


Agenda
Fifty-seventh Regular or Special Meeting
of the Twenty-Ninth Town Council of Highland
Regular Plenary Meeting of Monday, December 27, 2021 at 6:30 p.m.
 Agenda organized pursuant to Section 2.05.090 of the Highland Municipal Code
 This meeting will be convened as an electronic meeting, pursuant to Governor
 Holcomb's Executive Orders, 20-04, 20-09, 20-25 and extended by Executive
 Order 21-31, allowing such meetings, pursuant to IC 5-14-1.5-3.7 for the
 duration of the emergency, through to January 1.

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

<https://us06web.zoom.us/j/89404464944?pwd=dUFodWNLO3FXQjU1eHZsV2dYOnEyUT09>

Further, some may need to access the electronic meeting by using the preceding link and adding the Meeting ID 894 0446 4944, and the password (code): 530352.

Prayer:	Bernie Zemen
Pledge of Allegiance:	Bernie Zemen
Roll Call:	Bernie Zemen
	Mark A. Herak
	Mark J. Schocke
A GREAT PLACE TO CALL HOME	Thomas (Tom) Black
	Roger Sheeman

Minutes of Previous Session:	Minutes of the Regular Meeting of 13 December 2021.
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Special Orders:	<ol style="list-style-type: none"> 1. Administration of Oath of Office for Police Officer Candidate John A. Freyek and Police Officer Candidate James M. Glidewell. Police Officer Candidates Freyek and Glidewell were appointed by the Town Board of Metropolitan Police Commissioners at its meeting of 9 December 2021, with the appointment to be effective December 26, 2021, but not earlier than approval by Indiana Public Retirement System (INPRS). <ol style="list-style-type: none"> (a) Instruction and Administration of Oath. (b) Presentation of Badges by Metropolitan Police Commission Chair and/or Town Council President or the Metropolitan Police Chief.
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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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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.

**Unfinished
Business &
General Orders:**

1. **Introduced 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). *(This ordinance was introduced and filed by Councilor Herak at the Town Council meeting of December 13, 2021.)*
2. **Introduced 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. *(Councilor Herak introduced and filed this Ordinance at the Town Council Meeting of December 13, 2021. 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. The introduced ordinance was marked up at the Study Session of December 20, 2021)*
3. **Proposed Ordinance No. 1761:** An Ordinance to Make Technical Updating Amendments To The Current Code of Ordinances for The Town of Highland, Particularly Amending Chapter 3.45, Making Revisions to the Motor Vehicle Highway Fund, All Pursuant To IC 36-1-5 and IC 36-1-27 Et Seq.
4. **Resolution No. 2021-57:** A Resolution Of The Town Of Highland, Indiana Adopting A Plan As Adopted And Filed With The Town Council In An Open Meeting For The Disposal Of Property Owned By The Redevelopment Department That Was Obtained From The County, Pursuant To I.C. 36-7-14-22.5
5. **Works Board Order No. 2021-44:** An Order of the Board of Works, jointly considered as a resolution of the Water Works Board of Directors, and the Sanitary Board Approving and Authorizing Change Order No. 1 to the Construction Contract between the Highland Board of Works and Dyer Construction Co., Inc. for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project.
6. **Works Board Order No. 2021-45:** An Order Authorizing and Approving An Agreement between The Idea Factory and the Town of Highland to perform Professional Communications and Media Design and Development services for the Municipality.
7. **Works Board Order No. 2021-46:** An Order Authorizing, and Approving the Payment of Elective Honoraria to the Municipal Departments and Select Event Participants in Recognition of and in Goodwill for their Assistance and Support of the Events under the Aegis of the Community Events Commission and Authorizing the Payment of Elective Honoraria for Their Participation in the Special Events Organized by the Community Events Commission.

NEW BUSINESS:

Comments or Remarks from the Town Council: (Good of the Order)	Councilor Bernie Zemen
	Councilor Mark Herak
	Councilor Mark Schocke
	Councilor Thomas Black

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Councilor Roger Sheeman

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.
ACTION TO PAY Accounts Payable Vouchers	Accounts payable vouchers December 14, 2021 to December 27, 2021 in the amount of \$645,181.46 . Payroll Docket for the payday of December 17, 2021 in the amount of \$232,118.72 .
ADJOURNMENT	The Town Council may meet in study session immediately following the Regular Meeting. <i>Posted pursuant to IC 5-14-1.5-4(a)</i>

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.

**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:	\$ 6,901.00
Total 100 Series:	\$ 6,901.00

TOTAL for the FUND: \$ 6,901.00

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 Lynumn-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
HLNRS61	11/2/2021	HLNRS61	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-SVTBNFXSY Electronic distribution - NO MEDIA Contract: Indiana GovPro Agreement (018-A)	5	3781296	\$515.58	\$2,577.90
Getac I20W 11-16V 22-32V DC Vehicle Adapter Mfg. Part#: GAD2XB Contract: Indiana GovPro Agreement (018-A)	5	5522532	\$95.23	\$476.15
Hevis Vehicle Dock - port replicator Mfg. Part#: OHHGTCB01 Contract: Indiana GovPro Agreement (018-A)	5	5677278	\$638.58	\$3,192.90
GETAC A140G2 IS-10210U 256/R W10P Mfg. Part#: AM20Z4DASDXX 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

	Search Eric	(877) 499-8915	seeneil@cdwg.com
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LEASE OPTIONS

FHV TOTAL	FHV LEASE OPTION	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.

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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

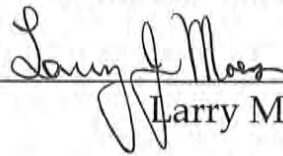
STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

CERTIFICATE of APPOINTMENT

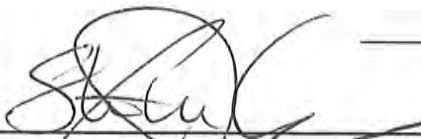
This is to certify that the Town Board of Metropolitan Police Commissioners for the Town of Highland, acting in accordance with applicable law, on the 9th day of December 2021 in the Town of Highland in said County and State, in which it is set forth and declared **James M. Glidewell**, being of good moral character, was duly appointed to the position of Police Officer, subject to a probationary period, in and for said Town to serve during the probationary or regular appointment if conferred, only during good behavior, subject to the terms and provisions of the Rules, Regulations and Standard Operating Procedures duly adopted and in force for the Highland Metropolitan Police Department and for the citizens of the Town of Highland, all pursuant to I.C. 36-8-9 et seq., with said appointment to be effective, upon its approval, beginning on the 26th day of December, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and send this certification to be made part of the records of the Town of Highland, Lake County, Indiana this 9th day of December 2021.

**By: Town Board of Metropolitan
Police Commissioners of Highland**



Larry Moes, Chairman



Steve Jurczak, Secretary

Pursuant to IC 5-4-1-2 (a), the oath which is to be signed by the person taking the oath, and certified to by the officer before whom the oath was taken, may be found attached to this certificate or affixed to its reverse side.

OATH OF OFFICE

I, **James M. Glidewell**, do solemnly (swear or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as Police Officer of the Town of Highland, Indiana, according to law, and to the best of my ability, so help me God.

James M. Glidewell

IN WITNESS WHEREOF as subscribed and sworn/affirmed before me, I hereunto set my hand and Corporate seal of the Town of Highland, Indiana this ____ day of _____, 2021. I certify that I am the duly elected, qualified, acting and serving Clerk-Treasurer for the Town of Highland, and as such empowered pursuant to IC. 33-16-4-1; IC 36-5-6-5 to make acknowledgments.

Authority Expiration: The Director of the Lake County Board of Elections and Registration Certified the Election of November 3, 2015, officially November 18, 2015. I was qualified to office upon my oath administered December 28th, 2015, to serve for a term of four years commencing at noon January 1, 2016 and until a successor is elected and qualified. IC 36-5-6-2(b)

Michael W. Griffin, IAMC/CMC/CMFA/CPFIM/CMO
Town of Highland Clerk-Treasurer

I.C. 36-8-9-4(a)(c)Highland Municipal Code § 51; I.C. 5-4-1-1

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

CERTIFICATE of APPOINTMENT

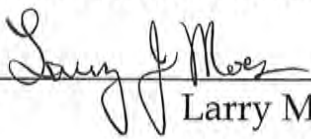
This is to certify that the Town Board of Metropolitan Police Commissioners for the Town of Highland, acting in accordance with applicable law, on the 9th day of December 2021 in the Town of Highland in said County and State, in which it is set forth and declared **John A Freyek**, being of good moral character, was duly appointed to the position of Police Officer, subject to a probationary period, in and for said Town to serve during the probationary or regular appointment if conferred, only during good behavior, subject to the terms and provisions of the Rules, Regulations and Standard Operating Procedures duly adopted and in force for the Highland Metropolitan Police Department and for the citizens of the Town of Highland, all pursuant to I.C. 36-8-9 et seq., with said appointment to be effective, upon its approval, beginning on the 26th day of December, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and send this certification to be made part of the records of the Town of Highland, Lake County, Indiana this 9th day of December 2021.

**By: Town Board of Metropolitan
Police Commissioners of Highland**



Steve Jurczak, Secretary



Larry Moes, Chairman

Pursuant to IC 5-4-1-2 (a), the oath which is to be signed by the person taking the oath, and certified to by the officer before whom the oath was taken, may be found attached to this certificate or affixed to its reverse side.

OATH OF OFFICE

I, **John A Freyek**, do solemnly (swear or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as Police Officer of the Town of Highland, Indiana, according to law, and to the best of my ability, so help me God.

John A.Freyek

IN WITNESS WHEREOF as subscribed and sworn/affirmed before me, I hereunto set my hand and Corporate seal of the Town of Highland, Indiana this ____ day of _____, 2021. I certify that I am the duly elected, qualified, acting and serving Clerk-Treasurer for the Town of Highland, and as such empowered pursuant to IC. 33-16-4-1; IC 36-5-6-5 to make acknowledgments.

Authority Expiration: The Director of the Lake County Board of Elections and Registration Certified the Election of November 3, 2015, officially November 18, 2015. I was qualified to office upon my oath administered December 28th, 2015, to serve for a term of four years commencing at noon January 1, 2016 and until a successor is elected and qualified. IC 36-5-6-2(b)

Michael W. Griffin, IAMC/CMC/CMFA/CPFIM/CMO
Town of Highland Clerk-Treasurer

I.C. 36-8-9-4(a)(c)Highland Municipal Code § 51; I.C. 5-4-1-1

**TOWN OF HIGHLAND
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)**

WHEREAS, The Highland Economic Development Commission (the "Commission") of the Town of Highland, Lake County, Indiana (the "Town"), adopted a resolution on November 3, 2021, finding that the financing of economic development facilities of S.J. Highland LLC, or its designee (the "User"), complies with the purposes and provisions of Indiana Code 36-7-11.9, sections 12 and 14 (collectively, the "Act"), and that such financing will be of benefit to the health and welfare of the Town and its citizens;

WHEREAS, Following a public hearing on November 3, 2021, the Commission adopted a resolution which approved and recommended the adoption of this form of Ordinance by the Town Council of the Town (the "Council"), considered the issue of adverse competitive effect and has approved the form of the Development Agreement, Financing and Covenant Agreement and the Trust Indenture and has transmitted the same to the Town Council for approval;

WHEREAS, The Town intends to use the proceeds of the economic development financing to assist the User in (i) the acquisition of real estate and the construction and development of a senior housing project in the Town, (ii) construction of improvements to real estate and related public infrastructure improvements including, but not limited to, streets, sidewalks and sanitary sewers, and (iii) the payment of costs of issuance and other related financing costs as are determined permissible under INDIANA CODE 36-7-11.9, INDIANA CODE 36-7-12 and INDIANA CODE 36-7-14 located in or connected to the Highland Commercial Corridors Redevelopment Area (collectively, the "Project"); and,

WHEREAS, The Project is expected to create opportunities for gainful employment in the Town; now therefore,

BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana That:

Section 1. It is hereby found that the financing of the economic development facilities referred to in the Development Agreement, the Financing and Covenant Agreement and Trust Indenture approved by the Commission and presented to the Council, the issuance and sale of the Town's Taxable Economic Development Revenue Bonds, Series 2021 (Russell Project) (the "Bonds"), the use of the proceeds of the Bonds to apply to the financing of the Project, the payment of the Bonds by the TIF Revenues generated within the site of the Project within the

Highland Commercial Corridors Redevelopment Area, and the securing of said Bonds under the Financing and Covenant Agreement and Trust Indenture complies with the purposes and provisions of the Act, and will be of benefit to the health and general welfare of the Town and its citizens;

Section 2. The proceeds of the Bonds will be used for the financing of the Project will be located within the Highland Commercial Corridors Redevelopment Area at 9613 Kleinman Road, Highland, Indiana 46322;

Section 3. At the public hearing held before the Commission, the Commission considered whether the Project would have an adverse competitive effect on any similar facilities located in or near the Town, and subsequently found, based on special findings of fact set forth in the Resolution of the Commission transmitted hereto, that the Project would not have an adverse competitive effect. The Council hereby confirms the findings set forth in the Resolution of the Commission, and concludes that the Project will not have an adverse competitive effect on any other similar facilities in or near the Town, and the facilities will be of benefit to the health and general welfare of the citizens of the Town;

Section 4. The substantially final forms of the Development Agreement, the Financing and Covenant Agreement between the Town and the User (the "User's Financing Agreement"), the Trust Indenture (the "Trust Indenture") between the Town and a trustee to be appointed by the Clerk-Treasurer (the "Trustee") and all other documents to be executed in connection therewith approved by the Commission (herein collectively referred to as the "Financing Agreement" as referred to in the Act) are hereby approved, and the Development Agreement and the Financing Agreement shall be incorporated herein by reference and shall be inserted in the minutes of the Council and kept on file by the Clerk-Treasurer of the Town. In accordance with the provisions of Indiana Code 36-1-5-4, two (2) copies of the Development Agreement and the Financing Agreement are on file in the office of the Clerk-Treasurer for public inspection;

Section 5. The Town shall issue its Bonds in the total principal amount of \$4,000,000 maturing no later than a date twenty years after the issuance of the Bonds. The Bonds are to be issued to pay the costs of the acquisition, construction, equipping and installation of the Project, as more particularly set out in the Trust Indenture and the Financing Agreement, incorporated herein by reference, which Bonds will be payable as to principal and interest from TIF Revenues, as provided in the above described Trust Indenture. The Bonds shall be issued in fully registered form in denominations of \$5,000 and any integral in excess thereof or as otherwise provided in the Trust Indenture, and the Bonds shall be redeemable in whole or in part, on any date at face value, plus accrued interest to the date fixed for redemption, as provided in the Trust Indenture. Payments of principal and interest are payable in lawful money of the United States of America by check mailed or delivered to the registered owners as provided in the Trust Indenture.

The Bonds shall not constitute a debt of the Town or of the State of Indiana (the "State") within the meaning of any provisions of the Constitution or statutes of the State or a pledge of the faith and credit of the Town or of the State or grant to the owners thereof any right to have the Town or the General Assembly levy any taxes or appropriate any funds for the payment of the principal thereof or interest thereon;

Section 6. The President of the Council and the Clerk-Treasurer are authorized and directed to sell the Bonds to the User at a price of not less than 100% of the par value thereof which price shall be paid by the User in installments by the submission of proofs of payment of qualified project costs. The Bonds shall bear interest at a rate of interest not to exceed four and a half percent (4.5%) per annum;

Section 7. The President of the Council and the Clerk-Treasurer are authorized and directed to execute, attest, affix or imprint by any means the Town seal to the Development Agreement and the documents constituting the Financing Agreement approved herein on behalf of the Town and any other document which may be necessary or desirable prior to, on or after the date hereof to consummate or facilitate the transaction, including the Bonds authorized herein. The President of the Council and the Clerk-Treasurer are hereby expressly authorized to approve any modifications or additions to the Development Agreement and the documents constituting the Financing Agreement which take place after the date of this Ordinance, if such changes do not affect terms set forth in Indiana Code 36-7-12-27(a)(1) through (a)(10) with the review and advice of counsel to the Town; it being the express understanding of this Council that the Development Agreement and the Financing Agreement are in substantially final form as of the date of this Ordinance. The approval of these modifications or additions shall be conclusively evidenced by the execution and attestation thereof and the affixing of the seal thereto or the imprinting of the seal thereon; provided, however, that no such modification or addition shall change the maximum principal amount of or term of the Bonds as approved by the Council by this Ordinance without further consideration by the Council. The signatures of the President of the Council and the Clerk-Treasurer on the Bonds may be either manual or facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee, and the initial payment for the Bonds will be made to the Trustee and after such initial payment, the Bonds will be delivered by the Trustee to the User as purchaser thereof. The Bonds shall be originally dated the date of issuance and delivery thereof. Terms used herein with their initial letters capitalized which are defined in the Financing Agreement are used herein as so defined;

Section 8. The provisions of this Ordinance and the Trust Indenture securing the Bonds shall constitute a contract binding between the Town and the holders of the Bonds, and after the execution of the Trust Indenture, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as the Bonds or the interest thereon remains unpaid;

EXHIBIT

Economic Development Agreement

Section 9. This Ordinance shall be in full force and effect from and after its passage.

At its meeting of Monday, November 22, 2021, the Town Council voted unanimously to remove it from the agenda for that meeting.

Introduced and Filed on the ____ Day of December 2021. Consideration on same day or at same meeting of introduction was not taken up, pursuant to IC 36-5-2-9.8.

Duly Ordained and Adopted this ____ Day of December 2021, 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**

(SEAL)

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

ATTEST:

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

ECONOMIC DEVELOPMENT AGREEMENT

THIS ECONOMIC DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into as of the ____ day of _____, 2021, by and among the Town of Highland, Indiana (the "Town") and the Highland Redevelopment Commission (the "Redevelopment Commission" and, together with the Town, the "Town Parties"), and S.J. Highland LLC, or an affiliate thereof (the "Company"),

WITNESSETH:

WHEREAS, The Town Parties desire to foster economic development within the Town; and

WHEREAS, The Company has approached the Town Parties regarding the development of a senior housing project in the Town and related public infrastructure improvements, as more particularly described in Exhibit A attached hereto (collectively, the "Development"); and

WHEREAS, As part of the Development, the Company intends to make an investment in improvements with a development cost in the approximate amount \$31,600,000 and to undertake the Development on certain parcels of real property located within the Town in the Commercial Corridor Allocation Area (the "Property") (see Exhibit B attached hereto for a legal description and a depiction detailing the location of the Property); and

WHEREAS, The Company has requested certain economic development assistance from the Town; and

WHEREAS, The Town Parties have determined that the completion of the Development is in the best interests of the citizens of the Town, and, therefore, the Town Parties desire to take certain steps in order to induce the Company to complete the Development; and

WHEREAS, To stimulate and induce the development of the Property and the completion of the Development, the Town Parties have agreed, subject to further proceedings as required by law, to provide the economic development incentives described herein,

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

ARTICLE I.

