

**Enrolled Minutes of the Fifty-sixth Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Meeting (Electronic/Hybrid)
Monday, December 13, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, December 13, 2021 at 6:30 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

This meeting was convened as an *electronic and in person meeting*, pursuant to Governor Holcomb's Executive Order 20-04 and 20-09, allowing such meetings pursuant to IC 5-14-1.5-3.7 for the duration of the COVID-19 public health emergency, extended by Executive Order No. 21-31. Some persons participated remotely on a Zoom® platform that allowed for real time interaction between and among all the Town Council and supported the public's ability to observe and record the proceedings. People were able to participate in person and remotely. When an agenda item provided for public comment, this was supported as well. Councilors Bernie Zemen, Mark Herak, Mark Schocke, Tom Black and Roger Sheeman were present in person.

The Town Council President, Roger Sheeman, presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Council President Roger Sheeman reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

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

Additional Officials Present: John Reed, Town Attorney; Mark Knesek, Public Works Director (via Zoom®); Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Superintendent of Parks and Recreation (via Zoom®); Kathy DeGuilio-Fox, Redevelopment Director; Edward Dabrowski, Director of Information Technology and Kenneth J. Mika, Building Commissioner, were present.

Guests: Jennifer Hudson of London Witte Group (via Zoom®); James L. Wieser, Attorney for the Russell Group; James Lyons of the Osborne Group a use variance petitioner; and Tina Cap, a use variance petitioner were present.

Also present: Theresa Badovich, Idea Factory (via Zoom®) was present.

Minutes of the Previous Meeting: The minutes of the regular meeting of **November 22, 2021** were approved by general consent.

Special Orders:

1. **Consideration of Proposed Additional Appropriations:** (*Controlled funds*) Proposed Additional Appropriations in Excess of the 2021 Budget in the Police Pension Fund in the amount of \$6,901.
 - (a) Attorney verification of Proofs of Publication: The TIMES 02 December 2021. The Town Attorney stated that the proof of publication complied with the requirements of the law.
 - (b) **Public Hearing.** The Town Council President called the public hearing to order. There were no remonstrances or comments. The hearing was closed.

- (c) Action on **Proposed Appropriation Enactment No. 2021-55**: An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the **Police Pension Fund**, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.

Councilor Herak introduced and moved for the consideration of Enactment No. 2021-55 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 enactment could be considered at the same meeting of its introduction.

Councilor Herak moved for the passage adoption of Enactment No. 2021-55 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 enactment was passed and adopted upon the signature of the municipal executive at the same meeting of its introduction.

Town of Highland
APPROPRIATION ENACTMENT
Enactment No. 2021-55

An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Police Pension 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 **Police Pension 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 **Police Pension Fund** and for the purposes herein specified, subject to the laws governing the same:

POLICE PENSION FUND

Acct. 050-0000-11206 Dependent benefits:		\$ <u>6,901.00</u>
	Total 100 Series:	\$ <u>6,901.00</u>

TOTAL for the FUND:		\$ <u>6,901.00</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 13th Day of December 2021. 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 13th Day of December 2021, 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/ Roger Sheeman, President (IC 36-5-2-10)

ATTEST:

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

2. **Advisory Board of Zoning Appeals Docket:** Petition for a Use Variance for property located 3145 Duluth Street, **Highland**, to allow the petitioner to operate Child daycare

facility. HMC Section 18.15.030 prohibits this activity without a use variance. The property is currently zoned as R-1 Single Family Residential District. A use variance is being sought under HMC Section 18.15.050. Petitioner: **Autumn Lynum-Simmons**, 3145 Duluth Street, Highland. The Advisory Board of Zoning Appeals by a vote of five (5) in favor and zero (0) opposed acted to **UNFAVORABLY recommend the request for the use variance** for the property. The ABZA acted at its meeting of 27 October 2021. The findings of fact were memorialized and were approved by the Advisory Board of Zoning Appeals at its Meeting of December 9, 2021. (90 days ends 07 March 2022). This tolls from the making of the recommendation which could be the meeting at which the ABZA acts not when filed.

Pursuant to IC 36-7-4-918.6, the Town Council may either accept the unfavorable recommendation and DENY the requested use variance or it may reject (over rule) the Unfavorable recommendation and GRANT the use variance. If not acted upon by the Town Council within 90 days after the ABZA certifies its recommendation, the action of the Advisory Board of Zoning Appeals stands.

- (A) *Opportunity for Comment.* There was no comment offered. The petitioner was not present.
- (B) *Action on the Recommendation.* Councilor Herak moved to accept the unfavorable recommendation of the Advisory Board of Zoning Appeals and deny the use variance. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The use variance was denied.

3. **Advisory Board of Zoning Appeals Docket:** Petition for a Use Variance for property located 8621 Osborn Avenue & 8601 Indianapolis Boulevard, **Highland**, to allow the petitioner to use the property for a climate controlled Self Storage facility. The provision is not a permitted use in the current zoning district. The property is in an overlay district and currently zoned as B-3 General Business District. A use variance is being sought from HMC Section 18.45.030. Petitioner: **Highland Osborn Partners, LLC**, by their attorney, Jared Tauber, of Tauber Law Offices. The Advisory Board of Zoning Appeals by a vote of four (4) in favor and one (1) opposed acted to **favorably recommend the request for the use variance** for the property. The ABZA acted at its meeting of 27 October 2021. The findings of fact were memorialized and were approved by the Advisory Board of Zoning Appeals at its meeting of December 9, 2021. (90 days ends 07 March 2022). This tolls from the making of the recommendation which could be the meeting at which the ABZA acts not when filed.

Pursuant to IC 36-7-4-918.6, the Town Council may either accept the favorable recommendation and GRANT the requested use variance or it may reject (over rule) the favorable recommendation and DENY the use variance. If not acted upon by the Town Council within 90 days after the ABZA certifies its recommendation, the action of the Advisory Board of Zoning Appeals stands.

- (A) *Opportunity for Comment.* The petitioner Mr. Jim Lyons of the Osborne Group was present and later joined by his Counsel, Mr. Jared Tauber, Esq. The petitioner noted that if the use variance was granted, there remained further review by the Plan Commission as the properties were located in an overlay zoning district.
 - (B) *Action on the Recommendation.* Councilor Zemen moved to accept the favorable recommendation of the Advisory Board of Zoning Appeals and grant the use variance. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The use variance was granted.
4. **Advisory Board of Zoning Appeals Docket:** Petition for a Use Variance for property located 2716 Condit Street, **Highland**, to allow the petitioner to use the property to operate a Tattoo Salon. (parlor)The provision is not a permitted use in the current

zoning district. The property is currently zoned as I-1 Light Industrial District. A use variance is being sought from HMC Section 18.50.050. Petitioner: **Thuong (Tina) Cap**, 611 James Place, Griffith, by their attorney, Michael Kvachkoff. The Advisory Board of Zoning Appeals by a vote of three (3) in favor and two (2) opposed acted to **Unfavorably recommend the request for the use variance** for the property. The ABZA acted at its meeting of 27 October 2021. The findings of fact were memorialized and were approved by the Advisory Board of Zoning Appeals at its meeting of December 9, 2021. (90 days ends 07 March 2022). This tolls from the making of the recommendation which could be the meeting at which the ABZA acts not when filed.

