Police Pension  
 Dept 0000  
 050-0000-32001      POSTAGE METER FROM PENSION FU      85704      US POSTMASTER      POSTAGE METER FROM PENSION FUND      200.00  
 050-0000-34001      PENSION SECTY BOND      85703      KEYSTONE BONDING&SURETY AGE      PENSION SECTY BOND      100.00  
 Total For Dept 0000                               300.00  
 Total For Fund 050 Police Pension                               300.00

Fund 085 Traffic Violations  
 Dept 0001 TOWN COUNCIL      CASH BOND FEES      85705      LAKE COUNTY CLERK      CASH BOND FEES      6,000.00  
 085-0001-00400                                                             6,000.00  
 Total For Dept 0001 TOWN COUNCIL                               6,000.00  
 Total For Fund 085 Traffic Violations                               6,000.00

43775 ✓

INVOICE GL DISTRIBUTION REPORT FOR TOWN OF HIGHLAND  
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BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
				Fund 001 General	287,587.82	
				Fund 002 MVH	56,952.76	
				Fund 016 FEDERAL FORFEITED & SEIZ	11,759.00	
				Fund 018 Law Enforce Con't Ed	585.09	
				Fund 027 Insurance Premium	103,563.00	
				Fund 030 ICT Fund	9,421.91	
				Fund 033 Donation	3,117.07	
				Fund 036 Special Events	176.99	
				Fund 050 Police Pension	300.00	
				Fund 085 Traffic Violations	6,000.00	
				<b>Fund Totals:</b>	<b>479,462.64</b>	