RECITALS

1.01 Recitals Part of Agreement. The representations, covenants and recitations set forth in the foregoing recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section 1.01.

ARTICLE II.

ECONOMIC DEVELOPMENT INCENTIVES

2.01 Economic Development Revenue Bonds. The Town Parties shall, subject to further proceedings required by law, cause the issuance of economic development revenue bonds pursuant to IC 36-7-12 (the "Bonds"), in the amount of \$4,000,000 for application by the Company solely to Permissible Project Costs (as defined in Exhibit C). The Bonds shall have a term of twenty (20) years beginning on the date of issuance of the Bonds, and shall bear interest at an interest rate not to exceed four and a half percent (4.5%) per annum. The Company shall purchase the Bonds. Alternatively, at the option of the Company, the Bonds may be placed with a purchaser identified by the Company (with the Company providing such additional security as such purchaser may require beyond that pledged by the Redevelopment Commission in accordance with this Agreement) and such proceeds received by the Company shall be reduced by all costs of issuance and any market discount. If the Company (or its affiliate) purchases the Bonds, the Company shall, at the closing of the Bonds, pay all of the Redevelopment Commission's and the Town's costs of issuance and shall receive credits against the purchase price of the Bonds for (i) the costs of issuance paid by the Company, and (ii) expenditures relating to the Permissible Project Costs. The Redevelopment Commission and the Town shall not pledge to the repayment of the Bonds any tax revenues or other funds of the Redevelopment Commission or the Town, except the Pledged TIF Revenues (as defined below). The Company acknowledges that the Bonds are not privately marketable unless purchased by the Company or a private lender that the Company identifies as willing to purchase the Bonds without additional security from the Town Parties. The Company hereby agrees that non-payment of the Bonds due to the inadequacy of the Pledged TIF Revenues shall not be deemed to be a default on the Bonds.

2.02 Pledge of Pledged TIF Revenues. The Redevelopment Commission shall, subject to further proceedings required by law, and subject to the Company's compliance with its commitments pursuant to this Agreement, including in particular its commitments pursuant to Section 4.02 hereof), cause 100% of the annual tax increment revenues generated by increases in assessed valuation of the real property on the parcels constituting the Property for a period of 20 years after the date of issuance of the Bonds

(the "Pledged TIF Revenues") to be pledged to the payment of the Bonds due in the corresponding year.

ARTICLE III.

MUTUAL ASSISTANCE

3.01 Mutual Assistance. The parties agree, subject to further proceedings required by law, to take such actions, including the execution and delivery of such documents, instruments, petitions and certifications (and, in the case of the Town Parties, the adoption of such ordinances and resolutions), as may be necessary or appropriate, from time to time, to carry out the terms, provisions and intent of this Agreement and to aid and assist each other in carrying out said terms, provisions and intent. In particular, the Town Parties shall use their best efforts to assist the Company in obtaining all required zoning and other approvals and any required permits relating to the Development.

ARTICLE IV.

DEVELOPMENT

4.01 Property. The Company shall purchase the Project Site and acquire title to the property described in Exhibit B and commonly known as 9613 Kleinman Road, Highland, Indiana 46322, which is required for the construction and installation of the Ernie Strack Drive Improvements, and acquire such other property as is required for the future expansion of Kleinman Avenue (collectively, the "Scheeringa Property") from the Kenneth D. and Sandra M. Scheeringa Trust ("Scheeringa Trust"). The Company shall convey the Ernie Strack Drive Improvements and Kleinman Avenue expansion to the Town upon completion.

4.02 Development Description. The Development shall consist of the items and/or parameters set forth in Exhibit A attached hereto. The Company shall commence construction of the Development and/or demolition work necessary for the Development by no later than twelve (12) months following the successful procurement of all permits and other governmental approvals, and reasonably expects to complete the first phase of the construction and equipping of the Development by a date not later than [_____, 20__], subject to permitted delays provided for in Section 4.04 hereof.

(a) The Company shall, at its sole cost and expense, and within ten (10) days after closing on such real estate, record in the Lake County Indiana Recorder's Office, (i) the final plat of subdivision of the Project Site, and (ii) a Deed of Dedication wherein the Company dedicates, conveys and warrants the Ernie Strack Drive Parcel to the Town, subject to adequate perpetual parking and access easements for

the benefit of the Grifland Shopping Center (the "Center"), and tenants, vendors customers and other invitees (the "Easements").

(b) The Company shall, at their sole cost and expense, disconnect the Center sanitary sewer system from the Town of Griffith's system and construct and install the necessary facilities and improvements required in order to connect the Center's sanitary sewer system to the sanitary sewer system installed on the Project Site.

(c) The Company shall, at their sole cost and expense, construct and install a new Ernie Strack Drive, including all pavement, lighting, sidewalks, curbs and all stormwater lines and facilities (collectively, the "Ernie Strack Drive Improvements") and reconfigure the Center's parking lot and its access to Ernie Strack Drive pursuant to the plans of NIES Engineering, Inc. specifically labeled as follows:

(i) "ERNIE STRACK DRIVE - TOPOGRAPHIC SURVEY; PRELIMINARY R.O.W. LAYOUT dated 07/16/19-16:00, NIES Engineering, Inc. Project No. 19-504" and (ii) "ERNIE STRACK DRIVE - TOPOGRAPHIC SURVEY; PRELIMINARY ROAD & PARKING LAYOUT - OPTION 1 dated 07/16/19-16:00, NIES Engineering, Inc. Project No. 19-504" (together, the "Plans")

(d) The Company shall be responsible to pay and/or reimburse to the Town Parties the cost to the Town Parties of any and all engineering or consulting inspections of the construction work for the infrastructure (water, storm, and sanitary) and Buildings that are part of the Project, either on or off of the Project Site. The Company shall also be responsible to pay any costs and expenses incurred by the Town Parties for design review and/or construction observation during the course of construction with regard to the Project on the Project Site or improvements that serve or benefit the Project Site except as hereinbefore provided. All of Company's obligations to pay and/or reimburse the Town Parties contained in this Section shall be per the Town of Highland's current codes and ordinances, and nothing herein shall be construed to obligate Company to pay and/or reimburse the Town Parties for anything not required per code or ordinance.

4.03 Assessments and Taxes.

(a) During the period or term for which any obligation or debt service is outstanding in which tax increment is pledged to the Project as approved by resolution of the Redevelopment Commission, the Company as the property owner, including all subsequent property owner(s), waives its rights to appeal real (land and improvements) property assessed valuations of the Project or within the Project area unless deemed to be a clerical error of assessment application or a mathematical error. The Town reserves the right to waive the above

condition upon written request of the Company as a property owner, including all subsequent property owner(s).

(b) During the period or term for which any obligation or debt service is outstanding in which tax increment is pledged to the Project as approved by resolution of the Redevelopment Commission, the Company, as the property owner, including all subsequent property owner(s), waives its rights to request or file an assessed valuation deduction, credit or exemption, whether available to a property owner as of the date of this Development Agreement or which subsequently may be authorized by the State of Indiana Legislature, to tangible real property improvements to be constructed, built or developed within the relevant allocation area. The Town reserves the right to waive the above condition upon written request of the Company as the property owner, including all subsequent property owner(s).

4.04 Permitted Delays. Whenever performance is required of any party hereunder, such party shall use all due diligence and take all necessary measures in good faith to perform; provided, however, that if completion of performance shall be delayed at any time by reason of acts of God, material worsening of the existing pandemic, future pandemics, war, civil commotion, riots, strikes, picketing, or other labor disputes, unavailability of labor or materials, or damage to work in progress by reason of fire or other casualty or similar causes beyond the reasonable control of a party (other than financial reasons), then the time for performance as herein specified shall be appropriately extended by the time of the delay actually caused by such circumstances. If (i) there should arise any permitted delay for which the Company or either of the Town Parties is entitled to delay its performance under this Agreement and (ii) the Company or either of the Town Parties anticipates that such permitted delay will cause a delay in its performance under this Agreement, then the Company or such Town Party, as the case may be, agrees to provide written notice to the other parties of this Agreement of the nature and the anticipated length of such delay.

ARTICLE V.

AUTHORITY

5.01 Actions. Each of the Town Parties represents and warrants that it has taken or will take (subject to further proceedings required by law and the Company's performance of its agreements and obligations hereunder) such action(s) as may be required and necessary to enable such party to execute this Agreement and to carry out fully and perform the terms, covenants, duties and obligations on its part to be kept and performed as provided by the terms and provisions hereof.

5.02 Powers. Each of the Town Parties represents and warrants that it has full constitutional and lawful right, power and authority, under currently applicable law, to execute and deliver and perform its respective obligations under this Agreement.

ARTICLE VI.

GENERAL PROVISIONS

6.01 Indemnity; No Joint Venture or Partnership. The Company covenants and agrees at its expense to pay and to indemnify and save the Town Parties, and their officers and agents (the "Indemnitees") harmless of, from and against, any and all claims, damages, demands, expenses and liabilities relating to bodily injury or property damage resulting directly or indirectly from the Company's (and/or any affiliate's thereof) development activities with respect to the Development unless such claims, damages, demands, expenses or liabilities arise by reason of the negligent act or omission of the Town or the Redevelopment Commission, or other Indemnitees. However, nothing contained in this Agreement shall be construed as creating either a joint venture or partnership relationship between either of the Town Parties and the Company or any affiliate thereof.

6.02 Time of Essence. Time is of the essence of this Agreement. The parties shall make every reasonable effort to expedite the subject matters hereof (subject to any time limitations described herein) and acknowledge that the successful performance of this Agreement requires their continued cooperation.

6.03 Breach. Before any failure of any party of this Agreement to perform its obligations under this Agreement shall be deemed to be a breach of this Agreement, the party claiming such failure shall notify, in writing, the party alleged to have failed to perform such obligation and shall demand performance. No breach of this Agreement may be found to have occurred if performance has commenced to the reasonable satisfaction of the complaining party within thirty (30) days of the receipt of such notice. If after said notice, the breaching party fails to cure the breach, the non-breaching party may seek any remedy available at law or equity.

6.04 Amendment. This Agreement, and any exhibits attached hereto, may be amended only by the mutual consent of the parties, by the adoption of a resolution of each of the Town Parties approving said amendment, as provided by law, and by the execution of said amendment by the parties or their successors in interest.

6.05 No Other Agreement. Except as otherwise expressly provided herein, this Agreement supersedes all prior agreements, negotiations and discussions relative to the subject matter hereof and is a full integration of the agreement of the parties, including the Agreement among S.J. Highland, LLC,

Griffland Center, Inc., the Town of Highland, Indiana, and the Highland Redevelopment Commission dated as of September 30, 2019.

6.06 Severability. If any provision, covenant, agreement or portion of this Agreement or its application to any person, entity or property, is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants, agreements or portions of this Agreement and, to that end, any provisions, covenants, agreements or portions of this Agreement are declared to be severable.

6.07 Indiana Law. This Agreement shall be construed in accordance with the laws of the State of Indiana.

6.08 Notices. All notices and requests required pursuant to this Agreement shall be deemed sufficiently made if delivered, as follows:

To the Company:

S.J. Highland, LLC
4600 East 53rd Street
Davenport, Iowa 52807
Attention: James V. Russell
Email: dsmith@russellco.com

With a copy to:

James L. Wieser
Wieser & Wyllie, LLP
429 West Lincoln Highway
Scherville, Indiana 46375
Email: jimwieser@wieserwyllielaw.com

To the Town Parties:

Town of Highland, Indiana
333 Ridge Road
Highland, Indiana 46322
Attention: Michael W. Griffin, Clerk-Treasurer
Email: mgriffin@highland.in.gov

Highland Redevelopment Commission
333 Ridge Road
Highland, Indiana 46322
Attention: Kathy DeGuilio-Fox, Director
Email: kdeguilio-fox@highland.in.gov

With a copy to:

Jimmy Shanahan
Taft Stettinius & Hollister LLP
111 East Wacker, Suite 2800
Chicago, Illinois 60601
Email: jdshanahan@taftlaw.com

or at such other addresses as the parties may indicate in writing to the other either by personal delivery, courier, or by registered mail, return receipt requested, with proof of delivery thereof. Mailed notices shall be deemed effective on the third day after mailing; all other notices shall be effective when delivered.

6.09 Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.

6.10 Assignment. The rights and obligations contained in this Agreement may not be assigned by the Company or any affiliate thereof without the express prior written consent of each of the Town Parties; provided, however, that the Company may transfer all or a portion of its rights and obligations hereunder to an affiliate of the Company upon notice to but without the consent of the Town Parties, but any such transfer to an affiliate of the Company shall not have the effect of releasing the Company from its obligations hereunder.

6.11 No Third Party Beneficiaries. This Agreement shall be deemed to be for the benefit solely of the parties hereto and shall not be deemed to be for the benefit of any third party.

6.12 Effective Date. Notwithstanding anything herein to the contrary, this Agreement shall not be effective until all parties hereto have executed this Agreement and each of the Town Parties has approved or ratified this Agreement at public meetings.

IN WITNESS WHEREOF, the parties have duly executed this Agreement pursuant to all requisite authorizations as of the date first above written.

TOWN OF HIGHLAND, INDIANA

By: _____
Roger Sheeman, Town Council
President

TOWN OF HIGHLAND
REDEVELOPMENT COMMISSION

By: _____
Cyril Huerter , President

S.J. Highland, LLC

By:

James V. Russell, Manager

EXHIBIT A

DESCRIPTION OF DEVELOPMENT

The Development shall consist of (i) the acquisition of real estate and the construction and development of a senior housing project in the Town consisting of a 3 story facility with an estimated 60 independent living units, 55 assisted living units, and 21 memory care units for a total of 136 units, parking and other related site improvements, (ii) construction of improvements to real estate and related public infrastructure improvements including, but not limited to, streets, sidewalks and sanitary sewers, and (iii) the payment of costs of issuance and other related financing costs as are determined permissible under INDIANA CODE 36-7-11.9, INDIANA CODE 36-7-12 and INDIANA CODE 36-7-14 located in or connected to the Highland Commercial Corridors Redevelopment Area (collectively, the "Project").

EXHIBIT B

LEGAL DESCRIPTION FOR PROJECT SITE (TO BE ACQUIRED BY THE DEVELOPER)

That part of the west half of the north half of the southeast quarter of the southeast quarter and the east half of the east half of the southeast quarter of Section 27, Township 36 north, Range 9 west of the Second Principal Meridian described as follows: beginning at the southwest corner of said west half; thence $NO^{\circ}05'27''W$ along the west line of said west half, 661.02 feet to the northwest corner thereof; thence $S89^{\circ}40'53''E$ along the north line of said west half and the north line of said east half, 1327.98 feet to the northeast corner of said east half; $SO^{\circ}01'01''W$ along the east line of said Section 27, 688.70 feet; thence $N89^{\circ}25'59''W$, 210.00 feet; thence $SO^{\circ}00'39''W$, 2.82 feet; thence $N89^{\circ}42'07''W$, 453.35 feet to the west line of said east half; thence $NO^{\circ}02'13''W$, 30.00 feet to the south line of said west half; thence $N89^{\circ}42'07''W$ along said south line, 633.37 feet to the point of beginning (excepting therefrom of Lot 1 of Gartland Center Inc. First Addition to the Town of Highland as recorded in Plat Book 63, Page 3) in Lake County, Indiana.

876,115 sq. ft.
20.113 acres

LEGAL DESCRIPTION FOR THE ERNIE STRACK DRIVE PARCEL (TO BE DEDICATED TO THE TOWN BY THE DEVELOPER)

That part of the west half of the north half of the southeast quarter of the southeast quarter and the east half of the east half of the southeast quarter of Section 27, Township 36 north, Range 9 west of the Second Principal Meridian described as follows: commencing at the southwest corner of said west half; thence $S89^{\circ}42'07''E$ along the south line of said west half, 30.00 feet for a point of beginning; thence $NO^{\circ}05'27''W$ along the east line of the west 30.0 feet of said west half, 40.00 feet; thence $S89^{\circ}42'07''E$ parallel with the south line of said west half, 200.00 feet; thence $SO^{\circ}17'53''VV$ perpendicular to the south line of said west half, 10.00 feet to a line 30.0 feet north of and parallel with the south line of said south half; thence $S89^{\circ}42'07''E$ along said parallel line and the easterly extension thereof, 886.87 feet to the west line of Lot 1 of Griffland Center Inc. First Addition to the Town of Highland as recorded in Plat Book 63, Page 3; thence $SO^{\circ}01'01''E$ along said west line, 11.18 feet to the southwest corner of said Lot 1; thence $S89^{\circ}25'59''E$ along the south line of said Lot 1, 170.00 feet to the southeast corner of said Lot 1, being also a point on a line parallel with and 40 feet west of the east line of said southeast quarter; thence $SO^{\circ}01'01''W$ along said parallel line, 46.00 feet to a line parallel with and 46 feet south of said south line of said Lot 1; thence $N89^{\circ}25'59''W$ along said parallel line, 170.00 feet; thence $SO^{\circ}00'39''W$, 2.82 feet; thence $N89^{\circ}42'07''W$, 453.35 feet to the west line of said east half; thence $NO^{\circ}02'13''W$, 30.00 feet to the south line of said west half; thence $N89^{\circ}42'07''W$ along said south line, 633.37 feet to the point of beginning in Lake County, Indiana,

56,024 sq. ft.
1.286 acres

LEGAL DESCRIPTION FOR THE GRIFFLAND PROPERTY

Parcel 1:

That part of the west half of the south half of the southeast quarter of the southeast quarter of section 27, Township 36 north, Range 9 west of the Second Principal Meridian described as follows: beginning at the northwest corner of said west half; thence $S89^{\circ}42'07''E$ along the north line of said west half, 663.37 feet to the east line of said west half; thence $SO^{\circ}02'13''E$ along said east line, 30.00 feet; thence $N89^{\circ}42'07''V$ parallel with the north line of said west half, 433.82 feet; thence $SO^{\circ}17'53''W$ perpendicular to said north line of said west half, 10.00 feet; thence $N89^{\circ}42'07''rW$ parallel with said north line of said west half, 229.46 feet to the west line of said west half; thence $NO^{\circ}05'27''W$ along said west line, 40.00 feet to the point of beginning in Lake County, Indiana., and:

Parcel 2:

The south 140.0 feet of the north 180.0 feet of the west 30.0 feet of west half of the south half of the southeast quarter of the southeast quarter of Section 27, Township 36 north, Range 9 west of the Second Principal Meridian in Lake County, Indiana.