*Pursuant to IC 36-7-4-918.6, the Town Council may either **accept the unfavorable recommendation** and **DENY** the requested use variance or it may **reject (over rule) the Unfavorable recommendation** and **GRANT** the use variance. If **not** acted upon by the Town Council within 90 days after the ABZA certifies its recommendation, the action of the Advisory Board of Zoning Appeals stands.*

- (A) *Opportunity for Comment.* The petitioner Thuong (Tina) Cap was present. It was noted that the unfavorable recommendation was in part informed by the Tattoo Parlor ordinance that until its recent amendment all but prohibited operation of such businesses without a medical doctor operating them. The ordinance had recently been amended to change this requirement.
- (B) *Action on the Recommendation.* Councilor Herak moved to reject the unfavorable recommendation of the Advisory Board of Zoning Appeals and grant the use variance. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives, no negatives and one abstention. With Councilors Zemen, Herak, Black and Sheeman voting in the affirmative, and Councilor Schocke abstaining, the motion passed. The use variance was granted.

Councilor Schocke indicated he abstained as the property that is involved in the use variance is owned by his boss, and partner, David Gladish at the law firm that employs him.

Comments from Visitors (regarding matters on the agenda)

1. Larry Kondrat, Highland, expressed doubts regarding the subject matter of Proposed Ordinance No. 1757, dealing with an economic development agreement and economic development bonds to be financed with tax increment generated by a senior housing development. Mr. Kondrat also challenged a report produced by London Witte Group providing an estimate of the fiscal capacity of the proposed development based upon its estimated construction costs to generate sufficient increment to support private placement economic development bonds in support of the project.

With leave from the Town Council, Jennifer Hudson reviewed the assumptions that informed her report and indicated that even with its most conservative valuation of the development at 60% of the construction costs and using a tax rate of \$2.00 per assessed valuation the analysis demonstrated that the project would support the proposed economic development bonds.

Ms. Hudson was invited to attend the next Study Session of the Town Council on December 20, 2021.

2. Janelle Scheeringa, expressed opposition to the passage of Ordinance No. 1757, stating that her family was willing to buy at the same price that the developer was paying, the 19 acres that was currently being purchased by Russell from the owners, Griffland Associates for the purposes of the senior housing development.

The public comment period was closed.

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

• **Building & Inspection Report for November 2021**

Permit Type	Number	Residentia	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	3	0	3	\$156,767.00	\$3,418.50
Signs:	3	0	3	\$6,703.00	\$691.50
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:	77	77	0	\$967,892.00	\$22,162.50
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	1	1	0	\$4,113.00	\$264.00
Decks & Porches:	2	2	0	\$13,800.00	\$648.00
Fences:	6	6	0	\$20,690.00	\$945.00
Swimming Pools:	0	0	0		\$0.00
DrainTile/ Waterproofing:	9	8	1	\$154,842.00	\$4,326.00
Miscellaneous	13	13	0	\$31,900.00	\$12,384.00
TOTAL:	114	107	7	\$1,356,707.00	\$44,839.50
Electrical Permits	19	12	7		\$2,474.00
Mechanical Permits	19	15	4		\$2,110.00
Plumbing Permits	15	13	2		\$2,269.25
Water Meters	0	0	0		\$0.00
Water Taps	2	2	0		\$600.00
Sewer/Storm Taps	0	0	0		\$0.00
TOTAL Plumbing:	17	15	2		\$2,869.25

November Code Enforcement:

Investigations: 011
Citations: 003
Warnings: 011

November Inspections:

Building: 50 Electrical: 23 Plumbing: 25 HVAC: 11
Pool Inspections: 00 Electrical Exam: 03

• **Fire Department Report for November 2021**

<u>Type of Call</u>	<u>Month</u>	<u>YTD</u>
General Alarms	08	103
Paid Still Alarms	26	288
Still Alarms	04	32
Total Alarms:	38	Calls YTD: 423

• **Workplace Safety Report for November 2021**

There was one workplace incident to report in November. The following report was filed.

Department	Injuries this Month	Year to Date 2021	Total in 2020	Restricted Days 2021	Lost Workdays This Year (2021)	Restricted Days Last Year (2020)	Lost Workdays Last Year (2020)
Parks	0	0	2	0	0	0	0
Fire	0	1	0	0	0	0	0
Police	1	3	2	0	0	0	0
Street	0	0	1	0	0	0	0
Water & Sewer	0	2	2	32	0	93	81
Maint.	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
TOTALS	1	6	7	32	0	93	81

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.

Unfinished Business and General Orders:

- 1. Introduced Ordinance No. 1759:** An Ordinance to Amend Chapter 3.45 in the Highland Municipal Code, to establish a New Trust Fund to be Styled the Local Underground Storage Tanks Fund of the Town of Highland, all Pursuant to IC 36-1-3, IC 36-5-2, IC 13-23 et seq., and 329 IAC 9-8 et seq. *(Councilor Zemen introduced and filed this ordinance at the Town Council meeting of November 22, 2021)*

Prior to action on the ordinance, the Town Attorney reported his conversation with a manager with the Indiana Department of Homeland Security that the set aside of \$15,000 would offer sufficient protection for access to coverage by the Indiana Underground Petroleum Tank Excess liability Fund.

Councilor Zemen moved the passage and adoption of Ordinance 1759. Councilor Schocke seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted upon the signature of the municipal executive.

ORDINANCE NO. 1759
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE TO AMEND CHAPTER 3.45 in the HIGHLAND MUNICIPAL CODE, TO ESTABLISH A NEW TRUST FUND TO BE STYLED THE LOCAL UNDERGROUND STORAGE TANKS FUND of the TOWN OF HIGHLAND, ALL PURSUANT TO IC 36-1-3, IC 36-5-2, IC 13-23 ET SEQ., AND 329 IAC 9-8 ET SEQ.