26,395 sq. ft.

0.606 acres

EXHIBIT C

PERMISSIBLE PROJECT COSTS

The net proceeds of the Bonds (net of costs of issuance) may be used only for the following costs:

- Acquisition of easements and reconstruction of the private drive known as Ernie Strack Drive
- Construction of potable water, waste water and storm water lines
- Construction of public infrastructure necessary or desirable for the Project including, but not limited to, sidewalks, lighting and other improvements
- Landscaping
- Professional, engineering and design fees relating to the above

ORDINANCE No. 1760
of the
TOWN of HIGHLAND, INDIANA

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.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

WHEREAS, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

WHEREAS, I.C. 36-5-3-2(b), still further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

WHEREAS, Pursuant to IC 36-8-9-5, the town legislative body shall appropriate a sum sufficient to pay the salaries of the members of the town police department;

WHEREAS, Pursuant to IC 36-8-9-4(b), the town legislative body shall determine the compensation to be paid to members of the police department in amounts that are just and reasonable;

WHEREAS, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year; and,

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to fix the compensation of its elected officers, appointed officers and employees of the Town for the year ensuing and thereafter,

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, that the Wages, Salaries, and special detail levels of the Officers and Employees of the Town of Highland, are hereby established and fixed, pursuant to the provisions indicated herein and as follows:

Section 1. (A) That except as otherwise expressly provided in this ordinance or the compensation and benefits ordinance, the base salary or wage outlined in this ordinance is hereby authorized for all regular full-time employees of the municipality who occupy an authorized position of the municipality at the time of its passage and adoption, with any changes set forth herein to be effective from the date indicated in this ordinance or at the conclusion of an authorized medical disability leave;

(B) That department heads and the Clerk-Treasurer are

hereby authorized to grant an increase in the amount of up to thirty-five cents (35¢) per hour, at the department head's or the clerk-treasurer's discretion, for regular part-time, non-temporary employees and street crossing guards currently in service with the municipality in their position as of this enactment's passage, *provided* such increase remains within prescribed ranges or terms of this ordinance;

(C) That no other wage or salary increases not otherwise provided by statute or by ordinances of the Municipality may be distributed to any single employee or officer, unless specifically approved by the Town Council or proper board of jurisdiction;

Section 2. (A) That unless otherwise provided by this ordinance, all new employees will start at the identified starting wage or salary for their job position unless approved by the Town Council or authorized board of jurisdiction to do otherwise. Where no starting wage or salary is depicted, the Town Council or authorized board of jurisdiction shall fix such pay by proper enactment prior to the payment of wages or salary. **Department heads shall notify the Clerk-Treasurer in writing of all individual raises and their effective dates;**

(B) Further, department heads shall report all rates and wages as a rate per hour for all hourly wage earners and a bi-weekly rate for all salaried wage earners as set forth in this ordinance. **Such other increases or change of biweekly or hourly pay executed pursuant to this ordinance shall not be made effective earlier than the month in which the change is reported and is properly filed;**

(C) That still further, pursuant to IC 36-5-3-2(d), for the compensation of services performed for the town and are connected with the operation or a municipally owned utility or function, the salaries and wages fixed for the officers and employees in the Office of the Clerk-Treasurer and the Public Works Department (Agency) are hereby fixed in this ordinance but the governing bodies of the municipal utilities shall authorize the payment from utility resources the amounts that will support the payments authorized in this ordinance;

(D) *Incumbent defined.* Further, except as otherwise provided in the compensation and benefits ordinance regarding acting pay, the term "*Incumbent rate*" as used in this ordinance shall be construed to mean a rate or wage applied to a worker in the position for *more than one year*;

Section 3. That supervisors will receive no overtime pay except as provided in the most recently adopted compensation and benefits ordinance, as amended. Supervisors and Department Heads are further advised as follows:

(A) **Except where otherwise provided**, new temporary employees will receive no less than **\$9.00** per hour; further, returning temporary employees may receive up to **\$9.35** per hour; and Experienced temporary employees may receive up to **\$9.70** per hour, provided such increase remains within prescribed ranges;

(B) Temporary employee is defined in compensation and benefits ordinance, commonly called the Employee Handbook, as amended. Returning temporary employee is defined as an employee who has once previously worked for the Town of Highland. Experienced temporary employee is defined as an employee who

Attorney paid at an hourly rate according to terms set forth in attorney's letter of acceptance on file.

Recording Secretary \$ 50 per month

(C) Municipal (Advisory) Plan Commission

Chairman (Citizen member) (1) ~~\$ 150 per quarter~~ \$ 50 per month

Citizen Member Secretary (1) ~~\$ 120 per quarter~~ \$ 40 per month

Citizen Members (2) ~~\$ 120 per quarter~~ \$ 40 per month

Legislative Body appointees (3) see below

If legislative body appointees are elected or appointed officials of the municipality, they are not entitled to pay for service on municipal plan commission in order to be consistent with the purposes of Article 2, Section 5 of the Indiana Constitution.

Attorney paid at an hourly rate according to terms set forth in attorney's letter of acceptance on file.

Recording Secretary \$ 50 per month

(D) Town Board of Metropolitan Police Commissioners

Chairman (1) \$ 50 per month

Members (4) \$ 40 per month

Attorney \$ 200 per month

Recording Secretary \$ 50 per month
(Commissioners salaries are payable monthly. Pursuant to State law; Confer IC 36-8-9-3.1(g))

(E) Board of Sanitary Commissioners

The Town Council hereby incorporates by reference and approves the compensation for each individual commissioner of the Board of Sanitary Commissioners pursuant to the provisions of I.C. 36-9-25-3(e) which reads: "The appointed commissioners are entitled to a salary of not less than three thousand six hundred dollars (\$3,600) a year during actual construction and not less than six hundred dollars (\$600) a year in other years:

(1) During Actual Construction:

President (1) \$ 4,500.00 per year (\$375.00 mo.)
Commissioners (4) each \$ 3,600.00 per year (\$300.00 mo.)

(2) During other years:

President	(1)	\$ 750.00 per year (\$62.50 mo.)
Commissioners	(4) each	\$ 600.00 per year (\$50.00 mo.)

(F) Water Works Board of Directors

President	(1)	\$ 50 per month
Citizen Members	(4) each	\$ 40 per month

(G) Park and Recreation Board

President	(1)	\$150 per quarter	\$50 per month
Citizen Members	(3) each	\$120 per quarter	\$40 per month
Member appointed by School Board	(1)		See below
Member appointed by Library Board	(1)		See below

Authority to Fix this compensation: IC 36-10-3-9(a). The salary of any board members whose appointing authority is other than the **Town Legislative Body** will not be paid from the Municipal Treasury but may be paid from the treasury of the appointing authority, subject to law. However, any Board member whose appointing authority is other than the **Town Legislative Body** has all other rights of members appointed by the **Town Legislative Body** including the payment of actual expenses as provided in IC 36-10-3-9(b).

(H) Redevelopment Commission

Redevelopment Commissioners who do not otherwise hold a lucrative office for the purpose of Article 2, Section 5 of the Indiana Constitution shall receive the salary, which is hereby fixed as follows:

President	(1)	\$ 50 per month
Vice President	(1)	\$ 40 per month
Secretary	(1)	\$ 40 per month
Members	(2)	\$ 40 per month

All Redevelopment Commissioners are entitled to reimbursement for expenses necessarily incurred in the performance of their duties. (Pursuant to State law; Confer IC 36-7-14-7(f)(g));

Section 7. Office of the Clerk-Treasurer. That subject to the provisions of this ordinance, the salary and wages for the elected officers, non-elected officers and employees of the Town of Highland are hereby fixed for its **Office of the Clerk-Treasurer** as follows:

(A) Elected Officer Clerk-Treasurer

That the salary of the clerk-treasurer shall be paid biweekly and shall be hereby fixed as set forth below:

(1) That subject to subdivision (D), the compensation for a Clerk-Treasurer possessing a **baccalaureate** level degree in a related field granted from an accredited University or College is hereby fixed at **\$3,024.24** bi-weekly;

(2) That, subject to subdivision (D), the compensation for a Clerk-Treasurer possessing an associate's level degree or less from an accredited University or College is hereby fixed at **\$2,933.51** bi-weekly;

(B) Deputy Clerk-Treasurer

(1) That, subject to subdivision (D), the base compensation for a deputy clerk-treasurer with an associates level degree or less granted from an accredited University or College is hereby fixed as follows:

Starting Rate	Incumbent Rate (after 1 year)
\$1,961.01	\$ 2,054.32 bi-weekly

(2) That, subject to subdivision (D), the compensation for a deputy clerk-treasurer possessing a **baccalaureate** level degree in a relevant field granted from an accredited University or College is hereby fixed as follows:

Starting Rate	Incumbent Rate
\$ 2,191.05	\$ 2,191.05 bi-weekly

(C) Associate Employees and Staff

	Starting Rate	Incumbent Rate
(1) Fiscal Analyst	(1)	
That the person selected for this position must possess at least a baccalaureate level degree in a relevant field granted from an accredited University or College. Subject to subdivision (D), the base compensation for a fiscal analyst is hereby fixed as a biweekly salary as follows:		
	\$ 2,191.05	\$ 2,246.40
(2) Encumbering Officer	(1)	\$ 20.57
(3) Associate Clerk, Payroll & Personnel	(1)	\$ 20.57 hr.
(4) Chancery / Bursar Clerk, Senior	(1)	\$ 19.80 hr.
(5) Chancery / Bursar Clerk	(2)	\$ 19.47 hr.
(6) Lead Utility Clerk	(1)	\$ 20.57 hr.
(7) Utility Systems Clerk	(2) ^{xx}	\$ 19.47 hr.
(8) Chamberlain Clerk (part-time)	(X)	\$ 15.74 - \$ 16.20
(9) Chancery & Bursar Aide (part-time)	(X)	\$ 9.36 - \$ 16.20

hr.

^{xx}If a worker is assigned the **Lead Utility Clerk** position, the authorization for this position is reduced to one (1).

(10) For the purpose of training or special assistance, retired senior staff or separated staff may be paid as part-time workers at the hourly rate equivalent of the approved position held at separation including longevity and certification pay prior to retirement or separation.

(D) *Certifications*: That a full-time worker described in subsection (B) and (C), or the officer and employee described in subsection (A) possessing a relevant professional certification from a generally accepted professional association including **but not limited to** Indiana League of Municipal Clerks and Treasurers, International Institute of Municipal Clerks, Association of Public Treasurers, Government Finance Officers Association, Society of Management Accountants, the American Society of Public Accounts, the American Water Works Association, or the American Payroll Association as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

		<i>Salaried adds</i>	<i>Hourly adds</i>
Indiana Accredited Municipal Clerk	(IAMC)	\$40.00 bi-weekly	50¢ per hour
Certified Municipal Clerk	(CMC)	\$50.40 bi-weekly	63¢ per hour
Master Municipal Clerk	(MMC)	\$75.20 bi-weekly	94¢ per hour
<i>(MMC pay substitutes and replaces the CMC pay. Pursuant to IIMC rules, the MMC replaces the CMC and that latter designation is dropped)</i>			
Certified Public Finance Administrator	(CPFA)	\$40.00 bi-weekly	50¢ per hour
Certified Public Finance Administrator Advanced	(ACPFPA)	\$80.80 bi-weekly	1.01¢ per hour
Certified Public Funds Investment Manager	(CPFIM)	\$50.40 bi-weekly	63¢ per hour
Certified Public Funds Investment Manager Advanced	(ACPFIM)	\$98.40 bi-weekly	\$1.23 per hour
<i>(ACPFIM pay substitutes and replaces the CPFIM pay. Pursuant to APT US&C rules, the ACPFIM replaces the CPFIM and that latter designation is dropped)</i>			
Certified Public Finance Officer	(CPFO)	\$98.40 bi-weekly	\$1.23 per hour
Fundamental Payroll Certification	(FPC)	\$50.40 bi-weekly	63¢ per hour
Certified Payroll Professional	(CCP)	\$75.20 bi-weekly	94¢ per hour
(Utility) Customer Service Representative	(CCR)	\$75.20 bi-weekly	94¢ per hour
For any qualifying professional certification that is unlisted, the pay shall be based upon the established rate for the CMC credential.			

(E) *Special assignment*. Pursuant to and not in derogation of the authority conferred in I.C. 36-5-6-7, the clerk-treasurer may designate up to two (2) positions described subsections (B) or (C) as senior staff, part of supervisory succession, eligible to receive the following amount to be added to base pay: Senior Staff assignment eighty cents per hour.

(F) Additional provisions Training and Transition.

For any position described in subsections (B) and (C), a duly selected or promoted successor employee may be paid at the new position's pay rate even when the position is still occupied by a departing incumbent employee for the purposes of training by the incumbent employee. The foregoing training pay arrangement may not be for a period of longer than ninety (90) days.

Section 8. Building and Inspection Department. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Building and Inspection**

Department as follows:

	Starting Rate	Incumbent Rate
(A) Chief Inspector/Building Commissioner (1)		\$ 2,944.74;
(B) Assistant Inspectors:		
(1) Code Enforcement Officer (1)	\$ 20.80 - \$27.48 hr.	
(2) Assistant Inspector for Electrical (part-time)	\$ 24.37 - \$32.14 hr.	
(3) Notwithstanding the provisions of Section § 2.05 of the Compensation and Benefits Ordinance, the hourly part-time employee(s) performing enforcement duties are regular part-time employees, however they may regularly work up to 78 hours in a pay period.		
<i>(Fee based compensation)</i>		
(4) Assistant Inspector for Plumbing (part-time)	\$18.00	for each one-unit plumbing examination proctored as provided in § Section 15.20.020 (G)(1), and thus hereby amended.
	\$25.50	for each inspection performed as described in Section 15.20.020 (G)(2) of the Highland Municipal Code, and thus hereby amended.

(C) Associate Employees and Staff

	Starting Rate	Incumbent Rate
(1) Inspection Clerk (1)	\$16.59	\$16.59
(2) Inspection Secretary (1)	\$19.99	\$19.99

(D) Certifications: That a full-time worker described in Section 8 possessing a relevant professional certification from a generally accepted professional association including **but not limited to** International Code Council, as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

	<i>Salaried adds</i>	<i>Hourly adds</i>
Inspector Designations (B5,E5,M5 or P5)	\$50.40 bi-weekly	63¢ per hour
Code Specialists Designations (B8,E8, FA, M8,P8 or H8)	\$50.40 bi-weekly	63¢ per hour
Master Code Professional (MCP)	\$75.20 bi-weekly	94¢ per hour
Master of Special Inspection (MSI)	\$75.20 bi-weekly	94¢ per hour
Certified Building Official (CBO)	\$101.60 bi-weekly	\$1.27 per hour

Section 9. *Public Works Department (Agency).* That subject to the provisions of this ordinance, the salary and hourly wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Public Works Department**

as follows:

(A) Supervisory Employees

		Starting Rate	Incumbent Rate
(1) Public Works Director	(1)		
With an employer provided vehicle:		\$ 3,539.26	\$ 3,539.26
Without an employer provider vehicle:		\$ 3,717.89	\$ 3,717.89
(2) Operations Director	(1)		
With an employer provided vehicle:		\$ 2,953.75	\$ 2,953.75
Without an employer provider vehicle:		\$ 3,131.39	\$ 3,131.39
(3) Division Supervisors			
Supervisor Streets	(1)	\$ 2,496.21	\$ 2,496.21
Supervisor Water & Sewer	(1)	\$ 2,496.21	\$ 2,496.21
Supervisor Maintenance	(1)	\$ 2,496.21	\$ 2,496.21
Supervisor Facilities	(1)	\$ 2,496.21	\$ 2,496.21

(B) Associate Staff and Employees

		Starting Rate	Incumbent Rate
(1) Administrative Assistant	(1)	\$ 24.50	\$ 24.50
(2) Public Works Secretary*	(1)	\$19.99	\$19.99
(3) Dispatch Clerk	(1)	\$18.08	\$18.08

* If position of administrative assistant is filled, the position of public works secretary must be vacant.

(4) Senior Utility Technician	(1)	\$ 24.50	\$ 24.50
(5) Utility Technician	(2)	\$ 19.66	\$ 19.66
<i>This position subject to base modification as outlined in subdivision E</i>			
(6) Utility Worker / Equipment Operator A	(3)	\$24.50	\$24.50
(7) Utility Worker / Equipment Operator B	(2)	\$23.97	\$23.97
(8) Pump Station Operator	(2)	\$21.15	\$21.15
<i>This position subject to base modification as outlined in subdivision D</i>			

		Starting Rate	Incumbent Rate
(9) Street Sweeper Operator	(1)	\$ 21.68	\$ 21.68
(10) Utility Worker/Driver A	(4)	\$ 23.45	\$ 23.45
(11) Utility Worker/Driver B	(3)	\$ 20.11	\$ 20.11
(12) Utility Worker/Driver C	(2)	\$ 16.99	\$ 16.99
(13) Senior Mechanic	(1)	\$ 23.15	\$ 23.15
(14) Mechanic	(1)***	\$ 22.03	\$ 22.03
(15) Mechanic	(2)	\$ 22.03	\$ 22.03-\$23.67

*** Once a worker is assigned the **Senior Mechanic's** position, the authorization for this position is reduced to zero (0).

(16) Sign & Traffic Control Technician (1) \$ 20.33 \$ 20.33

This position subject to base modification as outlined in subdivision D.

(17) Utility Worker A	(3)	\$17.76	\$17.76-\$19.32
(18) Utility Worker B	(3)	\$13.71	\$13.71 per hr.
(19) Custodian	(1)	\$16.45	\$16.45 per hr.
(20) Attendant Town Garage	(1)	\$15.29	\$15.97 per hr.
(21) Secretary (part-time)		\$ 9.64 - \$19.99	per hr.
(22) Laborer (not truck driver)(part-time)		\$ 9.64-\$ 12.47	per hr.
(23) Laborer, Seasonal Leaf Collection		\$ 9.93	per hour
(24) Master Gardener/Streetscaping (part-time)		\$12.85 - \$ 15.00	per hr.
(25) Driver C Seasonal (must have a CDL)		\$ 16.99	per hour

(C) Additional provisions.

For any position described in subsection (B) a duly selected or promoted successor employee may be paid at the new position's pay rate even when the position is still occupied by a departing incumbent employee for the purposes of training by the incumbent employee. The foregoing training pay arrangement may not be for a period of longer than ninety (90) days.

(D) *Certifications.* A full-time worker described below possessing a relevant professional certification from a generally accepted professional association as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

(1) The positions *Pump Station Operator, Utility Technician, Mechanic, Sign & traffic Control Technician* and Driver C Seasonal are eligible for the following certification pay:

Commercial Driver's License add to the hourly base pay: \$ 0.68

(2) The positions *Pump Station Operator* and *Utility Technician* are eligible for the following certification pay:

DSL Operators' License add to the hourly base pay: \$ 1.34

CT Operator's License add to the hourly base pay: \$ 1.34

(3) The position *Pump Station Operator* is eligible for the following certification pay:

Backflow prevention license add to the hourly base pay: \$ 0.68

(4) The position of *Sign and traffic Control Technician* is eligible for the following certification pay:

MUTCD* Certification add to the hourly base pay: \$ 1.34

*Satisfactory completion of training course on the Manual of Uniform Traffic Control Devices as provided by the American Public Works Association (APWA), Local Technical Assistance Program (LTAP), the American Traffic Safety Services Association (ATSSA) or the International Municipal Sign Association (ISMA).

(E) **Stand-by Duty.** During particular work periods workers in the Public Works Department (Agency) will be scheduled to stand-by, which may mean the worker will be engaged to wait for mobilization. The Public Works Director will publish written guidelines regarding administration of this duty. There is an authorized rate that shall be fixed at an hourly rate to be applied by the number of hours of stand-by duty that is assigned in a bi-weekly period. It shall be uniform for all workers. The rate is now fixed at \$1.07 per hour.

Section 10. Metropolitan Police Department. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Metropolitan Police Department** as follows:

	Starting Rate	Incumbent Rate
(A) Chief of the Department (1) (biweekly)	\$ 3,332.43	\$ 3,574.01

(B) The following ranks of Sergeant are authorized as indicated:

	Starting Rate	Incumbent Rate
(1) Sergeants (5) Bi-weekly	\$ 2,926.79	\$ 2,926.79

(2) The following ranks of Sergeant are deemed placeholder ranks. These are authorized ranks that are being held in place for department members who hold that service rank and held it before their appointment in an upper policy-making policy position, or an assignment named in (E)(5) of this ordinance, pursuant to IC 36-8-3-4 (b),(m) and IC 36-8-9-6:

	Starting Rate	Incumbent Rate
(a) Sergeants (4) (placeholders)	\$ 2,926.79	\$ 2,926.79

	Starting Rate	Incumbent Rate
(C) Corporals (8) (biweekly)	\$ 2,762.69	\$ 2,762.69

(D) **Special Assignment.** In the event that the Town Board of Metropolitan Police Commissioners determines that it is desirable or necessary to assign or detail an officer holding the rank or grade of **Sergeant** or **Corporal** to a specialty assignment or division transfer to the Crime Impact Unit of the Highland Police Department (CIU/HPD) or participates in a Multi-Jurisdictional law enforcement assignment (GRIT/FBI), while in that detail or on that assignment, the officer is to be paid at the rate set forth below, without loss of rank, and provided that the assignment and associated pay is *position-directed*, or *economically based*, and *non-disciplinary* in purpose:

- (1) Sergeant will be paid at the rate of Corporal
- (2) Corporal will be paid at the rate of Lance Corporal
- (3) An assignment as described above will not modify in any way the authorized

limit for the rank of Sergeant or Corporal as set forth in subdivisions B or C of this section.

(E) Other Police Officers and Assignments.

- (1) All initial appointments to the Metropolitan Police Department, regardless of previous law enforcement experience, shall be probationary in nature pursuant to Regulation 11 of the Metropolitan Police Department and under the authority of IC 36-8-9-7. The basis for promotion to the several grades (classes) will be based upon written guidelines, rules or regulations determined by the Town Board of Metropolitan Police Commissioners.
- (2) A candidate/officer possessing a Law Enforcement Academy certification is eligible for initial appointment to Police Officer classes 1-4. A candidate/officer possessing no Law Enforcement Academy certification is only eligible for initial appointment to Police Officer class 4.
- (3) *Special position.* There is established a pay grade styled as Police Officer 1 (Special). An officer possessing the rank of Police Officer First (Class), that possesses at least thirty four years of service as a police officer, the last twenty-five of which have been served consecutively and successfully with the Highland Metropolitan Police Department, shall be paid the identified biweekly salary as base pay. For the purposes of establishing pension benefits under IC 36-8-1-11, IC 36-8-6-9, IC 36-8-6-9.6, IC 36-8-8.5 and IC 36-8-8-11, employee contributions under IC 36-8-6-4(3) and IC 36-8-8-8, or employer contributions under IC 36-8-8-6, the salary of the Patrol Officer 1 (Special) plus the longevity pay fixed for twenty years shall be used. The pay for this position was in effect on May 14, 2021. Pursuant to IC 36-8-1-11 (b), this pay will not be amended or changed as the basis for certified pay, until this salary is not greater than the salary of a non-special Police Officer 1.

(4) Patrol Officers:	Starting Rate	Incumbent Rate
Police Officer 1 (Special)	\$ 2,885.17	\$ 2,885.17
Police Officer 1	\$ 2,611.93	\$ 2,611.93
Police Officer 2	\$ 2,304.09	\$ 2,304.09
Police Officer 3	\$ 2,157.49	\$ 2,157.49
Police Officer 4 (no LEA certification)	\$ 1,954.31	\$ 1, 954.31

(5) The following represent **assignments** in the Metropolitan Police Department for which the following salaries are authorized. Persons so assigned shall be paid the greater of the assigned person's pay attached to person's actual service rank or grade, or the pay associated with the listed assignments depicted as follows:

	Starting Rate	Incumbent Rate
Assistant Chief	\$ 3,332.43	\$ 3,332.43
Division Commander (2)	\$ 3,090.85	\$ 3,090.85

(6) Support Services Clerk	(2)	\$ 16.95	\$ 18.14
Support Services Clerk (part-time)		\$ 16.95	\$ 18.14
Animal Warden (part-time)		\$ 12.48 hr. -	\$16.07 hr.
Crossing Guard (part-time)		\$ 10.35 hr. -	\$ 11.52 hr.
Sub Crossing Guard (part-time)		\$ 10.35 hr. -	\$ 11.52 hr.
Secretary (part-time)		\$ 19.99 hr.	\$ 23.15 hr.

Metropolitan Police Chaplain (4) no pay

Matron or Clerk Duty (call-out) hourly rate - 2 hour minimum
Off-Duty Court Time (2 hour minimum) hourly rate

* That if the incumbent in the position of Systems Administrator/IT & Training Officer as of the date of the passage and adoption of this ordinance, is appointed to the position or performs in the position as a part-time worker, that person shall be paid at the rate denoted for an incumbent based upon composite pay that person earned when holding the position previously.

(G) Special Detail Pay Provisions:

(1) *Special Patrol Zone Details.* Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the Special duty/Highland Grove or other Special Patrol Zone detail will be paid at the following described rate:

Fixed at an hourly rate as set forth in an agreement or memorandum approved and authorized by ordinance of the municipality providing for special patrol zones and related agreements, pursuant to and as provided in Sections 9.10.250 through 9.10.280 of the Highland Municipal Code, which authorize Special Patrol Zones. A copy of such agreement must be on file in the office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

(2) *Select Details.* Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the following special assignments or details will be paid at 1.5 times the actual composite rate of pay of the assigned officer provided that officers above the rank of sergeant shall be paid at the rate associated with the rank of sergeant, plus the actual longevity.

- (a) Special Community Events sponsored by the Municipality by one or more of its executive Departments, agencies, or councils;
- (b) Mobile Park Patrol
- (c) Special patrol

(3) *Other details.* Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, any special assignments or details not otherwise described herein for which no other provision applies, such special details or overtime assignments will be paid at 1.5 times the actual composite rate of pay of the assigned officer provided that officers above the rank of sergeant shall be paid at the rate associated with the rank of sergeant plus the actual longevity.

(4) *Grant Supported Details.* Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the following special assignments or details will be

paid at 1.5 times the composite rate (base rate plus longevity rate) of the assigned officer for hours performing the special assignment, provided such rate is lawful and authorized under the terms of the supporting grant and the actual rate is fully funded by the grant source:

- (a) Lake County Task Drug Task Force
 - (b) Grant Supported Special Law Enforcement Detail(s) or Patrols
 - (c) (OWI; DWI; Sobriety Checks/Domestic Violence Duties/)
- (5) No rate of pay may be fixed for any regular duty or special detail or described employment, regardless of the source of funds, that has not been authorized or provided for in this Wage and Salary Ordinance as amended in effect or the Compensation and Benefits Ordinance as amended and in effect;

(H) Specialty Pay:

- (4) Range Officers \$ 57.93 per month
- (8) Field Training Officers \$ 57.93 per month
- (1) Systems Administrator \$ 57.93 per month

Specialty payments to be made for those months as prescribed by the Chief of Police in each category. Range instructors are paid only during the months May through October.

- (I) **Stand-by Duty.** During particular work periods workers in the Police Department (Agency) will be scheduled to stand-by, which may mean the worker will be engaged to wait for mobilization. The Police Department will publish written guidelines regarding administration of this duty. There is an authorized rate that shall be fixed at an hourly rate to be applied by the number of hours of stand-by duty that is assigned in a bi-weekly period. It shall be uniform for all workers. The rate is now fixed at \$1.07 per hour not to exceed \$1,030.00 per year.

Section 11. *Parks and Recreation Department.* That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Parks and Recreation Department** as follows:

(A) Supervisory Staff or Employees

		Starting Rate	Incumbent Rate
(1) Superintendent of Parks and Recreation (1)			
With an employer provided vehicle:			\$ 2,997.66
Without an employer provider vehicle:			\$ 3,175.31
(2) Director of Recreation	(1)	\$ 2,143.18	\$ 2,143.18
(3) Recreation Supervisor	(3)	\$ 1,496.70	\$ 1,496.70-\$1,593.91
(4) Director of Parks	(1)	\$ 2,484.79	\$ 2,484.79

(B) Associate Staff and Employees

		Starting Rate	Incumbent Rate(s)
(1) Park Secretary	(1)	\$ 19.99	\$ 20.57 hr.
(2) Park Repairs Specialist	(1)	\$ 18.61	\$ 18.61 - \$ 20.85 hr.
(3) Park Specialist I	(3)	\$ 16.26	\$ 16.26 - \$19.88 hr.
(4) Park Specialist II	(3)	\$ 13.71	\$ 13.71
(5) Custodians	(3)	\$ 13.71	\$ 13.71- \$13.94 hr.
 (6) Part-time workers:			
Laborers	(part-time)	\$7.25	-\$13.71 per hr.
Recreation Leaders	(part-time)	\$7.25	-\$13.94 per hr.
Recreation Program Instructors		\$7.25	-\$53.56 per hr.
Temporary workers for parks division		\$9.64	-\$13.71 per hr.

Pursuant to IC 36-10-3-10(b), the Park and Recreation Board shall fix the compensation of the positions in which a range for salaries or wages are indicated in this Ordinance.

(C) Certifications. A full-time worker described below possessing a relevant professional certification from a generally accepted professional association as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

	<i>Salaried adds</i>	<i>Hourly adds</i>
Certified Park & Recreation Executive (CPRE)	\$ 80.80 bi-weekly	\$1.01per hour
Certified Park & Recreation Professional (CPRP)	\$ 51.20 bi-weekly	64¢ per hour
Certified Playground Safety Inspector (CPSI).....	\$ 51.20 bi-weekly	64¢ per hour
Certified Master Gardener.....	\$ 40.00 bi-weekly	50¢ per hour

Pursuant to IC 36-10-3-10(b), in the event of an accreditation not listed herein, the Park and Recreation Board shall fix the additional adjustment in a range not lower that that paid to a Certified Master Gardner and not higher than that fixed for the CPRE.

Section 12. *Fire Department.* That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Fire Department** as follows:

	Starting Rate	Incumbent Rate
(A) Chief of Department/Fire Inspector (1)		\$ 2,814.55

(B) Associate Supervisory Staff or Specialty Employees

		Starting Rate	Incumbent Rate
Assistant Chief for Logistics	(1)		\$ 454.20 per quarter
Assistant Chief for Planning	(1)		\$ 363.37 per quarter

Assistant Chiefs for Operations	(3)	\$ 363.37 per quarter
Station Captains	(2)	\$ 151.40 per quarter
Lieutenants	(7)	\$ 105.98 per quarter
Mechanics	(1)	\$ 151.40 per quarter

(C) *Supervisory and Regular Employee pay treatment.* Except as otherwise provided for the Fire Chief, the compensation for the positions listed above shall be considered in addition to any and all such compensation earned as a firefighter. However, full-time Town employees who are also members of the Highland Fire Department shall not be entitled to additional compensation when responding to fire or ambulance calls while on duty at their regular full-time position.

(D) *Fire Chief Limitations.* The Fire Chief shall not be entitled to additional compensation apart from his base pay plus longevity and adjustments when responding to fire or ambulance calls nor for any training nor inspection participation.

(E) *Certification/Credentialing:* That a full-time or approved paid on call firefighter described below possessing a relevant professional certification or credentialing from a generally accepted professional association, such as but not limited to the Center for Public Safety Excellence, or the International Code Council, as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

	<i>Salaried adds</i>	<i>Hourly adds</i>
Chief Fire Officer designation (CFO)	\$ 51.20 bi-weekly	64¢ per hour
Fire Officer designation (FO)	\$ 40.00 bi-weekly	50¢ per hour
Chief Training Officer (CTO)	\$ 40.00 bi-weekly	50¢ per hour
Certified Fire Marshal (CFM)	\$ 51.20 bi-weekly	64¢ per hour

(F) Support staff

Secretary (part-time)	\$ 19.99 per hr.
Custodian (part-time)	\$ 7.25 –16.07 per hr.

(G) Fire Fighters compensation

Firefighters' compensation shall be paid quarterly as follows effective on the date in the column:

	01.09.2022	07.01.2022
(1) Fire Calls <i>(per hour or fraction thereof) (see HMC Section 9.05.050)</i>	\$ 17.00 hr.	\$17.50 hr.
(2) Training <i>(per hour or fraction thereof) (see HMC Section 9.05.050)</i>	\$ 17.00 hr.	\$17.50 hr.
(3) Special Preparedness duties/ details <i>(per hour or fraction thereof) (see HMC Section 9.05.050)</i>	\$ 17.00 hr.	\$17.50 hr.

(4) Special Maintenance (non-custodial) duties/details \$ 17.00 hr. \$17.50 hr.
(per hour or fraction thereof) (see HMC Section 9.05.050)

(5) Inspection \$ 10.91 hr. \$10.91 hr.
(per hour or fraction thereof) (see HMC Section 9.05.050)

(H) Special Pay Protocols

(1) For the following calls, responses or participation by the fire fighters, a stipend in lieu of direct compensation, shall be paid to the Highland Volunteer Fire Fighter Association, to be made as follows:

Still Alarms: \$ 53.56 per call

(2) Monthly General Membership Meeting:
 \$ 1.07 per member in attendance as certified by the Fire Chief or his/her designee.

Section 13. *Information Communications Technology Department.* That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed as biweekly pay unless stated otherwise for its Information Communications Technology Department as follows:

	Starting Rate	Incumbent Rate
(A) Director of Information Technology (1)	\$ 3,538.47	\$ 3,690.41

Section 14. That Section 4.04 of the Compensation and Benefits Ordinance commonly called the Employees Handbook be hereby amended to read as follows:

§ 4.04 Longevity Pay

All regular full-time employees from all departments who have completed a specified consecutive number of years of service, **subject to Section 3.20 regarding Bridging of Service**, and who have not taken the elective waiver for this benefit will be paid a longevity benefit. Longevity pay will be combined with the regular hourly or bi-weekly rate of pay to create a composite rate of pay. This composite rate of pay will begin and increase, as scheduled beginning with the payroll period in which the associated pay date will be the first **full pay period following** the employee's service anniversary date. The composite rate shall be the base rate for the purposes of calculating any overtime premium where such premium applies. For the purposes of establishing the value of the longevity benefit for the **objects of IC 36-8 et seq., generally and IC 36-8-8-3(d) in particular**, the annual longevity benefit will be as set forth in this section. ~~Effective from 2022, the annual longevity benefit will be \$2,059.20 or 2,080 times the hourly longevity rate for 20 years.~~ The composite rate for longevity shall be applied according to the following schedule:

1	\$ 0.09	\$
2	\$ 0.14	\$ 1
3	\$ 0.19	\$ 1
4	\$ 0.24	\$ 1
5	\$ 0.29	\$ 2
6	\$ 0.34	\$ 2
7	\$ 0.39	\$ 3
8	\$ 0.44	\$ 3
9	\$ 0.49	\$ 3
10	\$ 0.54	\$ 4
11	\$ 0.59	\$ 4
12	\$ 0.64	\$ 5
13	\$ 0.69	\$ 5
14	\$ 0.74	\$ 5
15	\$ 0.79	\$ 6
16	\$ 0.84	\$ 6
17	\$ 0.89	\$ 7
18	\$ 0.94	\$ 7
19	\$ 0.99	\$ 7
20	\$ 1.05	\$ 8
21	\$ 1.11	\$ 8
22	\$ 1.16	\$ 9
23	\$ 1.20	\$ 9
24	\$ 1.22	\$ 9
25	\$ 1.24	\$ 9
26	\$ 1.26	\$ 10
27	\$ 1.28	\$ 10
28	\$ 1.30	\$ 10
29	\$ 1.32	\$ 10
30	\$ 1.34	\$ 10
31	\$ 1.40	\$ 11
32	\$ 1.46	\$ 11

Elected Officials who have completed a specified number of years of service, and who have not taken the elective waiver for this benefit will be paid a longevity benefit according to the following schedule:

Completion of 4 consecutive years	\$ 10 per month
Completion of 7 consecutive years	\$ 30 per month
Completion of 10 consecutive years	\$ 40 per month

Completion of 13 consecutive years	\$ 50 per month
Completion of 16 consecutive years	\$ 60 per month
Completion of 18 consecutive years	\$ 70 per month
Completion of 20 consecutive years	\$ 85 per month
Completion of 22 consecutive years	\$100 per month

Section 15. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 16. That except where otherwise noted herein, other compensation and benefits matters not expressly provided herein for salaried and hourly employees and the Clerk-Treasurer shall be as set forth in the Compensation and Benefits Ordinance, commonly called the Employee Handbook as amended from time to time. The pay period is hereby defined as bi-weekly. The bi-weekly term for such pay represents the fourteen (14) day period, commencing at 12:01 a.m. Sunday and extending to and concluding just before Midnight of the second, following Saturday, immediately preceding the week of the scheduled payday; beginning on December 26, 2021 and continuing thereafter;

Section 17. (A) That an emergency exists for the immediate taking effect of this ordinance, which, shall become effective and shall remain in full force and effect from and after the date of its passage and adoption, subject to any provisions of this ordinance, not sooner than January 9, 2022, but pursuant to any effective dates herein described and until its repeal or amendment by subsequent enactment;

(B) That the Clerk-Treasurer shall have authority to implement the provisions of this ordinance pursuant to the authority expressly set forth in IC 36-5-6-6 (a) (3) & (4).