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

WHEREAS, IC 36-5-2-9 Provides that the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, IC 36-1-3-4 provides that the powers units have under IC 36-1-3-4(b)(1) are listed in various statutes, further noting that these statutes do not list the powers that units have under IC 36-1-3-4 (b)(2); therefore, the omission of a power from such a list does not imply that units lack that power;

WHEREAS, IC 36-1-3-4 further provides that a unit has all powers granted it by statute as well as all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute;

WHEREAS, The Town of Highland through its Police Department and the Public Works Agency own and operate underground storage tanks, to support the dispensing of motor vehicle fuels for the performance of the duties and functions of each department in service to the town;

WHEREAS, Owing to laws and rules regulating the ownership and operation of underground storage tanks, the Town Attorney has advised the Town Council and the clerk-Treasurer of the desirability of establishing a certain dedicated trust fund which is not subject to the controls of IC 6-1.1-18, dedicated by ordinance, established to pay for corrective action and for compensating third parties related accidental releases arising from the operation of such petroleum holding underground storage tanks;

WHEREAS, Rule 8 of Title 329, Article 9, Section 17 of the Indiana Administrative Code offers particular guidance regarding creating a local government fund, possessing such resources funding for part, not all, of the required amount of the required coverage set forth under Section 4 of 329 IAC 9-8, and used in combination with another mechanism that provides the remaining coverage to pay for corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of such petroleum holding underground storage tanks;

WHEREAS, IC 13-23-7 et sequitur establishes a State of Indiana Excess Liability Fund to assist local owners or operators of underground storage tanks to establish evidence of financial responsibility as required under IC 13-23-4 et seq;

WHEREAS, IC 13-23-9-1.3(a) further adjusts the amount available for payment from the Underground Petroleum Storage Tank Excess Liability Fund for an eligible release discovered on or after July 1, 2016, by establishing a deductible amount of fifteen thousand dollars (\$15,000) and the sum of any unpaid annual registration fees that were due in 2014 or a later year;

WHEREAS, The Town Council has determined that it is necessary, desirable and of great public benefit, to establish the fund herein referenced to support and carryout the lawful public purposes of the municipality; and,

WHEREAS, It would be and is in the best interest of the Town of Highland to enact an ordinance as an amendment to the Highland Municipal Code in order to further perfect the operation of the Town and establish a special trust fund to cover the deductibles related to accessing the Underground Petroleum Storage Tank Excess Liability Fund for an eligible release discovered on or after July 1, 2016,

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

Section 1. That Chapter 3.45 of the Highland Municipal Code be amended by adding a new section to be numbered 3.45.121, which shall read as follows:

3.45.121 Local Underground Storage Tanks Trust Fund

(A) There is hereby authorized, created and established a dedicated (trust) fund, to be called the Local Underground Storage Tanks Trust Fund for use by the Town of Highland, and its relevant executive departments, to carry out the purposes of this section of the municipal code;

(B) That the fund is dedicated and established to possess such resources in order to fund for part, but not all, of the amount of the required coverage as set forth under Section 4 of 329 IAC 9-8, and to be used in combination with another mechanism that provides the remaining coverage in order to pay for corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of such petroleum holding underground storage tanks, all pursuant to 329 IAC 9-8-7(a)(1)(C)(ii);

(C) That expenditures from this fund shall be governed by the following provisions:

(1) That the fund shall be established as an expendable Trust fund, and expenditures from this fund shall for be solely for the purposes and in support of the purposes set forth in this section of this code and according to the laws and relevant guidelines governing the disposition of the assets which comprise the fund, provided the expenditures shall be used to cover the deductibles related to accessing an amount available for payment from the Underground Petroleum Storage Tank Excess Liability Fund for an eligible release discovered on or after July 1, 2016, covering the payment of a deductible amount of fifteen thousand dollars (\$15,000) and the sum of any unpaid annual registration fees that were due in 2014 or a later year;

(2) That expenditures from this fund shall be used in connection with other lawful mechanisms, including but not limited to the State of Indiana Underground Petroleum Storage Tank Excess Liability Fund providing the remaining coverage in order to pay for corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of such petroleum holding underground storage tanks;

(3) That that some or all of the fund's cash resources be held as designated trust or otherwise restricted from being expended except as to permit its investment by the municipal fiscal officer, with such investment yields being available for expenditure according to the lawful purposes of this code;

(4) That neither the establishment nor the purposes of this fund shall be in derogation of the lawful purposes or construed to exclude the lawful purpose or expenditure from such other funds of the municipality for the same or similar purposes;

(5) That expenditures from the Fund may be made only upon appropriation by the fiscal body for the purpose for which the fund is specifically established, in the manner provided by statute for making other appropriations and shall be disbursed only on approved accounts payable vouchers allowed by the legislative body, all pursuant to IC 5-11-10 and IC 36-5-4;

(D) That the sources of money for the fund are the following:

- (1) Gifts, and donations from any person or entity given expressly for the purposes and objects of the fund, unless otherwise directed by action of the Legislative Body;
- (2) An original contribution or transfer authorized by the Town Council to be made from such unreserve, undesignated cash balances on deposit to the credit of the municipal General Fund;
- (3) That any investments from of fund resources shall assure that the yields from the purchase and sale of any such investments be deposited with the fund;

(E) That all unused and unencumbered monies do not revert to the corporation general fund nor to any fund but shall remain with the Local Underground Storage Tanks Trust Fund until such time as an ordinance is passed dealing with the disposition of the assets of this fund.

(F) The unused and unencumbered balance of an appropriation shall not lapse at the end of the year in which the appropriation was made nor does it revert, but remains in full force and effect to the credit of the fund created by this ordinance without re-appropriation until the purpose for which the appropriation was made has been accomplished or abandoned.

(G) That the clerk-treasurer as municipal fiscal officer, is hereby directed and authorized to perform such duties and keep such accounts as to fulfill the purpose of the fund herein named and to carry-out the provisions of this section.

Section 2. That upon adoption, notwithstanding the provisions of this ordinance, the Clerk-Treasurer is authorized to transfer from the unreserve, undesignated balance on deposit to the credit of the General Fund an amount equal to fifteen thousand dollars (\$15,000) and then deposit it to the credit of the fund established by this ordinance, provided that an original iteration of this ordinance be attached to the accounts payable voucher to serve as the invoice and authorizing document;

Section 3. Any and all such ordinances in conflict with the provisions of this ordinance are hereby repealed and of no further force nor effect;

Section 4. Whereas an emergency exists for the immediate taking effect of this Ordinance, it shall become and be in full force and effect from and after the date of its passage and adoption upon its signature by the executive in the manner prescribed by IC 36-5-2-10(a);

Introduced and Filed 22nd day of November 2021. Consideration on same day or at same meeting of introduction was not entertained, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 13th Day of December 2021, 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/ Roger Sheeman, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

2. **Proposed Ordinance No. 1757:** An Ordinance of the Town Council of the Town of Highland, Lake County, Indiana, authorizing the Issuance of its Taxable Economic Development Revenue Bonds, Series 2021 (S.J. Highland, LLC Development Project). *(It is expected that this will be introduced and filed. This matter was unanimously removed from the agenda of the meeting of 22 November 2021.)*

Councilor Herak introduced and filed Ordinance No. 1757. There was no further action on the ordinance.