Introduced and Filed 13th day of December 2021. Consideration on same day or at same meeting of introduction was not considered pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this ____ Day of _____ 2021, 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**

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

Attest:

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

ORDINANCE No. 1761
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE TO MAKE TECHNICAL UPDATING AMENDMENTS TO THE CURRENT CODE OF ORDINANCES FOR THE TOWN OF HIGHLAND, PARTICULARLY AMENDING CHAPTER 3.45, MAKING REVISIONS TO THE MOTOR VEHICLE HIGHWAY FUND, ALL PURSUANT TO IC 36-1-5 AND IC 36-1-27 ET SEQ.

WHEREAS, Title 36, Article 1, Chapter 5 of the Indiana Code provides that the legislative body of a unit **shall** codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances;

WHEREAS, The legislative body of this unit, the Town of Highland, is the Town Council, pursuant to IC 36-1-2-9(5) and IC 36-5-2-2;

WHEREAS, The present general and permanent ordinances of the Town of Highland, formally codified in 2012, are in need of technical and substantive modifications not confined to any particular Title, Article or Chapter but nevertheless desirable to further improve and perfect the Code; and,

WHEREAS, The Town Council, is persuaded that it is necessary and desirable to adopt the several technical and substantive modifications necessary to carry out this requirement and to further improve and perfect the Code,

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 Municipal Code, be hereby amended by repealing Section 3.45.055 in its entirety, and replacing it with a new provision, to be styled as Section 3.45.055, which shall read as follows:

3.45.055 Motor vehicle highway fund.

(A) There is established a fund of the municipality to be known as the motor vehicle highway fund, pursuant to IC [8-14-1](#) et seq.

(B) The motor vehicle highway fund shall be further organized by departments, as required by law, which shall consist of the following:

(1) Administration and Maintenance department. This department shall support the expenses associated with the following purposes:

(a) Excluding bridges, the constant making of needed repairs, to preserve a smooth surfaced highway, adequately drained, marked and guarded by protective structures for public safety;

- (b) The acquisition and use, in any manner, of all needed equipment, fuel, materials, and supplies essential and incident thereto;
 - (c) All lawful purposes associated with the motor vehicle highway fund under IC 8-14 that are not assigned to the Construction, reconstruction, and preservation fund;
- (2) Construction, reconstruction and ~~maintenance~~ preservation (CRP) department. This department shall support the expenses associated with the following restricted statutory purposes:
- (a) The planning, supervising, inspecting, actual building, draining, and all expenses incidental to the construction of a highway;
 - (b) A widening or a rebuilding of the highway or any portion thereof;
 - (c) The preventative treatment, nonstructural treatment, rehabilitation, or structural repairs made to transportation infrastructure and related drainage that are included in an asset management plan approved by the Indiana department of transportation in collaboration with the local technical assistance program at Purdue University;

(C) The clerk-treasurer in consultation with the town council president shall be authorized to ~~establish such other departments~~ assign and allocate the distributions pursuant to law to align the revenue with the departments' functions, pursuant to the provisions of IC 8-14-1-5(c), as may be deemed necessary or desirable; provided, that ~~any new department~~ assignments and allocations be reported to the town council, and that at least fifty percent (50%) of the motor vehicle highway distribution be allocated or assigned to the functions of the Construction, reconstruction, and preservation department;

(D) Expenditures from this fund may only be for the purposes for which this fund ~~and the departments are~~ is established, as follows:

- (1) The construction, reconstruction, repair, maintenance, oiling, sprinkling, snow removal, weed and tree cutting and cleaning of municipal highways as herein defined, ~~and including also~~ any curbs, provided these expenses are posted to the proper department;
- (2) To pay the town's share of the cost of the separation of the grades of crossing of public highways and railroads, provided these expenses are posted to the proper department;
- (3) The purchase or lease of highway construction and maintenance equipment, provided these expenses are posted to the proper department;
- (4) The purchase, erection, operation and maintenance of traffic signs and signals, and safety zones and devices, provided these expenses are posted to the proper department; and
- (5) The painting of surfaces in highways for purposes of safety and traffic regulation, provided these expenses are posted to the proper department;

(6) The payment of principal and interest on bonds sold primarily to finance road, street, or thoroughfare projects;

(7) ~~(6)~~ Pursuant to IC 8-14-1-5(c), at least (50) fifty percent of the distributions coming into the fund shall be used for construction, reconstruction, and ~~maintenance~~ preservation of the municipality's highways.

(E) For the purposes of this section, the following terms shall possess the following meanings:

(1) "Highways" includes roadway, rights-of-way, bridges, drainage structures, signs, guard rails, protective structures in connection with highways, drains, culverts, and bridges and the substructure and superstructure of bridges and approaches thereto and streets and alleys of the town;

(2) "Construction" means the planning, supervising, inspecting, actual building, draining, and all expenses incidental to the construction of a highway;

(3) "Reconstruction" means a widening or a rebuilding of the highway or any portion thereof;

(4) "Maintenance," when used in reference to the town as applied to that part of the highway other than bridges, means the constant making of needed repairs, to preserve a smooth surfaced highway, adequately drained, marked and guarded by protective structures for public safety and such term also means and includes the acquisition and use, in any manner, of all needed equipment, fuel, materials, and supplies essential and incident thereto.

(5) "Preservation" means the preventative treatment, nonstructural treatment, rehabilitation, or structural repairs made to transportation infrastructure and related drainage that are included in an asset management plan approved by the Indiana department of transportation in collaboration with the local technical assistance program at Purdue University.

(F) Appropriations. Expenditures from the fund may be made only upon appropriation by the fiscal body for the purpose for which the fund and its departments are 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 board, all pursuant to IC 5-11-10 and 36-9-25-32(b).

(G) Investments Authorized. Pursuant to IC 5-13-9 and Chapter 3.40 HMC, money in the fund may be invested; provided, that the yields from the purchase and sale of any such investments be deposited with the fund.

(H) Fund Sources. The motor vehicle highway fund consists of all moneys authorized to be collected and deposited to its credit under IC 8-14-1 et seq. Further, funds may include but not be limited to the following:

(1) Intergovernmental revenues of any kind, taxes and charges as provided by law;

- (2) Grants from federal, state, local governmental sources or from such other entities as may be provided by law;
- (3) Proceeds from the liquidation of assets of the department including personal and real property, not required to be deposited elsewhere, including the sale of abandoned property, in the custody of the department, provided it is not required to be deposited in another fund pursuant to law.

(I) Preservation and Disposition of Fund Assets. All unused and unencumbered cash on deposit to the credit of the fund shall remain with motor vehicle highway fund, subject to transfer to the rainy day fund.

Section 2. That this ordinance shall be effective from and after its passage and adoption, as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10 and IC 36-5-2-10.2.

Introduced and Filed on 27th day of December 2021. Consideration on 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 December 2021, 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**

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

Attest:

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)

**TOWN OF HIGHLAND
RESOLUTION NO. 2021-57**

A RESOLUTION OF THE TOWN OF HIGHLAND, INDIANA ADOPTING A PLAN AS ADOPTED AND FILED WITH THE TOWN COUNCIL IN AN OPEN MEETING FOR THE DISPOSAL OF PROPERTY OWNED BY THE REDEVELOPMENT DEPARTMENT THAT WAS OBTAINED FROM THE COUNTY, PURSUANT TO IC 36-7-14-22.5

WHEREAS, The Highland Redevelopment Commission determined that the sale of certain real property and improvements owned by the Town of Highland Redevelopment Department, would further the execution of the redevelopment plan and best serve the interest of the community, from the standpoint of both human and economic welfare;

WHEREAS, The Redevelopment Commission complied with the provisions of Indiana Code 36-7-14-22, in disposing of the property, and did obtain an acceptable offer that its accepted from an able buyer;

WHEREAS, The Redevelopment Commission acknowledges the provisions of Indiana Code 36-7-14-22.5, and further acknowledges that the property proposed for sale was obtained from Lake County under IC 6-1.1-25-9;

WHEREAS, The Redevelopment Commission, at its meeting of December 14, 2021, did pass and adopt Redevelopment Resolution No. 2021-32, a resolution approving the sale of real property owned by the Redevelopment Department located at 2605 and 2609 Condit Street, with such sale subject to approval by the Town Council as the municipal legislative body;

WHEREAS, IC 36-7-14-22.5 further requires that the Redevelopment Commission present to the legislative body in a public meeting, *"all the information supporting the action the commission proposes to take under this subsection, (IC 36-7-14-22.5(e)) including any terms and conditions to which the commission would have to agree to carry out the action;"*

WHEREAS, The Redevelopment Commission did file Resolution No. 2021-32, along with its companion exhibits with the Town Council at its meeting (Study Session) convened Monday, December 20, 2021, to serve as presenting all the information supporting the sale along with terms and conditions associated with the sale of the property;

WHEREAS, The Redevelopment Commission and now requests that the Town Council offer its prior approval to this sale; and,

WHEREAS, The Highland Town Council (the "Town Council"), as the legislative body of the Town, now desires to approve and allow the that the sale of the property as properly authorized by the Redevelopment Commission,

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF TOWN OF HIGHLAND, INDIANA, AS FOLLOWS:

Section 1. That the Highland Town Council makes the following findings and determinations:

(A) That the Redevelopment Commission complied with the provisions of Indiana Code 36-7-14-22, in disposing of the property, and did obtain an acceptable offer that its accepted from an able buyer;

(B) That pursuant to the provisions of Indiana Code 36-7-14-22.5, the Redevelopment Commission acknowledges that the property proposed for sale was obtained from Lake County under IC 6-1.1-25-9;

(C) That IC 36-7-14-22.5 further requires that the Redevelopment Commission present to the legislative body in a public meeting, *"all the information supporting the action the commission proposes to take under this subsection, (IC 36-7-14-22.5(e)) including any terms and conditions to which the commission would have to agree to carry out the action;"*

(D) That The Redevelopment Commission, at its meeting of December 14, 2021, did pass and adopt Redevelopment Resolution No. 2021-32, a resolution approving the sale of real property owned by the Redevelopment Department located at 2605 and 2609 Condit Street, with such sale subject to approval by the Town Council as the municipal legislative body;

(E) That the Redevelopment Commission did file Resolution No. 2021-32, along with its companion exhibits with the Town Council at its meeting (Study Session) convened Monday, December 20, 2021, to serve as its presentation of all the information supporting the sale along with terms and conditions associated with the sale of the property;

(F) That the Redevelopment Commission is empowered under IC 36-7-14-12.2(a)(2) to hold, purchase, exchange, or otherwise dispose of property on terms and conditions that the commission considers best for the unit and its inhabitants;

(G) That having reviewed the resolution and its plan, it is desirable and necessary for the Town Council as the legislative body of the Town, to affirm and approve the sale of the property, prior to its execution;

Section 2. That based upon the forgoing findings and determinations, the disposal of the property the sale of real property owned by the Redevelopment Department located at 2605 and 2609 Condit Street according to the terms and provisions set for in Redevelopment Commission Resolution No. 2021-32 is affirmed and approved, and that the Redevelopment Resolution No. 2021-32 be incorporated as an exhibit to this resolution;

Section 3. That any actions that may have occurred prior to approval, evidenced in this resolution that ordinarily would take place following the Town Council's approval, are hereby approved and ratified, pursuant to IC 36-1-4-16 and that this resolution once adopted be delivered to the redevelopment director for its application and use in support of the property transfer and disposal.

DULY RESOLVED and ADOPTED this 27th Day of December 2021 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of ____ in favor an ____ opposed.

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

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

Attest:

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

Exhibit:

**TOWN OF HIGHLAND
HIGHLAND REDEVELOPMENT COMMISSION
RESOLUTION 2021-32**

**A RESOLUTION OF THE HIGHLAND REDEVELOPMENT
COMMISSION TO APPROVE THE SALE OF THE REAL
PROPERTY KNOWN AS 2605 AND 2609 CONDIT STREET
AND 2605 AND 2606 GARFIELD AVENUE TO HIGHLAND AUTO
BODY FOR USE AS A COMMERCIAL PROPERTY**

WHEREAS, the Highland Redevelopment Commission (the "Commission"), governing body of the Town of Highland Department of Redevelopment (the "Department"), and the Redevelopment Area of the Town of Highland, Indiana (the "Redevelopment District"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in IC 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Commission on May 28, 1997, adopted Resolution No. 1997-01 declaring the Highland Redevelopment Area to be an area in need of redevelopment within the meaning of the Act; and

WHEREAS, Resolution No. 1997-01 was confirmed by the Commission with the adoption of Resolution No. 1997-02 on July 8, 1997; and

WHEREAS, Subsequent Resolutions, No. 2003-01, No. 2005-11, No. 2006-10, No. 2007-08, and No. 2008-09 confirmed expansion of the Redevelopment Area; and

WHEREAS, the Commission accepted the 2007 Comprehensive Plan for the Highland Redevelopment Area on March 14, 2007; and

WHEREAS, the Commission, from time-to-time, may find that it is in its best interests to dispose of and sell certain parcels of real property for development purposes; and

WHEREAS, the Commission properly approved Resolution No. 2020-21 authorizing the appraisals of the subject property in accordance with I.C. §36-7-14-12.2(a)(13) and I.C. 36-7-14-22(b) in preparation for the advertisement and sale of same; and

WHEREAS, the Commission properly approved Resolution No. 2020-26 authorizing the disposition and advertisement of the subject properties for sale pursuant to I.C. 36-7-14-22(c) & (d); and

WHEREAS, the Commission caused to be recorded in the property records of the Office of the Recorder of Lake County, Indiana, a Declaration of Environmental Covenants, Conditions, and Restrictions pursuant to Resolution No. 2020-27; and

WHEREAS, the Commission did not receive any properly composed and submitted offers for the subject property as a result of the aforementioned advertisement for same; and

WHEREAS, through negotiation with a private party, Highland Auto Body, ("Purchaser"), a purchase price and other items of consideration have been agreed to between the Commission and the Purchaser for a development intended to create additional business traffic, and catalyze investment through improved aesthetics; and

WHEREAS, Purchaser has agreed to pay a purchase price of \$20,000.00, of which the Commission has agreed to contribute seventy-five percent (75%), to a maximum of \$20,000.00, as reimbursement for eligible sewer project costs related to establishing sanitary sewer service at the subject property, to be paid upon completion of the work with approved receipts; and

WHEREAS, the Purchaser has submitted a basic development plan for the subject property, attached hereto as Exhibit A, which, while not containing the detail required by other Town of Highland bodies for final approval, has been reviewed and approved by the Commission as to the basic form and use thereof.

NOW, THEREFORE, BE IT RESOLVED by the Highland Redevelopment Commission as follows:


1. That the Commission finds and determines that it will be of public benefit to approve the sale of the property located at **2605 AND 2609 CONDIT STREET AND 2605 AND 2606 GARFIELD AVENUE**.
2. The purchase price of the property, (\$20,000.00), and the sewer service reimbursement arrangement are deemed to be fair and reasonable when all of the factors associated with the subject property are taken into consideration.
3. The Commission approves, and will provide up to seventy-five percent (75%), not to exceed a maximum reimbursement of twenty thousand dollars (\$20,000.00), as reimbursement for eligible sewer project costs related to establishing sanitary sewer service at the subject property, to be paid upon completion of the work with approved receipts.
4. That this Resolution shall be in full force and effect after its adoption by the Commission.

DULY RESOLVED AND ADOPTED by the Redevelopment Commission of the Town of Highland, Lake County, Indiana this **14th day of December, 2021** having passed by a vote of 4 in favor and 0 opposed.

REDEVELOPMENT COMMISSION of the
TOWN OF HIGHLAND, LAKE COUNTY, INDIANA


Cyril Huerter, President

ATTEST:


Bill Leep, Secretary

12-14-21
Date


Kathy DeGuilio-Fox
Redevelopment Director
Highland Redevelopment Department

December 14, 2021
Date

EXHIBIT A

VIS LAW, LLC
NATHAN D. VIS, ESQ.
ATTORNEY AT LAW
Licensed in Illinois and Indiana

NATHAN D. VIS
ndv@nvislaw.com

P. O. Box 980, Cedar Lake, Indiana 46303
Telephone (219) 689-1079
Facsimile (219) 533-1281

LISA M. KMETZ, PARALEGAL
paralegal@nvislaw.com

November 23, 2021

VIA EMAIL TOJPRATLAW@AOL.COM AND NWIREALTY@LIVE.COM

Town of Highland Town Council and
Redevelopment Commission

Re: Redevelopment Plan

Dear Town Council and Redevelopment Commission Members:

Please be advised the undersigned represents Dan and Jim Eriks. As you are aware, in the purchase of 2605 Condit Street, Highland, Indiana, the parties have agreed that in order to move forward with the purchase, a proposed development plan is to be remitted by my client for approval prior to engaging in the purchase of same. I have included below and in following both the proposed site development for which my clients intend on utilizing the property, as well as a timeline of events for same.

Proposed Development Plan

The Proposed Site Development Plan which my clients desire to add to this commercial area is foremost to clear the land of the existent underbrush and trees, which have grown upon it in the past two decades.

Upon removing same, it is the intention of my clients to construct a commercial steel building, which they anticipate upon initial design to be composed of three sections, with large overhead doors, interior office spaces, and onsite asphalt parking.

The purpose of same would be to provide opportunities for three additional businesses to house and locate their business operations therein.

Attached hereto are the preliminary drawings and depictions that my clients have procured from involved builders. It is anticipated that the structure would be approximately 128 feet long by 8 feet wide, and the exterior would consist of a fascia which includes both steel as well as a stone/brick exterior, approximately 5 feet up from the ground.

EXHIBIT A

In conjunction therewith, the property would be tied into the local storm drainage system, as well as sewer and water would be run through the property, also extending to my client's existing business operations.

Please find attached proposed pictures of basic drawings that my client has received in working with builders at the present time, as well as depictions as to a basic set up of what he is envisioning on the property. My client has expressed that he intends to put a façade on the building to ensure facially that it continues to improve the area.

Timeline

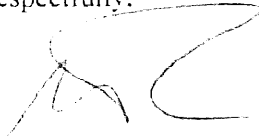
Over the course of the past 12 months, my clients have engaged in extensive energies and financial investment into their ongoing business operations. Recognizing this investment, it is my client's plan to commence this winter with the removal of the trees and underbrush from the property, and leveling of same during the course of 2022.