3. **Proposed Ordinance No. 1760:** An Ordinance to Establish the Wage and Salary Rates of the Elected Officers, The Non-Elected Officers, And The Employees Of The

Town Of Highland, Indiana for FY 2022. (*Introduce only. This ordinance consolidates current ordinance and all amendments, converted all paid board and commissions to monthly that were quarterly and makes a change to the town council salaries.*)

Councilor Herak introduced and filed Ordinance No. 1760. There was no further action on the ordinance. It was noted that there were elements in the ordinance that would be discussed at the next study session, where the ordinance would be marked up.

4. **Resolution No. 2021-56:** A Resolution of the Fiscal Body of the Town of Highland Fixing the Official Faithful Performance Bond of the Municipal Fiscal Officer, pursuant to I.C. 5-4-1 et seq.

Councilor Herak moved the passage and adoption of Resolution No. 2021-56. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN of HIGHLAND
Town Council Resolution No. 2021-56**

A RESOLUTION of the FISCAL BODY of the TOWN of HIGHLAND FIXING the OFFICIAL FAITHFUL PERFORMANCE BOND of the MUNICIPAL FISCAL OFFICER PURSUANT to I.C. 5-4-1 et seq.

WHEREAS, The Town Council of the Town of Highland serves as both the legislative and fiscal body of the municipality, all pursuant to I.C. 36-1-2-6, I.C. 36-1-1-2-9 and I.C. 36-5-2-2;

WHEREAS, The Clerk-Treasurer is required to file an individual surety bond conditioned on the Clerk-Treasurer's faithful performance of the duties of the office of clerk-treasurer, including the duty to comply with I.C. 35-44-1-22 pursuant to I.C. 5-4-1-18(a)(2) with such filing subject to I.C. 5-4-1-9;

WHEREAS, The Highland Town Council now desires to comply with the provisions of law identified herein,

NOW, THEREFORE, BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Town Council hereby fixes the Individual surety for the clerk-treasurer for the year 2022 in the amount of Three Hundred Thousand Dollars (**\$300,000**);

Section 2. That the Town Council hereby finds and determines that the subject amount fixed for the bond is established according to the values and thresholds set forth in I.C. 5-4-1-18(e), which particularly states in pertinent part:

(A) The amount must equal thirty thousand dollars (\$30,000) for each one million dollars (\$1,000,000) of receipts of the officer's office during the last complete fiscal year before the purchase of the bond, that amount being in Fiscal Year 2020 receipts of *forty-two million, seven hundred ten thousand, eight hundred forty-five dollars* (\$42,710,845) for the purposes of the clerk-treasurer surety; and

(B) The amount may not be less than Thirty Thousand dollars (\$30,000) **nor more than** Three Hundred Thousand Dollars (\$300,000);

Section 3. That the Clerk-Treasurer be instructed and authorized to procure a surety bond pursuant to this resolution and that the proper officers take such steps as necessary to carry out the objects and purposes of this resolution;

Section 4. That the signature of the proper officer engrossed upon on the surety bond, shall represent the approval by the legislative body as set forth in IC 5-4-1-8(a)(6).

DULY RESOLVED and ADOPTED this 13th Day of November 2021, 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/Roger Sheeman, President

Attest:

/s Michael W. Griffin, M.P.A., IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer

5. **Works Board Order No. 2021-38:** An Order for the Temporary Closing of Municipal Offices at the Municipal Building 3333 Ridge Road on Thursday, December 30, 2021 for Year-end Fiscal and Records Administration Tasks.

Councilor Herak moved the passage and adoption of Works Board No. 2021-38. 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 of the Works Board No. 2021-38

AN ORDER for the TEMPORARY CLOSING OF MUNICIPAL OFFICES at the MUNICIPAL BUILDING 3333 RIDGE ROAD on THURSDAY, DECEMBER 30, 2021 FOR YEAR-END FISCAL AND RECORDS ADMINISTRATION TASKS

Whereas, The Town Council has been reliably advised that owing to the desire to ensure completion of several tasks associated with year-end fiscal and records administration, it may be advisable to reduce public access hours to the municipal building while maintaining a scheduled workday;

Whereas, Pursuant to IC 36-1-24(3), the Town Council is also the Works Board for the Town of Highland and governs the hours and other matters related to the Town Hall;

Whereas, The Town Council now desires to modify the access hours of the Highland Municipal Building on Thursday, December 30, 2021;

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

Section 1. That the usual hours of **public access** at the administrative and associated offices at the Highland Municipal Building on **Thursday, December 30,** are hereby fixed at **8:30 a.m. to 12:30 p.m. but the usual hours of operation or the scheduled workday are unchanged;**

Section 2. That the affected department heads and the Clerk-Treasurer shall carry out the purposes of this order, which is to provide an opportunity for in-service training for administrative, clerical and other workers of the municipality or to support year-end duties;

Section 3. That the Clerk-Treasurer will take steps by appropriate media release to give notice of the subject of this order;

Section 4. That this order shall be effective on and from its passage and adoption;

Be it So Ordered.

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 13th day of December 2021. Having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/Roger Sheeman, President (IC 36-5-2-10)

Attest:

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

6. **Works Board Order No. 2021-39:** An Order Approving and Authorizing the Metropolitan Police Chief to enter into a purchase agreement with Hernandez Electric Construction Company, through the State of Indiana to purchase Intersection Hi-Def Video Camera system equipment and accessories, and finding it Both to be a Special Purchase and a Small Purchase pursuant to I.C. 5-22 and Chapter 3.05 of the Highland Municipal Code.

Councilor Zemen moved the passage and adoption of Works Board No. 2021-39. Councilor Black 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 2021-39

An Order Approving and Authorizing the Metropolitan Police Chief to enter into a purchase agreement with Hernandez Electric Construction Company, through the State of Indiana to purchase Intersection Hi-Def Video Camera system equipment and accessories, and finding it Both to be a Special Purchase and a Small Purchase pursuant to I.C. 5-22 and Chapter 3.05 of the Highland Municipal Code.