Subsequent thereto, in the spring of 2023 they anticipate seeking approval from both the Development Commission, Planning Department and Building Department for development which is similar to the attached herein. It is also anticipated they would like to commence building in the spring of 2023 on same.

This proposed timeline is contingent upon the financial/business environment existent in Northwest Indiana and in the United States.

Please advise should you have any further questions.

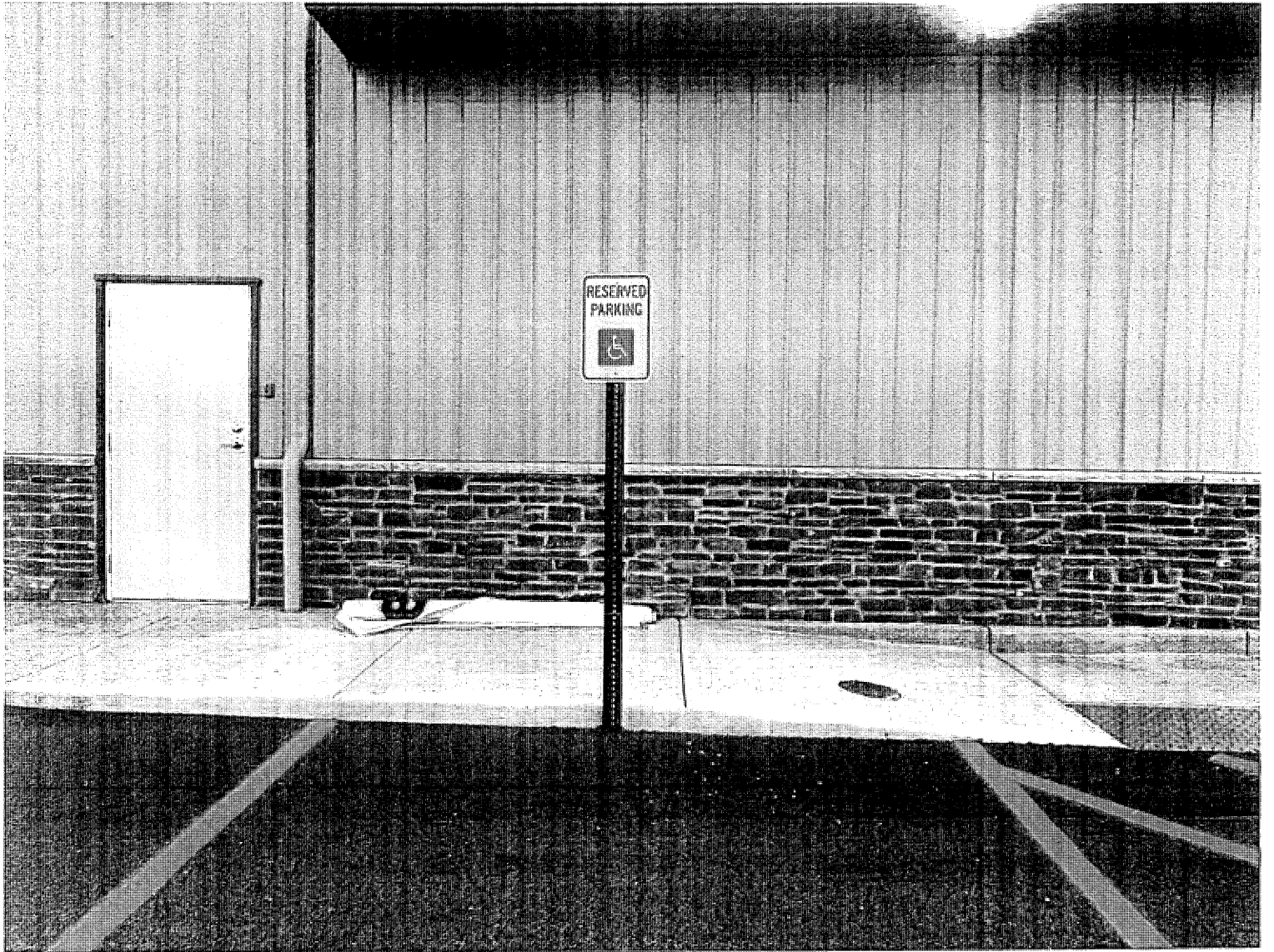
Respectfully,

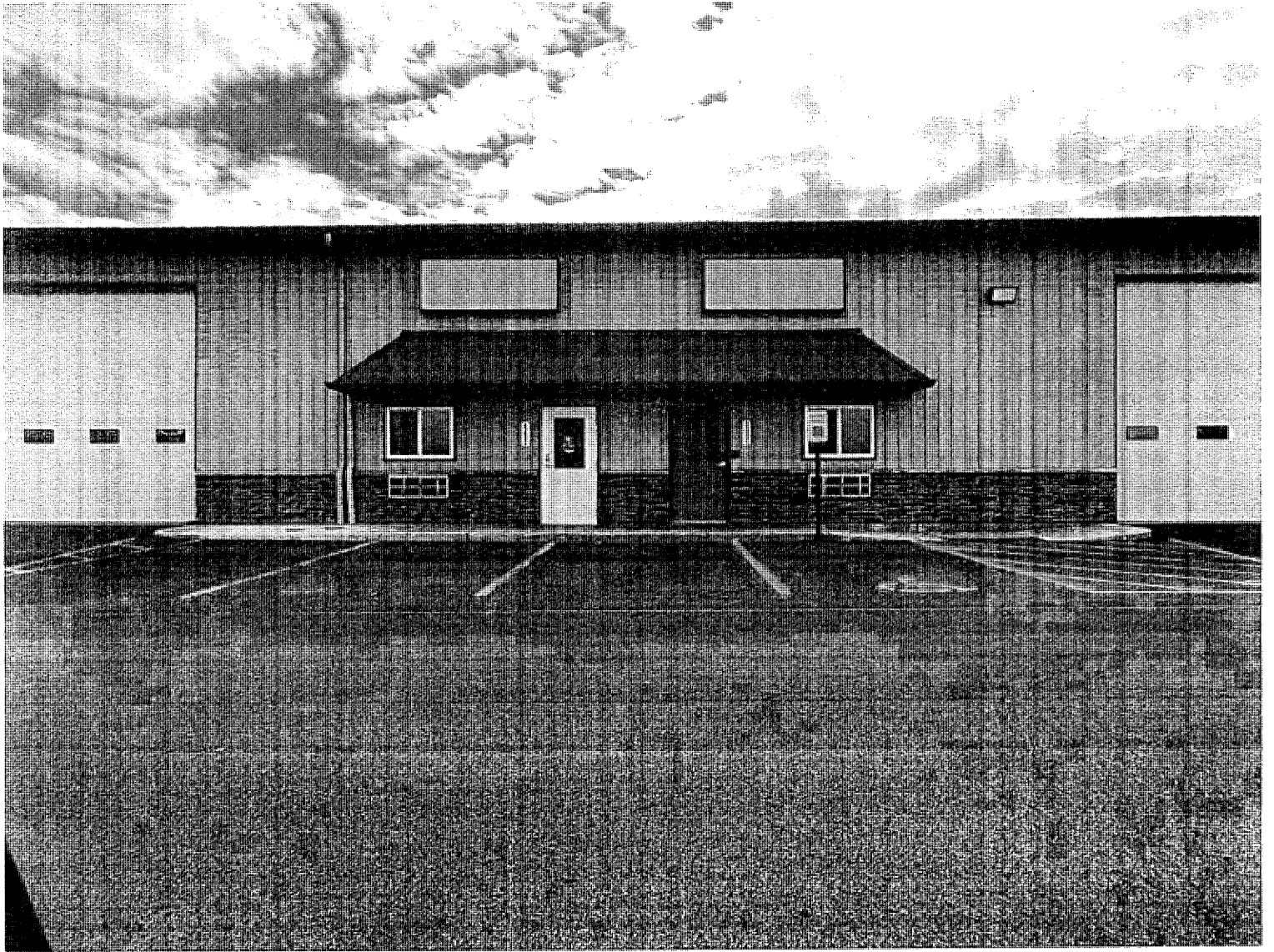
A handwritten signature in black ink, appearing to read 'Nathan D. Vis', written over a horizontal line.