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 below \$50,000.00 and an opportunity has arisen which enables the department to purchase additional Intersection Hi-Def Video Camera system equipment and accessories;

Whereas, The Metropolitan Police Chief has identified Hernandez Electric Construction Company, through the State of Indiana to be a desirable source vendor for the purchase of equipment and supplies at a price of \$18,871.00 for LPR camera system for Ridge Road and Kleinman Ave;

Whereas, The price for the purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (E) as well as Section 3.05.050 (B)(2) of the Highland Municipal Code, such purchase requires the express approval of the purchasing agency;

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, believes that this purchase qualifies as a special purchase to be made without soliciting bids or proposals because in this instance (1) the compatibility of equipment, accessories or replacement parts is a substantial consideration in this purchase and (2) only one source meets the department's reasonable requirements, which is the source recommended for this purchase;

Whereas, The Purchasing Agent, further believes that this purchase qualifies as a small purchase to be made without soliciting bids or proposals as the purchase price is below \$50,000, all pursuant to HMC Section 3.05.060(G);

Whereas, The Purchasing Agent, for the rationale stated herein, elects to purchase without resort to soliciting quotes or bids pursuant to Section 3.05.060(G)(2) and Section 3.05.065 (I) of the Highland Municipal Code;

Whereas, The purchase of the Intersection Hi-Def Video Camera system equipment and accessories will be supported by appropriations in the LOIT Fund, all pursuant to HMC Section 3.05.040(E); 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 Hernandez Electric Construction Company of 938 West Avenue H, Griffith, IN, for the purchase of the Intersection Hi-Def Video Camera system equipment and accessories in the amount of \$18,871.00 pursuant to IC 5-22 and Sections 3.05.060 (G) (2) and 3.05.065(I) of the Highland Municipal Code;

Section 2. That the Works Board hereby finds and determines the following:

- (A) That Hernandez Electric Construction Company, 938 West Avenue H, Griffith, IN is the sole source to meet the police departments reasonable requirements for this purchase;
- (B) That for this purchase, the compatibility of equipment, accessories or replacement parts is a substantial consideration;
- (C) That for the foregoing rationale, this purchase qualifies as a special purchase pursuant to IC 5-22-10 et seq. and HMC Section 3.05.065 (I);and,
- (D) That the purchase price is less than \$50,000, so this purchase also constitutes a small purchase, which can be made in the open market as the purchasing agent may determine, pursuant to HMC Section 3.05.060(G);

Section 3. That the Metropolitan Police Chief further affirms that the purchases with the identified vendor for HiDEF Video, as authorized by Works Board Orders 2021-39 and 2021-40, while separated, fully reckon and honor the proscription in IC 5-22-8-1(b);

Section 4. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY, PASSED, ADOPTED AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 13th day of December 2021 having passed by a vote of 5 in favor and 0 opposed.

/s/ Roger Sheeman, President (IC 36-5-2-10)

Attest:

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

Councilor Herak noted that these orders for purchasing equipment originating from the Police and Fire Departments were not discussed at a study session and his believe that matters should be discussed at the study session before they are brought before the Town Council at a plenary meeting.

- 7. Works Board Order No. 2021-40:** An Order Approving and Authorizing the Metropolitan Police Chief to enter into a purchase agreement with Hernandez Electric Construction Company, through the State of Indiana to purchase Intersection Hi-Def Video Camera system equipment and accessories, and finding it Both to be a Special Purchase and a Small Purchase pursuant to I.C. 5-22 and Chapter 3.05 of the Highland Municipal Code.

(Items of business no 6 and 7 are separate but are to support different locations for installing the equipment if authorized.)

Councilor Black moved the passage and adoption of Works Board No. 2021-40. Councilor Schocke 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 2021-40**

An Order Approving and Authorizing the Metropolitan Police Chief to enter into a purchase agreement with Hernandez Electric Construction Company, through the State of Indiana to purchase Intersection Hi-Def Video Camera system equipment and accessories, and finding it to be both a Special Purchase and a Small pursuant to I.C. 5-22 and Section 3.05 of the Highland Municipal Code.

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 below \$50,000.00 and an opportunity has arisen which enables the department to purchase additional Intersection Hi-Def Video Camera system equipment and accessories;

Whereas, The Metropolitan Police Chief has identified Hernandez Electric Construction Company, through the State of Indiana to be a desirable source vendor for the purchase of equipment and supplies at a price of \$18,587.00 for LPR camera system for Kennedy Ave and Grand Blvd;

Whereas, The price for the purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (E) as well as Section 3.05.050 (B)(2) of the Highland Municipal Code, such purchase requires the express approval of the purchasing agency;

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, believes that this purchase qualifies as a special purchase to be made without soliciting bids or proposals because in this instance (1) the compatibility of equipment, accessories or replacement parts is a substantial consideration in this purchase and (2) only one source meets the department's reasonable requirements, which is the source recommended for this purchase;

Whereas, The Purchasing Agent, further believes that this purchase qualifies as a small purchase to be made without soliciting bids or proposals as the purchase price is below \$50,000, all pursuant to HMC Section 3.05.060(G);

Whereas, The Purchasing Agent, for the rationale stated herein, elects to purchase without resort to soliciting quotes or bids pursuant to Section 3.05.060(G)(2) and Section 3.05.065 (I) of the Highland Municipal Code;

Whereas, The purchase of the Intersection Hi-Def Video Camera system equipment and accessories will be supported by appropriations in the LOIT Fund, all pursuant to HMC Section 3.05.040(E);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 Hernandez Electric Construction Company of 938 West Avenue H, Griffith, IN, for the purchase of the Intersection Hi-Def Video Camera system equipment and accessories in the amount of \$18,587.00 pursuant to IC 5-22 and Sections 3.05.060 (G) (2) and 3.05.065(I) of the Highland Municipal Code;

Section 2. That the Works Board hereby finds and determines the following:

- (A) That Hernandez Electric Construction Company, 938 West Avenue H, Griffith, IN is the sole source to meet the police departments reasonable requirements for this purchase;
- (B) That for this purchase, the compatibility of equipment, accessories or replacement parts is a substantial consideration;
- (C) That for the foregoing rationale, this purchase qualifies as a special purchase pursuant to IC 5-22-10 et seq. and HMC Section 3.05.065 (I);and,
- (D) That the purchase price is less than \$50,000, so this purchase also constitutes a small purchase, which can be made in the open market as the purchasing agent may determine, pursuant to HMC Section 3.05.060(G);

Section 3. That the Metropolitan Police Chief further affirms that the purchases with the identified vendor for HiDEF Video, as authorized by Works Board Orders 2021-39 and 2021-40, while separated, fully reckon and honor the proscription in IC 5-22-8-1(b);

Section 4. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY, PASSED, ADOPTED AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 13th day of December 2021 having passed by a vote of 5 in favor and 0 opposed.

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

/s Roger Sheeman, **President (IC 36-5-2-10)**

Attest:

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

8. Works Board Order No. 2021-41: An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from CDW Government LLC, 75 Remittance Drive Suite1515, Chicago, IL in-car computers with accessories, and finding it finding it to be both a Special Purchase and a Small pursuant to I.C. 5-22 and Section 3.05 of the Highland Municipal Code.

Councilor Black moved the passage and adoption of Works Board No. 2021-41. Councilor Schocke 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 2021-41**

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from CDW Government LLC, 75 Remittance Drive Suite1515, Chicago, IL in-car computers with accessories, and finding it finding it to be both a Special Purchase and a Small pursuant to I.C. 5-22 and Section 3.05 of the Highland Municipal Code.

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 below \$50,000.00. An opportunity has arisen which enables the department to purchase additional in-car cameras with accessories;

Whereas, The Metropolitan Police Chief has identified CDW Government, LLC of Chicago, IL to be a desirable source vendor for the purchase of the in-car computers with accessories at a price of \$17,957.65;

Whereas, The price for the purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (E) as well as Section 3.05.050 (B) (2) of the Highland Municipal Code 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, believes that this purchase qualifies as a special purchase to be made without soliciting bids or proposals because in this instance (1) the compatibility of equipment, accessories or replacement parts is a substantial consideration in this purchase and (2) only one source meets the department's reasonable requirements, which is the source recommended for this purchase;

Whereas, The Purchasing Agent, further believes that this purchase qualifies as a small purchase to be made without soliciting bids or proposals as the purchase price is below \$50,000, all pursuant to HMC Section 3.05.060(G);

Whereas, The Purchasing Agent, for the rationale stated herein, elects to purchase without resort to soliciting quotes or bids pursuant to Section 3.05.060(G)(2) and Section 3.05.065 (I) of the Highland Municipal Code;

Whereas, The purchase of the in-car computers and accessories will be supported by appropriations in the **Municipal Cumulative Capital Development (MCCD) Fund** and the **Law Enforcement Continuing Education and Training Fund**, all pursuant to HMC Section 3.05.040(E);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 as from CDW Government LLC of 75 Remittance Dr., Chicago, IL, for the purchase of several in-car computers plus accessories as set forth in the invoices, which is attached as an exhibit to and made a part of this order in the amount of **\$17,957.65**;

Section 2. That the Works Board hereby finds and determines the following:

- (A) That CDW Government LLC of 75 Remittance Dr Chicago IL a sole source to meet the police departments reasonable requirements for this purchase;
- (B) That for this purchase, the compatibility of equipment, accessories or replacement parts is a substantial consideration; and,
- (C) That the foregoing rational, this purchase qualifies as a special purchase pursuant to IC5-22-10 et seq. and HMC Section 3.05.065 (I);and,
- (D) That the purchase price is less than \$50,000, so this purchase also constitutes a small purchase, which can be made in the open market as the purchasing agent may determine, pursuant to HMC Section 3.05.060(G);

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-1-4-14.

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 13th day of December 2021 having passed by a vote of 5 in favor and 0 opposed.

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

/s/ Roger Sheeman, **President (IC 36-5-2-10)**

Attest:

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

QUOTE CONFIRMATION



DEAR JERRY KOEDYKER,

Thank you for considering CDW+G LLC for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
MLMR561	11/2/2021	MLMR561	12865447	\$17,957.65

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
Getac Bumper to Bumper + Extended Warranty - extended service agreement - 2 Mfg. Part#: GE-SVTBNFX5Y Electronic distribution - NO MEDIA Contract: Indiana GovPro Agreement (018-A)	5	3781296	\$515.58	\$2,577.90
Getac 120W 11-16V 22-32V DC Vehicle Adapter Mfg. Part#: GAD2XB Contract: Indiana GovPro Agreement (018-A)	5	5522532	\$95.23	\$476.15
Havix Vehicle Dock - port replicator Mfg. Part#: OHHGTC801 Contract: Indiana GovPro Agreement (018-A)	5	5677278	\$638.58	\$3,192.90
GETAC A140G2 IS-10210U 256/8 W10P Mfg. Part#: AM2OZ4DA5DXX Contract: Indiana GovPro Agreement (018-A)	5	6787585	\$2,342.14	\$11,710.70

PURCHASER BILLING INFO		SUBTOTAL	\$17,957.65
Billing Address: HIGHLAND POLICE DEPARTMENT ACCOUNTS PAYABLE 3315 RIDGE RD HIGHLAND, IN 46322-2047 Phone: (219) 838-3184 Payment Terms: Net 30 Days-Govt State/Local		SHIPPING	\$0.00
		SALES TAX	\$0.00
		GRAND TOTAL	\$17,957.65
		DELIVER TO Shipping Address: HIGHLAND POLICE DEPARTMENT JERRY KOEDYKER 3315 RIDGE RD HIGHLAND, IN 46322-2047 Phone: (219) 838-3184 Shipping Method: DROP SHIP-GROUND	

Need Assistance? CDW+G LLC SALES CONTACT INFORMATION		
	Sean Ellis (877) 499-8915	seanel@cdwg.com

LEASE OPTIONS

FHV TOTAL	FHV LEASE OPTIDN	BO TOTAL	BO LEASE OPTION
\$17,957.65	\$491.86/Month	\$17,957.65	\$565.31/Month

Monthly payment based on 36 month lease. Other terms and options are available. Contact your Account Manager for details. Payment quoted is subject to change.

Why finance?

- Lower Upfront Costs. Get the products you need without impacting cash flow. Preserve your working capital and existing credit line.
- Flexible Payment Terms. 100% financing with no money down, payment deferrals and payment schedules that match your company's business cycles.
- Predictable, Low Monthly Payments. Pay over time. Lease payments are fixed and can be tailored to your budget levels or revenue streams.
- Technology Refresh. Keep current technology with minimal financial impact or risk. Add-on or upgrade during the lease term and choose to return or purchase the equipment at end of lease.
- Bundle Costs. You can combine hardware, software, and services into a single transaction and pay for your software licenses over time! We know your challenges and understand the need for flexibility.

General Terms and Conditions:

This quote is not legally binding and is for discussion purposes only. The rates are estimate only and are based on a collection of industry data from numerous sources. All rates and financial quotes are subject to final review, approval, and documentation by our leasing partners. Payments above exclude all applicable taxes. Financing is subject to credit approval and review of final equipment and services configuration. Fair Market Value leases are structured with the assumption that the equipment has a residual value at the end of the lease term.