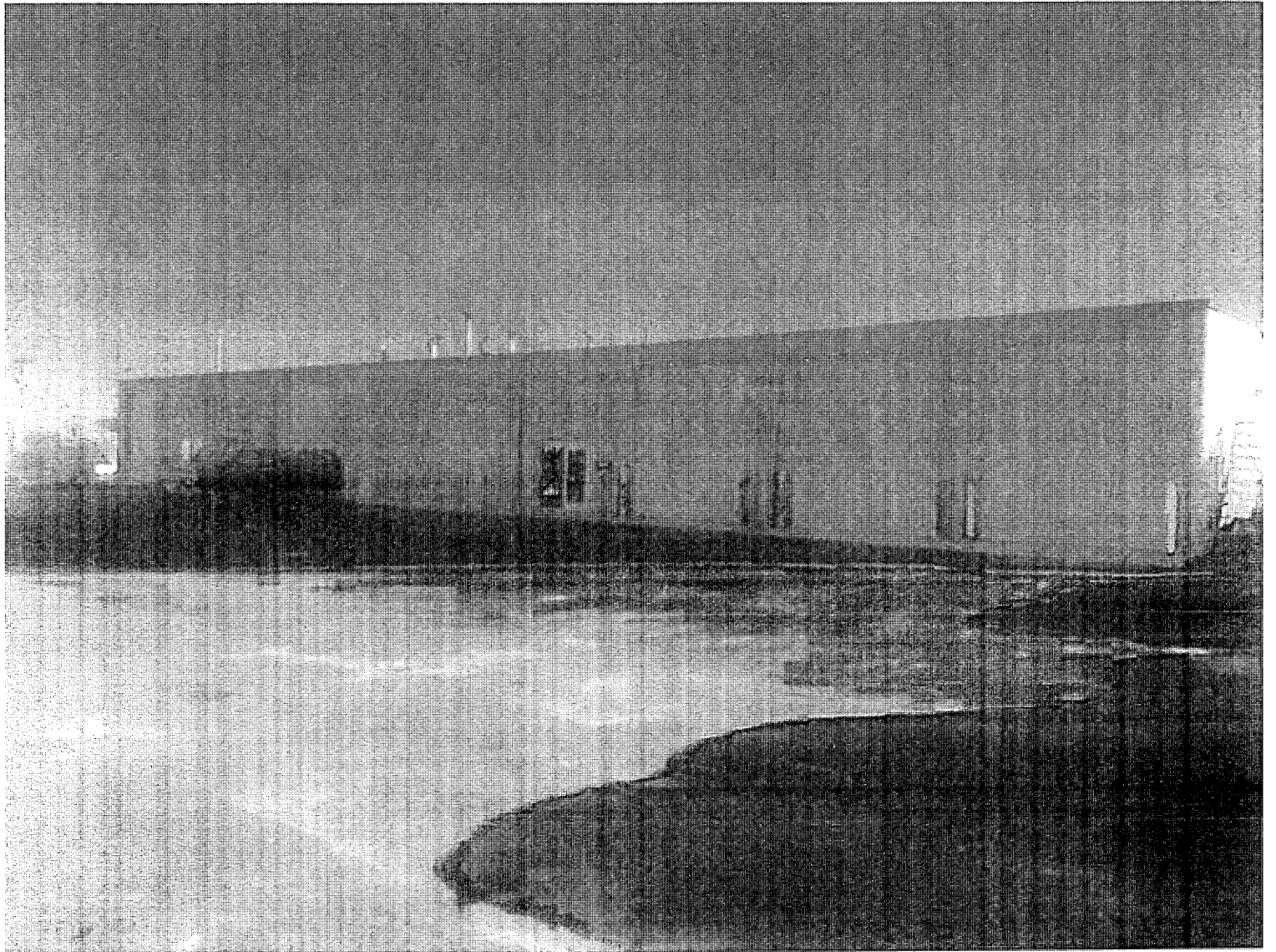
Nathan D. Vis

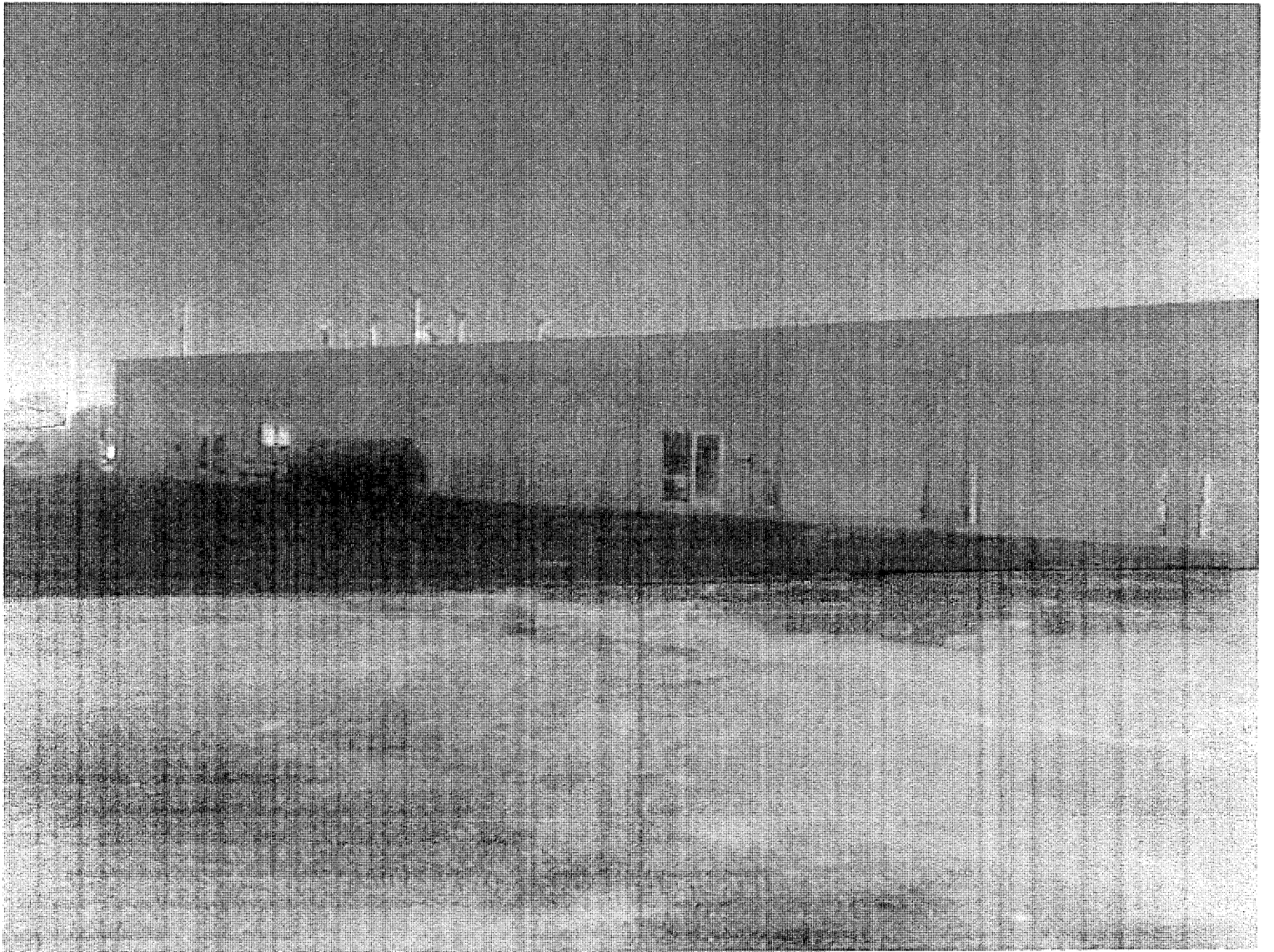
NDV/lmk
Attachment



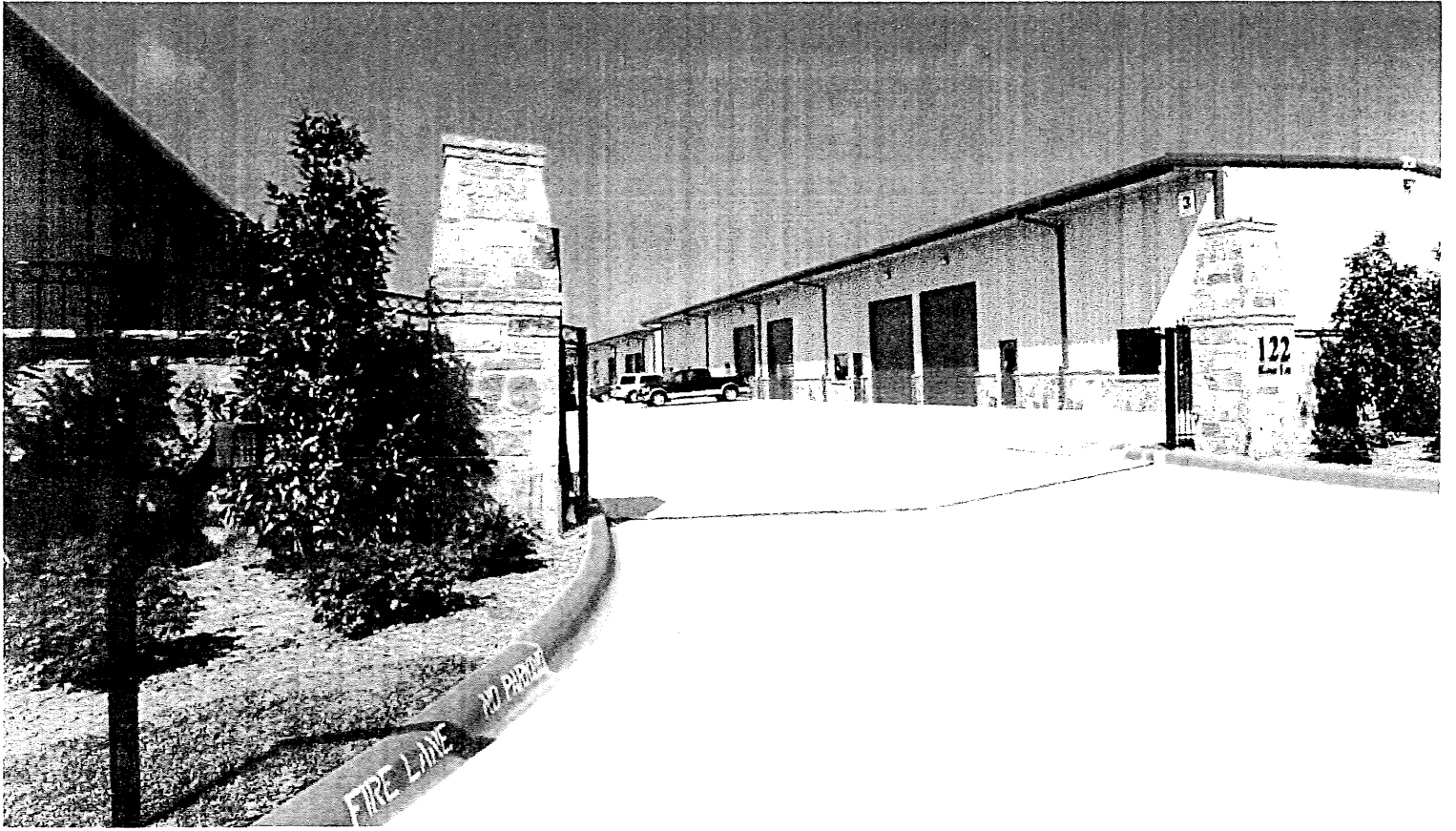


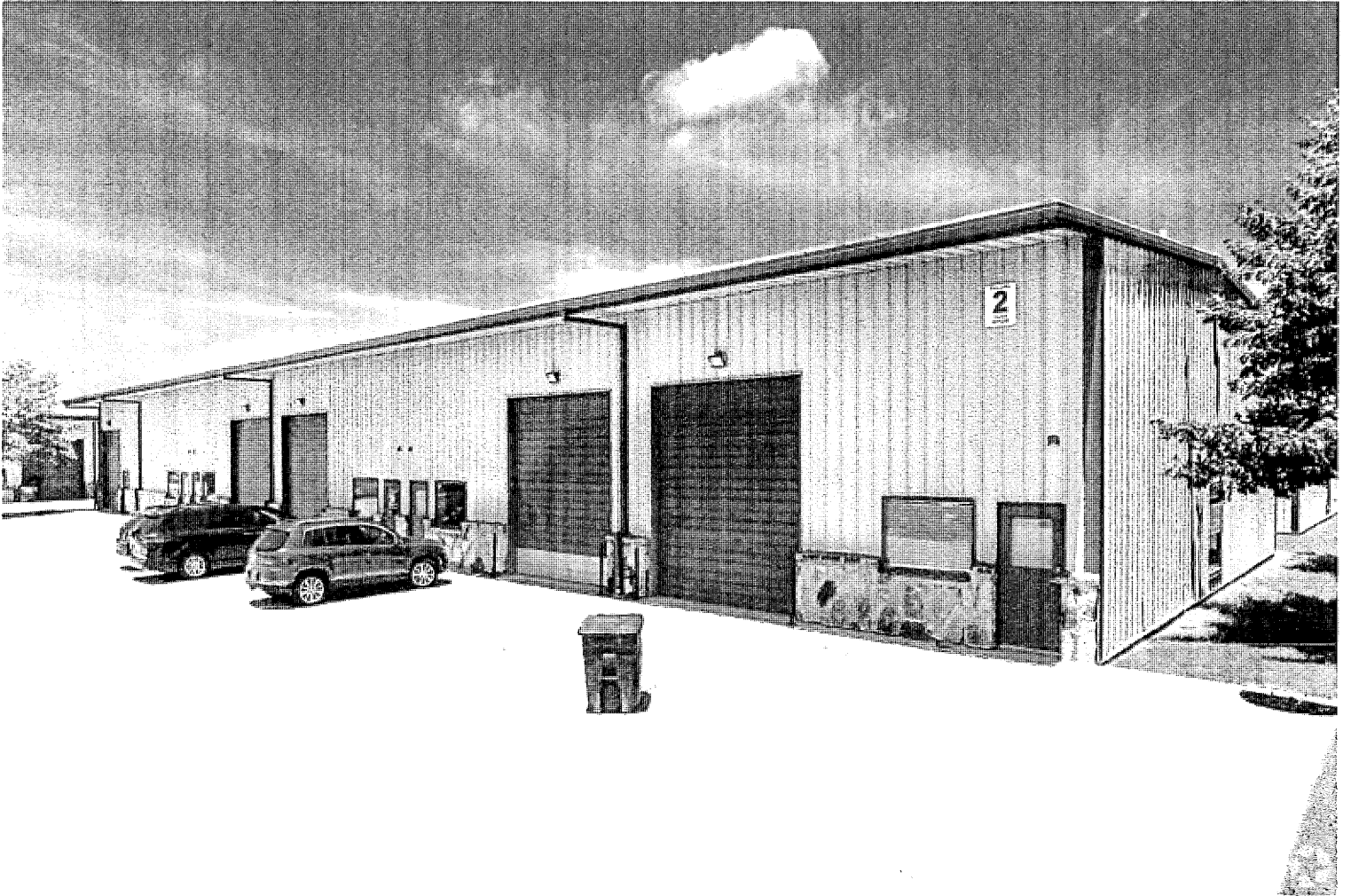


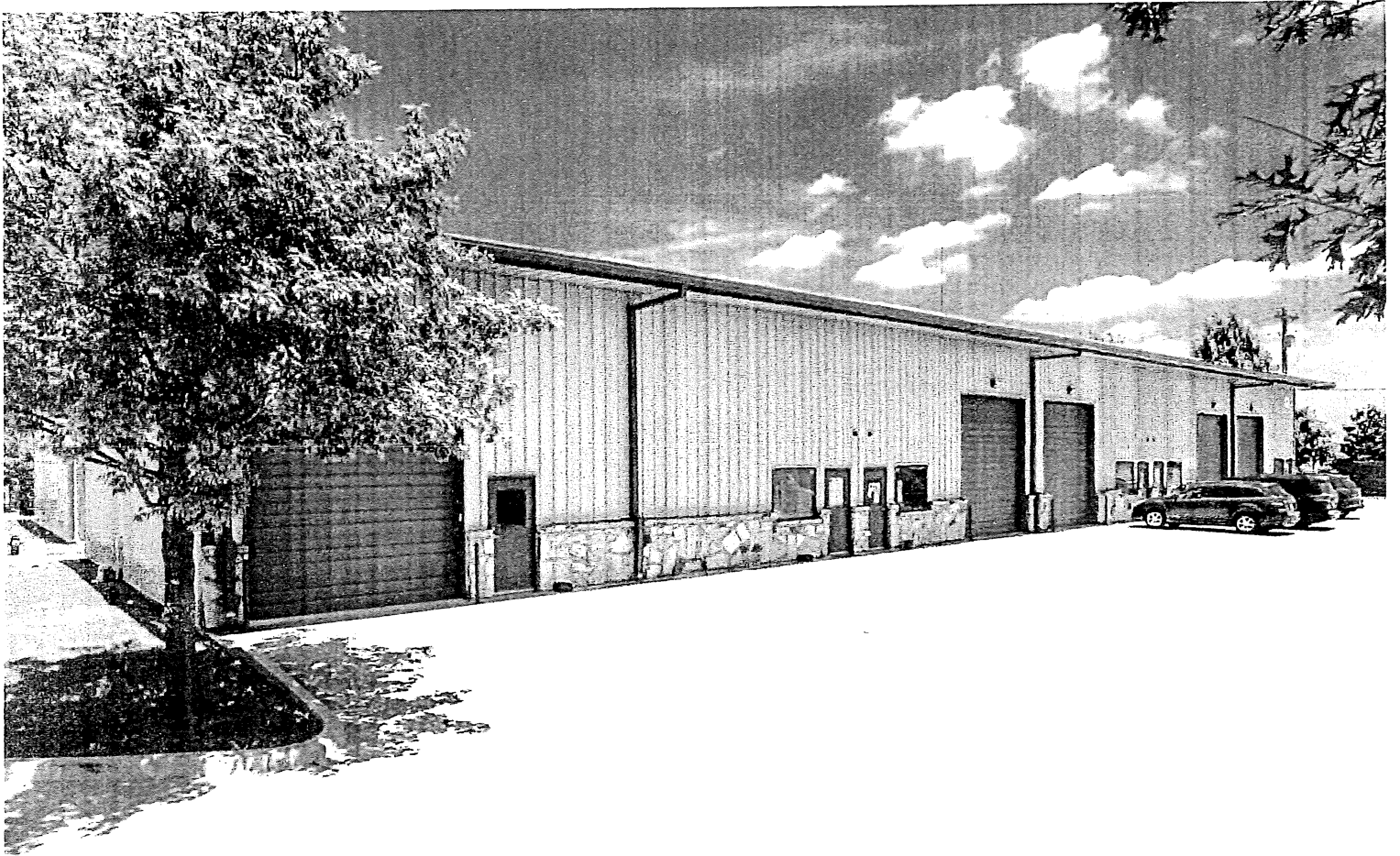












FBI not responsible for ruts in gravel or
grass due to normal equipment use.

Min. 30' Clearance All Sides (Dirt Fill)

Purchaser to provide a gravel building pad, level
within 8" of Finished Floor, prior to FBI mobilization.

Purchaser to remove, brushes, trees, debris as
needed for building pad and access around the
building prior to FBI mobilization.

80' x 128' x 16'



K: Purchaser Approval _____ Date: _____
L: State Approval _____ Date: _____
Drawing # _____

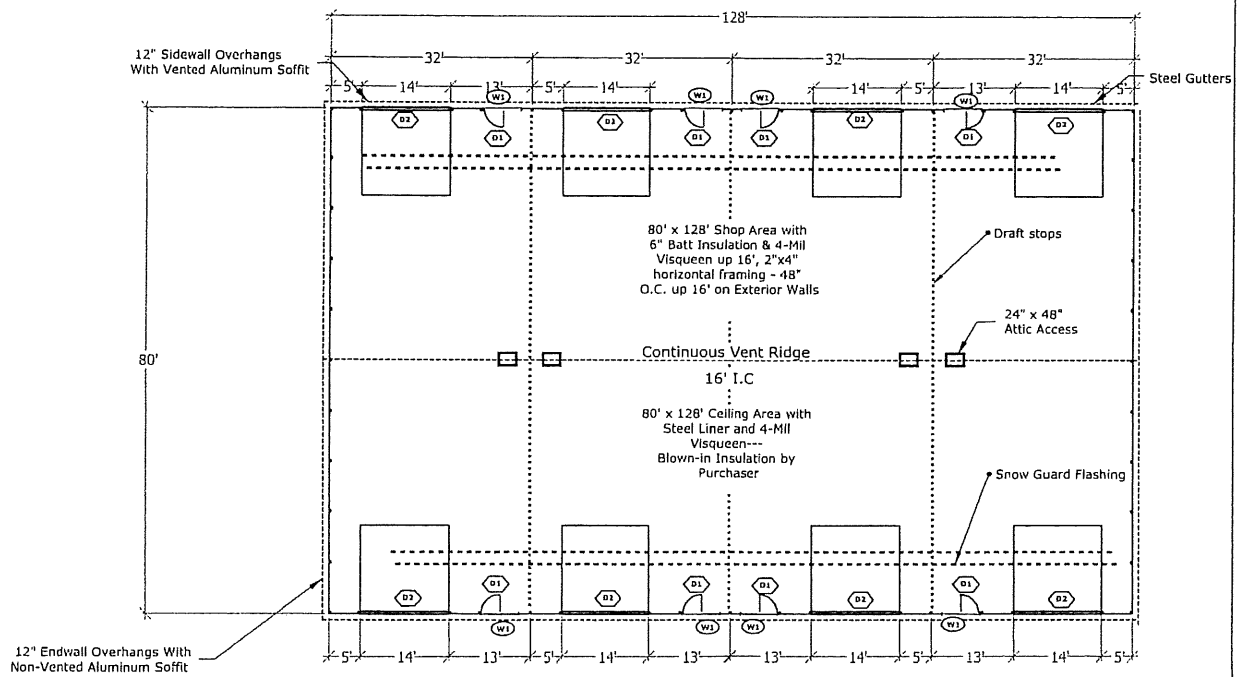
Highland Body Shop
Highland IN
Construction Zone

FBI Buildings, Inc.
3823 W 1800 S
Remington, IN 49777
219-251-2137
www.fbi-buildings.com

Date: 09/13/21 kw
Name: Rev1

PRELIMINARY
THESE DRAWINGS
ARE FOR
**REVIEW
ONLY**
These drawings are
not complete and
are not to be used
for construction.

CZ-101



10,000 PSI Perma-Column System
Included on Entire Building

FLOOR PLAN

FBI Building 80' x 128' x 16' I.C.

Sidewall Columns & Trusses Space at 8' O.C. Designed for 30 psf Ground Snow Load

General Notes:
Gutters - Yes - 6"
Wainscot - Yes, Depth 36"
OSB & Felt - No

Door Schedule:
D1 - (qty 8) 3' x 5'-8" Steel Insulated Doors with Combination lever lock
D2 - (qty-8) 14' x 14' QHD Frame Out (Door Not Include)

Window Schedule:
W1 - (qty-8) 6' x 2' Insulated- Fixed units set at 16' AHJ

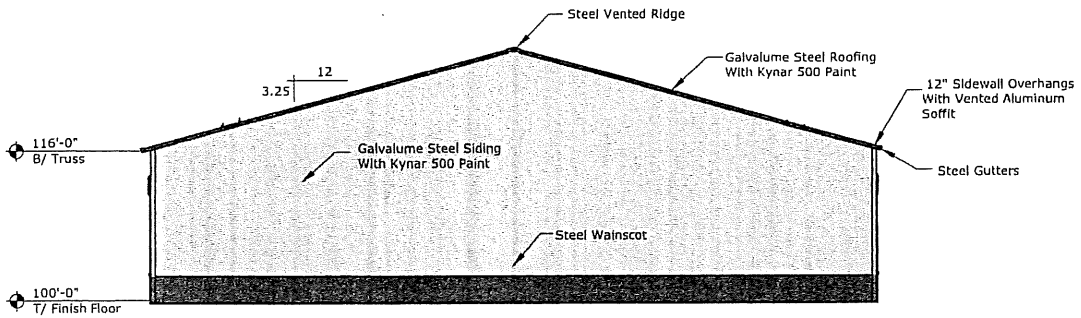


X: Purchaser Approval K: Seller Approval Drawing #	Date Date
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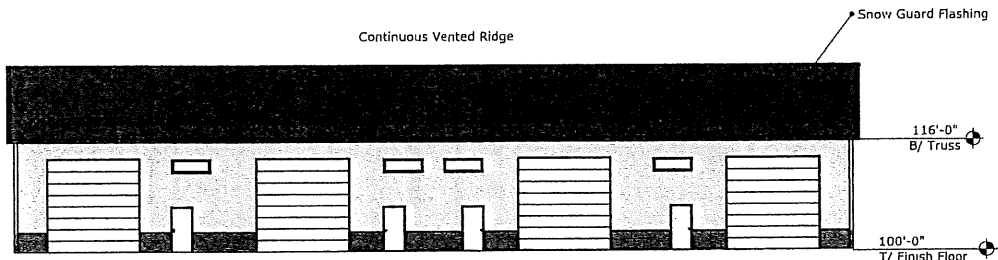
Highland Body Shop
Highland TN
Floor Plan

FBI Buildings, Inc.
3823 W. LEGG S
MEMPHIS, TN 38197
248-26-2151
www.fbibuildings.com

Date: 09/13/21
Name: kw
Res: 1
PRELIMINARY
THESE DRAWINGS ARE FOR
REVIEW ONLY
These drawings are not complete and are not to be used for construction.



NORTH ELEVATION



EAST ELEVATION

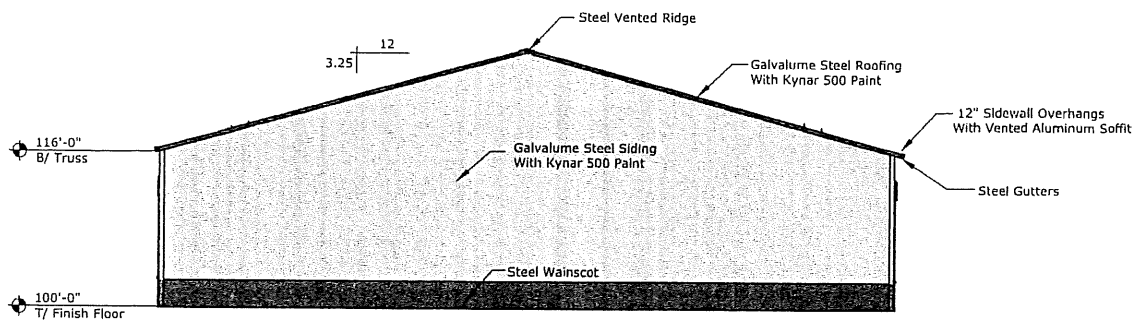
Client Approval	Date
Designer Approval	Date

Highland Body Shop
Highland IN
Elevation Plan

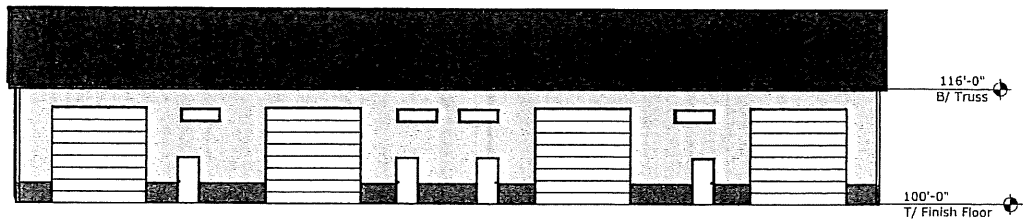
FBI Buildings, Inc.
3823 W 180th S
Tombstown, IN 47977
219-266-2157
www.fbi-buildings.com

Date: 09/13/21
Name: kw
Rev:

PRELIMINARY
THESE DRAWINGS ARE FOR
REVIEW ONLY
These drawings are not complete and are not to be used for construction.