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at <http://www.cdw.com/content/terms-conditions/product-sales.aspx>
For more information, contact a CDW account manager

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9. Works Board Order No. 2021-42: An Order Approving and Authorizing the Fire Chief to Purchase and install from the Identified Vendor for the front (4) overhead doors of Central Fire Station for Use by the Fire Department, pursuant to I.C. 5-22 and Section 3.05 of the Highland Municipal Code.

Councilor Zemen moved the passage and adoption of Works Board No. 2021-42. Councilor Black 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 2021-42**

An Order Approving and Authorizing the Fire Chief to Purchase and install from the Identified Vendor for the front (4) overhead doors of Central Fire Station for Use by the Fire Department, pursuant to I.C. 5-22 and Section 3.05 of the Highland Municipal Code.

Whereas, The Town of Fire Department, as part of its public duties, has a responsibility for fire suppression, prevention, 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 Fire Chief has determined a need to replace certain equipment and supplies, particularly the replacement and installation of the four fire bay or garage doors at the Central Fire Station, and has further determined the purchase price will be greater than \$15,000 and less than \$50,000;

Whereas, The Fire Chief solicited from a local vendor known to deal in overhead doors being sought;

Whereas, The price for the overhead doors purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (E) as well as Section 3.05.050 (B)(2) of the Highland Municipal Code, such purchase requires the express approval of the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(3) of the Highland Municipal Code serves as the purchasing agency for the Fire Department; and

Whereas, The Fire Chief, pursuant to Section 3.05.050 (D)(4) of the Highland Municipal Code, serves as the Purchasing Agent for the Fire Department;

Whereas, The Purchasing Agent, further believes that this purchase qualifies as a small purchase to be made with or without soliciting bids or proposals as the purchase price is below \$50,000, all pursuant to HMC Section 3.05.060(G);

Whereas, The Purchasing Agent, elected to solicit a single quote from a local vendor known to deal in the work required, pursuant to Section 3.05.060 (G)(2) of the Highland Municipal Code;

Whereas, The Fire Chief has identified **Crawford Door Sales of Lake County Inc.**, 10109 Kennedy Avenue Highland, Indiana 46322 to be a desirable source vendor for the purchase and installation of four (4) garage or bay doors for the total delivered and installed price pursuant to the written proposal received of **\$29,611**;

Whereas, The purchase of the front overhead doors of Central Fire Station will be supported by an appropriation within the **Public Safety Local Income Tax (LIT) Fund** supporting the Highland Fire Department Capital Budget, all pursuant to HMC Section 3.05.040(E);and,

Whereas, The Town Council now desires to approve and authorize the Fire 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 **Crawford Door Sales of Lake County Inc.** of (4) overhead doors in the front of the Central Fire Station at the price of **\$29,611**, pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 2. That the Works Board hereby finds and determines the following:

- (A) That **Crawford Door Sales of Lake County Inc.**, 10109 Kennedy Avenue Highland, Indiana 46322 to be a desirable source vendor for the purchase and installation of four (4) garage or bay doors for Central Fire Station, for the total delivered and installed price pursuant to the written proposal received of **\$29,611**;
- (B) That the purchase price is less than \$50,000, so this purchase constitutes a small purchase, which can be made in the open market as the purchasing agent may determine, pursuant to HMC Section 3.05.060(G);

Section 3. That the Fire Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, as required pursuant to IC 36-5-4-14.

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 13th day of December 2021 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA
/s/ Roger Sheeman, President (IC 36-5-2-10)**

Attest:

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

10. Works Board Order No. 2021-43: An Order of the Works Board Approving and Authorizing the Fire Chief to Purchase from Identified Vendor a Self-Contained Breathing Apparatus (SCBA) Air Compressor for Use by the Fire Department, , pursuant to I.C. 5-22 and Section 3.05 of the Highland Municipal Code.

Councilor Zemen moved the passage and adoption of Works Board No. 2021-43. Councilor Schocke 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 2021-43**

An Order of the Works Board Approving and Authorizing the Fire Chief to Purchase from Identified Vendor a Self-Contained Breathing Apparatus (SCBA) Air Compressor for Use by the Fire Department and finding it to be a Small pursuant to I.C. 5-22 and Section 3.05 of the Highland Municipal Code.

Whereas, The Town of Fire Department, as part of its public duties, has a responsibility for fire suppression, prevention, 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 Fire Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be greater than \$15,000 and less than \$50,000;

Whereas, The Fire Chief solicited from vendors known to deal in SCBA air compressors being sought, with quotes on comparable units by various companies;

Whereas, The price for the air compressor purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (E) as well as Section 3.05.050 (B)(2) of the Highland Municipal Code, such purchase requires the express approval of the purchasing agency;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(3) of the Highland Municipal Code serves as the purchasing agency for the Fire Department;

Whereas, The Fire Chief, pursuant to Section 3.05.050 (D)(4) of the Highland Municipal Code, serves as the Purchasing Agent for the Fire Department;

Whereas, The Purchasing Agent, pursuant to Section 3.05.060 (G) of the Highland Municipal Code, expected that the purchase would be at least \$15,000 and not more than \$50,000.00 and therefore could have solicited quotes from at least three (3) vendors known to deal in the lines or classes of supplies to be purchased;

Whereas, The Purchasing Agent, elected to solicit quotes pursuant to Section 3.05.060 (G) (1) of the Highland Municipal Code, with quotes compiled and reviewed the results of such solicitation as follows:

5 Alarm 350 Austin Circle, Delafield, Wisconsin 53018 at a purchase price of **\$39,416.40**.

Chucks Compressor, 6561 E. 137th Avenue, Crown Point, Indiana 46307 at a purchase price of **\$43,735.27**.

SCBAS Inc. 403 Peoria Street, Washington, Illinois 61571 at a purchase price of **\$51,975**.

Dinges Fire Company, 243 E. Main Street, Amboy, Illinois 61310 at a purchase price of **\$47,442.20**.

Whereas, The Fire Chief has identified **5 Alarm**, 350 Austin Circle, Delafield, Wisconsin 53018 to be a desirable source vendor, offering lowest, most responsive and responsible proposal for the acquisition of SCBA Air Compressor, for a purchase price of **\$39,416.40**;

Whereas, The purchase of the air compressor will be supported by an appropriation within the **Public Safety Local Income Tax (LIT) Fund** supporting the Highland Fire Department Capital Budget, all pursuant to HMC Section 3.05.040(E);and,

Whereas, The Town Council now desires to approve and authorize the Fire 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 as follows:

Section 1. That the Works Board hereby authorizes and approves the purchase from **5 Alarm** 350 Austin Circle, Delafield, Wisconsin 53018 at a purchase price of **\$39,416.40**, pursuant to IC 5-22 and Section 3.05.060 (G)(1);

Section 2. That the Works Board hereby finds and determines the following:

- (A) That **5 Alarm** 350 Austin Circle, Delafield, Wisconsin 53018 to be a desirable source vendor, offering the lowest, most responsive and responsible proposal for the acquisition of SCBA Air Compressor, for a purchase price of **\$39,416.40**;
- (B) That the purchase price is less than \$50,000, so this purchase constitutes a small purchase, which can be made by soliciting proposals for at least three persons known to deal in the classes of equipment to be purchased, as the purchasing agent may determine, pursuant to HMC Section 3.05.060(G)(1);

Section 3. That the Fire Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, as required pursuant to IC 36-5-4-14.

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 13th day of December 2021 having passed by a vote of 5 in favor and 0 opposed.

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

/s/ Roger Sheeman, **President (IC 36-5-2-10)**

Attest:

/s/ Michael W. Griffin, M.P.A., IAMC/MMC/CPFA/ACPFIM/CMO

Clerk-Treasurer (IC 33-42-4-1(6);IC 36-5-6-5)

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

- **Councilor Bernie Zemen:** *Park and Recreation Board Liaison • Fire Department, Liaison*

Councilor Zemen acknowledged the Building Commissioner who reported on plan commission matters.

Councilor Zemen acknowledged Superintendent of Parks and Recreation, (remotely) who offered a survey of programs and events under the aegis of the parks and recreation department. The Superintendent noted that the department was planning for its seventy-fifth anniversary which is next year.

Councilor Zemen acknowledged the Fire Chief who reported on matters from the Fire Department.

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

Councilor Herak wished everyone a Merry Christmas.

Councilor Herak acknowledged the Building Commissioner, who offered a brief report on matters before the Advisory Board of Zoning Appeals. Further the Building Commissioner reported on the activities of the Building and Inspection Department. The report included a general discussion of the status of the failing septic tank at 2025 Main Street.

Councilor Herak acknowledged the Police Chief who offered a brief report regarding the police department and noted that two new police officer candidates would had been appointed by the Town Board of Metropolitan Police Commissioners.

- **Councilor Mark Schocke:** *Liaison to the Tree Board • Liaison to the Community Events Commission*

Councilor Schocke noted the passing of Senator Robert S. Dole of Kansas.

Councilor Schocke noted that the Tree Board continued its activities associated with adding to the tree inventory of the town, and its application to have the Town of Highland designated a Tree City USA.

With leave from the Town Council, Councilor Schocke inquired about the manner in which the Economic Development Commission and the Redevelopment Commission conducted meetings regarding the proposed Russell Economic Development Bonds and the associated Agreement, asking particularly about the manner of public notice and the duration of the special meeting of the Redevelopment Commission that considered the financing for the proposed Economic Development Bonds.

The Redevelopment Director noted that the legal notice necessary for the public hearing conducted by the Economic Development Commission and the open meeting act notice for the special meeting of the Redevelopment Commission were published or posted as required by law.

Councilor Tom Black: *Liaison to the Board of Waterworks Directors.*

Councilor Black wished everyone a Merry Christmas.

Councilor Black acknowledged the Director of Information Technology, who offered a survey of activity in the ICT Department. This included the implementation of Multi-factor authentication for access to the information system.

- **Council President Roger Sheeman:** *Town Executive • Chair of the Board of Police Pension Trustees • Chamber of Commerce Liaison • Information Technology Liaison • Redevelopment Commission Liaison.*

The Town Council President acknowledged the Redevelopment Director who reported on the recent sales of property by the Redevelopment Department.

The Town Council President then noted the recent news of the unseasonal Tornado's that touched down in Illinois and Kentucky and its profound damage.

Comments from Visitors or Residents

1. Larry Kondrat, Highland, expressed disapproval of the process regarding the Economic Development Commission and the Redevelopment Commission's actions approving the Economic Development bonds and the development agreement.

Mr. Kondrat opined that the Redevelopment Commission appointees acted upon instructions from the Town Council President.

2. Lydia Shotts, Highland, asked via Zoom, that the Redevelopment Commission meetings be also transmitted on Zoom.

It was noted that the Redevelopment Commission elected to resume meeting in person without resort to the Zoom platform.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period November 23, 2021, through December 13, 2021 and the payroll dockets for payday of November 19, 2021, and the Payroll December 3, 2021. Councilor Black seconded. Upon a roll call vote, there were five affirmatives, no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance, including the payroll docket, were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$499,154.41; Motor Vehicle Highway and Street (MVH) Fund, \$27,280.25; Law Enforcement Continuing Education and Training and Supply Fund, \$4,876.80; Insurance Premium Agency Fund, \$228,630.54; Gasoline Payment Agency Fund, \$26,517.11; Information Communications Technology Fund, \$12,717.79; Special Events Non Reverting Fund, \$1,721.54; Police Pension Fund, \$3,887.80; Municipal Cumulative Capital Development Fund, \$81,915.58; General Improvement Fund, \$325.00; Traffic and Law Violations Agency Fund, \$6,000.00; Municipal Cumulative Street Fund, \$3,634.60; Community Crossings Grant Fund, \$944,107.84; Public Safety Local Income Tax Fund, \$14,305.5; and Payroll Agency Fund, \$96.78: \$1,855,171.55.

Payroll Docket for payday of November 19,2021:

Council, Boards and Commissions, \$8,415.27; Office of Clerk-Treasurer, \$15,088.85; Building and Inspection Department, \$8,291.38; Metropolitan Police Department, \$115,184.26; Public Works Department (Agency), \$68,164.42; Fire Department, \$3,863.14; Information Communications Technology Fund, \$3,538.47 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$290,967.58.

Payroll Docket for payday of December 03, 2021:

Council, Boards and Commissions, \$8,415.27; Office of Clerk-Treasurer, \$16,097.86; Building and Inspection Department, \$9,534.08; Metropolitan Police Department, \$123,948.05; Public Works Department (Agency), \$68,659.60; Fire Department, \$5,007.68; Information Technology Communications Department, \$3,538.47 and 1925 Police Pension Plan Pension Fund, \$68,421.79; Total Payroll: \$303,622.80.

Adjournment of Plenary Meeting. There being no further business on the agenda, the Town Council President declared the regular plenary meeting of the Town Council of Monday, December 13, 2021, adjourned at 8:22 O'clock p.m.

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

Approved by the Town Council at its meeting of _____, 2021.

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