SOUTH ELEVATION



WEST ELEVATION

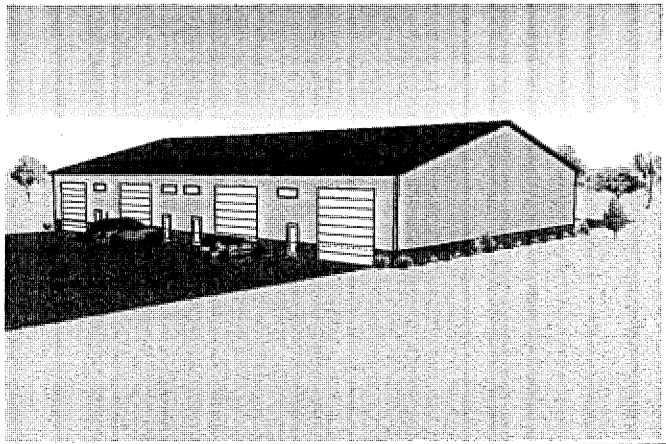
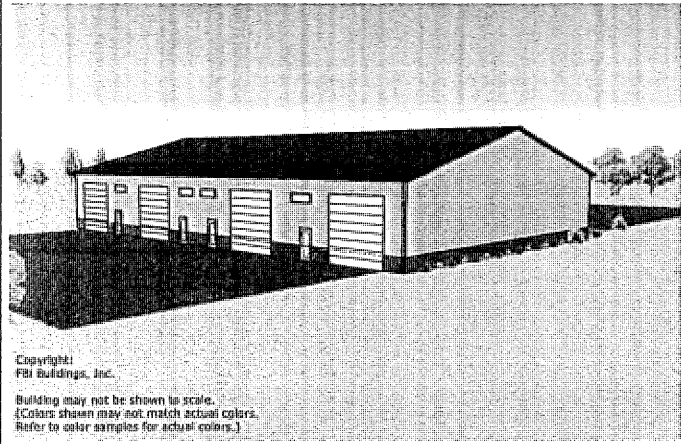
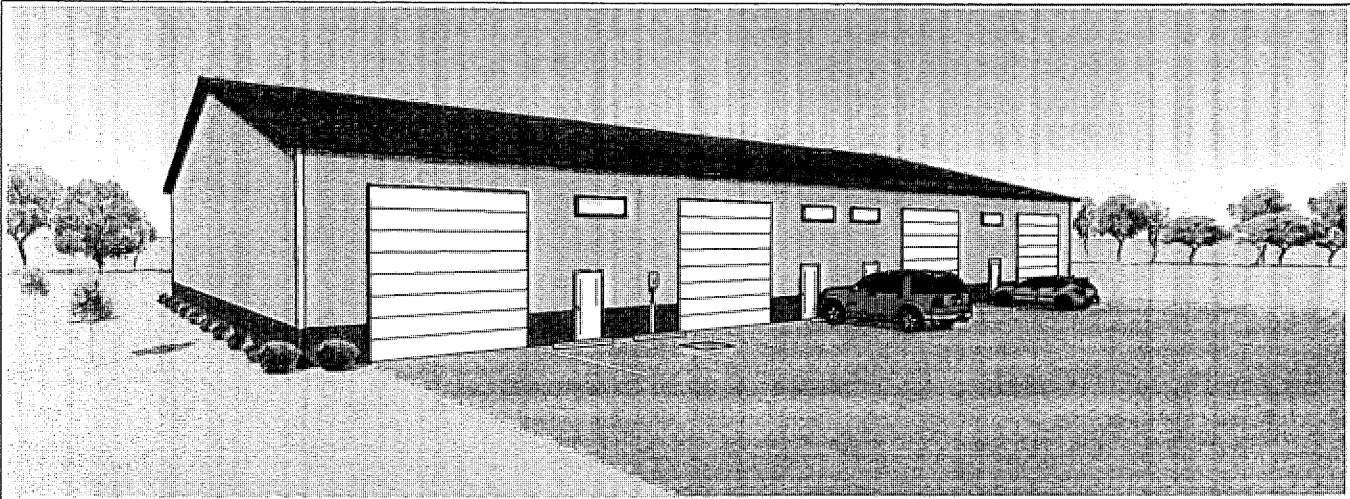
Architect/Approver	Date
Structural Approver	Date
Drawn by	

Highland Body Shop
Highland IN
Elevation Plan

JB Buildings, Inc.
Remington, IN 47977
219-261-2157
www.jbbuildings.com

Date: 09/13/21
Name: kw
Rev1

PRELIMINARY
THESE DRAWINGS
ARE FOR
REVIEW
ONLY
These drawings are
not complete and
are not to be used
for construction.



Copyright:
 FBI Buildings, Inc.
 Building may not be shown to scale.
 (Colors shown may not match actual colors.
 Refer to color samples for actual colors.)

<input type="checkbox"/> Exterior Approval <input type="checkbox"/> Site Approval <input type="checkbox"/> Drawing #	Date _____ Date _____ Date _____
--	--

Highland Body Shop
 Highland IN
 3D View

FBI Buildings, Inc.
 3823 W. 1806 S
 Remington, IN 47577
 www.fbi-buildings.com

Date: 09/13/21
 Name: kw
 Rev: 1
PRELIMINARY
 THESE DRAWINGS
 ARE FOR
REVIEW
ONLY
 THESE DRAWINGS ARE
 NOT TO BE USED
 FOR CONSTRUCTION.
 A-203

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2021-44**

**WATER WORKS DISTRICT OF HIGHLAND
BOARD OF WATER WORKS DIRECTORS
RESOLUTION NO. 2022-02**

**SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION NO. 2021-20**

A JOINT ORDER OF THE BOARD OF WORKS, THE WATER WORKS BOARD OF DIRECTORS, AND THE SANITARY BOARD APPROVING AND AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT BETWEEN THE HIGHLAND BOARD OF WORKS AND DYER CONSTRUCTION CO., INC. FOR THE 3500 BLOCK OF JEWETT AVENUE WATER MAIN REPLACEMENT AND STREET IMPROVEMENT PROJECT

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined that a need exists to make certain public improvements and repairs to roadway infrastructure on the 3500 Block of Jewett Avenue including the replacement of defective curb and sidewalk, pavement, and tree removal and replacement and have hereto approved a project to be described as the 3500 Block of Jewett Avenue Water Main Replacement & Street Improvement Project (Project);

Whereas, The Water Works District of Highland (WW District) is governed by its Board of Water Works Directors, pursuant to the provisions of IC 8-1.5-4 et seq.;

Whereas, IC 8-1.5-4-4 specifically provides that the Board of Water Works Directors shall manage and control all works of the Water Works and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works;

Whereas, The WW District, through its Board of Directors, has determine the need to replace and upsize the existing water lines within the Project boundaries, as described herein, in order to improve water flow and water quality; has determined that it would be in the best interest of the utility to coordinate the work with the Project; and have agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

Whereas, The Sanitary District of Highland (SD District) is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.;

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works;

Whereas, The Project scope includes the repair and replacement of certain storm water facilities, which are the responsibility of SD District and have agreed to fund its share of the construction costs and engineering services necessary to complete the work;

Whereas, On August 30, 2021, Town Council through its Board of Works, adopted Order of the Works Board 2021-30, on August 26, 2021, the Water Works District adopted Joint Resolution No. 2021-22 and on August 17, 2021, the Sanitary Board adopted Joint Resolution No. 2021-13, awarding a Project to Dyer Construction Co., Incorporated in the total amount of Five Hundred Sixty-eight Thousand Six Hundred Fifty-eight Dollars and 00/100 (\$568,658.00), to be the lowest responsive and responsible bid;

Whereas, During the course of construction of the Project, it has become necessary to change or alter the original specifications of the project and/or to increase or decrease the planned material quantities;

Whereas, NIES Engineering, Inc., a licensed engineer performing construction engineering services on this project, has specifically identified and presented Change Order No. 1, attached herewith, which details the changes and alterations to the Project which have a net decrease in the total contract amount of Twenty-two Thousand Nine Hundred Sixty-three Dollars and 01/100 Cents (\$22,963.01);

Whereas, The decrease in cost, as determined by NIES, is allocated to the Board of Works in the amount of Six Thousand Eight Hundred Thirty-one Dollars and 79/100 Cents (\$6,831.79), to the Water Works Board in the amount of Eleven Thousand Nine Hundred Eighty Dollars and 48/100 Cents (\$11,980.48), and to the Sanitary Board in the amount of Four Thousand One Hundred Fifty Dollars and 74/100 Cents (\$4,150.74);

Whereas, The Town of Highland, through its Board of Works, now desires to approve and authorize the Change Order as described;

Whereas, The Water Works District of Highland, through its Board of Directors, now desires to approve and authorize the Change Order as described; and,

Whereas, The Sanitary District of Highland, through its Sanitary Board of Commissioners, now desires to approve and authorize the Change Order as described,

Now Therefore Be it Resolved by the Board of Works for the Town of Highland, the Board of Directors of the Highland Water Works, and the Board of Commissioners of the Highland Sanitary District as follows:

Section 1. That the First Addendum to the Construction Contract with Dyer Construction Co., Incorporated for the 3500 Block of Jewett Avenue Water Main Replacement & Street Improvement Project, as prepared by NIES Engineering, Incorporated, a licensed engineer performing construction engineering services on this Project, is hereby determined to be directly related to the original project and is hereby approved, adopted, and ratified in each and every respect;

Section 2. That this addendum is hereby ordered to be known as Change Order No. 1, issued to decrease net changes to the original agreement in the amount of Twenty-two Thousand Nine Hundred Sixty-three Dollars and 01/100 Cents (\$22,963.01), bringing the total value of the entire agreement with any and all change orders approved to date to Five Hundred Forty-five

Thousand, Six Hundred Ninety-four Dollars and 99/100 (\$545,694.99) allocated as follows;

Board of Works	(\$6,831.79)
Water Works District	(\$11,980.48)
<u>Sanitary Board</u>	<u>(\$4,150.74)</u>
Total Change Order Amount	(\$22,963.01)

; and

Section 4. That the total of all change orders issued that increases the scope of this Project may not exceed twenty percent (20%) of the amount of the original contract, that amount being of Six Hundred Eighty-two Thousand Three Hundred Eighty-nine Dollars and 60/100 (\$682,389.60), pursuant to IC 36-1-12-18(d); and

Section 5. That the proper officers hereby be and are authorized to execute the necessary documents with their signatures.

Be it So Ordered

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 27th day of December, 2021. Having been passed by a vote of _____ in favor and _____ opposed.

**BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA**

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

Attest:

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

Duly Adopted, Resolved and Ordered by the Water Works Board of Directors of Highland, Lake County, Indiana, this 27th day of January, 2022. Having been passed by a vote of _____ in favor and _____ opposed.

**HIGHLAND WATER WORKS
BY ITS BOARD OF DIRECTORS:**

George A. Smith, President

Attest:

Richard E. Volbrecht, Jr., Secretary

Duly Adopted, Resolved and Ordered by the Highland Sanitary District,
Board of Commissioners, Lake County, Indiana, this 21st day of December, 2021.
Having been passed by a vote of ___ in favor and ___ opposed.

**HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:**

Richard Garcia, President

Attest:

David Jones., Secretary

Contract Number 21-539

Change Order Number 1

CHANGE ORDER

Owner: Town of Highland Board of Works

Project: 3500 Block of Jewett Avenue - Water Main Replacement & Street Improvement

Owner's Name: Town of Highland Board of Works

Owner's Address: 3333 Ridge Road, Highland, IN 46322

Contractor: Dyer Construction Co., Inc.

Contractor's Address: 1716 Sheffield Avenue, Dyer, IN 46311

DESCRIPTION OF CHANGE:

1. Adjust quantities of original contract items based on actual quantities installed, as tabulated on attached Table 1. A decrease to the contract price of \$22,963.01, divided as follows:
 - Board of Works: Decrease of \$6,831.79.
 - Water Works Board: Decrease of \$11,980.48.
 - Sanitary Board: Decrease of \$4,150.74.

REASON FOR CHANGE:

1. Adjustment of original contract item quantities is described as follows:

Items 6-7	Actual area of asphalt pavement and sidewalk/driveway removed, respectively.
Item 8	Actual length of curb and gutter removed.
Item 9	Actual number of storm structures removed. A buried structure was found.
Items 10-11	Actual length of storm sewer pipe removed. More pipe requiring removal was found than originally estimated beyond the limits of sewer televising videos.
Item 12	Actual volume of unclassified excavation.
Items 13-14	Actual length of 8-inch and 10-inch pipe installed, respectively.
Item 17	Actual weight of fittings installed.
Items 19-20	Actual number and length of 1-inch copper water services installed, respectively. 3528 and 3541 Jewett each only had one service rather than two per original locates.
Items 21-22	Actual number and length of 6-inch storm sewer laterals installed, respectively. Fewer laterals were required than originally estimated.
Items 23-24	Actual length of 12-inch SDR 35 and 12-inch AWWA C900 PVC pipe installed, respectively.
Item 26	Actual length of curb and gutter installed.

Contract Number 21-539

Change Order Number 1

Items 27-29	Actual area of 4-inch sidewalk and 5-inch sidewalk/driveway and ADA curb ramps removed and replaced, respectively. Driveway apron widths were expanded to provide monolithic shared driveway aprons at 3531/3535 and 3528/3542 Jewett.
Item 30	Actual area of tri-axial geogrid installed.
Items 31, 33, 35	Actual tonnage of INDOT #53 limestone aggregate roadway base, HMA intermediate and HMA surface courses installed for pavement replacement, respectively.
Item 32	Actual number of storm sewer manhole castings furnished and installed.
Item 34	Actual area of tack installed between courses of new HMA pavement.
Item 36	No replacement trees were planted as part of this contract due to weather limitations and species availability. Town staff plan to install replacement trees in Spring 2022 using grant-funded trees for property owners requesting new trees.
Item 37	Actual area of topsoil and sod installed.
Item 38	No unsuitable subgrade was encountered.

Contract Number 21-539

Change Order Number 1

ORIGINAL CONTRACT PRICE \$ 568,658.00

CURRENT CONTRACT PRICE
ADJUSTED BY PREVIOUS CHANGE ORDER(S) \$ 568,658.00

NET DECREASE IN CONTRACT PRICE
THIS CHANGE ORDER \$ (22,963.01)

TOTAL ADJUSTED CONTRACT PRICE
INCLUDING THIS CHANGE ORDER \$ 545,694.99

This change order extends the time to complete the work by 15 calendar days to December 8, 2021.

This change order prepared by: NIES Engineering, Inc.

Derek R. Snyder, P.E. IN 11100654 12/16/2021
Derek R. Snyder, P.E. (P.E. Number) Date

The undersigned agree to the terms of the change order.

Dyer Construction Co., Inc.
(Name of Contractor)
[Signature]
(Contractor's Authorized Representative) 12-16-2021
Date

(Owner's Authorized Representative – Board of Works)
Date

(Owner's Authorized Representative – Water Works Board)
Date
[Signature]
(Owner's Authorized Representative – Sanitary Board) 12/21/2021
Date



**The Town of Highland
Board of Works
Order of the Works Board No. 2021-45**

AN ORDER AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE IDEA FACTORY AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL COMMUNICATIONS AND MEDIA DESIGN AND DEVELOPMENT SERVICES FOR THE MUNICIPALITY.

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to provide greater information to the public regarding the operations and services of the municipality;

Whereas, The Town has heretofore determined that a need exists to engage professional communications and media design and development services to assist and support the provision of greater information to the public regarding the operations and services of the municipality;

Whereas, Robin A. Carlascio and Theresa K. Badovich, d.b.a. The *Idea Factory*, a media development and design, communication consulting alliance, has proposed to provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter;

Whereas, As purchasing agency, the Town Council may purchase services using any procedure it considers appropriate, pursuant to IC 5-22-6-1;

Whereas, The Highland Municipal Code provides that, the Town Council may make all contracts for professional services on the basis of competence and qualifications for the type of services to be performed, and negotiate compensation that the public agency determines to be reasonable, pursuant to Section 3.05.090;

Whereas, There are now or will soon be sufficient and available appropriations balances on hand to support the payments for these services 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 and approve the agreement for services as herein described,

Now Therefore be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the agreement (incorporated by reference and made a part of this Order) between **Robin A. Carlascio** and **Theresa K. Badovich** doing business as the **Idea Factory**, and the Town of Highland, provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter for the period beginning *1 January 2022 through to 31 December 2022* as described herein is hereby approved, adopted and ratified in each and every respect;

Section 2. That the charges under the agreement for the services, in the amount of *\$1,893.71 per issue*, or *\$473.43* per page, which include publishing and coordinating a monthly newsletter to be distributed as an insert in the monthly utility invoice and other related services; stock images or illustrations at *\$50* per image or illustration, custom photography or graphics at *\$100* per image or graphic, and website maintenance and services in the amount of *\$135.27 per week* are found to be reasonable and fair, all pursuant to IC 5-22-6-1 and Section 3.05.090 of the municipal code;

Section 3. That the charges under the terms of the agreement for all the services, will be paid to *The Idea Factory*, after presentation of an invoice for services, following their delivery;

Section 4. That the Town Council President be authorized to execute this agreement under the terms of this order with his signature as attested thereto by the Clerk-Treasurer;

Section 5. That the Town Council President must approve a preliminary edition of the newsletter prior to publication.

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 27th day of December 2021 having passed by a vote of _____ in favor and _____ opposed.

**WORKS BOARD of the TOWN of
HIGHLAND, INDIANA**

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

Attest:

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

AGREEMENT

This Transitional Agreement made and entered into this 13th day of January 2020, by and between the **TOWN OF HIGHLAND, BY AND THROUGH ITS TOWN COUNCIL** (hereinafter referred to as the "Town"), and **ROBIN CARLASCIO and THERESA BADOVICH d/b/a THE IDEA FACTORY** (hereinafter referred to as "Idea Factory").

WITNESSETH THAT:

WHEREAS, The Town is interested engaging the services of Idea Factory for publishing and coordinating a monthly newsletter (Gazebo Express) to be distributed throughout the Town; and

WHEREAS, Idea Factory is interested in entering into such an agreement and engaging its services to publish and coordinate a monthly newsletter within the Town; and

WHEREAS, The parties wish to reduce their agreement to writing;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, it is agreed as follows:

1. Idea Factory agrees to publish and coordinate a monthly newsletter (Gazebo Express) to be distributed in the Town of Highland.

2. The term of this Agreement shall be for one (1) month beginning **January 1, 2022**, through **December 31, 2022**. This Agreement may be extended or renewed by the Town of Highland from month to month or for a longer term based upon approval of the renewal term by the Town.

3. Idea Factory shall be paid for its services rendered pursuant to this Agreement, the sum of **\$1,893.71** per issue or **\$473.43** per page stock images or illustrations at **\$50** per image or illustration, custom photography or graphics at **\$100** per image or graphic, **as well as the website maintenance fee of \$135.27 per week** and the monthly fees shall be payable to The Idea Factory at its business address, **1 Courthouse Square, Suite 207, Crown Point, Indiana 46307**.

4. This Agreement may be cancelled by either party upon such party providing the other party thirty (30) days written notice.

5. In the event the Town's appropriations are insufficient to pay the expenses of this Agreement, and upon thirty (30) days written notice being given by the Town to Idea Factory, this Agreement shall become null and void.

6. This Agreement shall be governed by the laws of the State of Indiana and shall be binding upon the parties' heirs, legal representatives, successors, and assigns.

7. That the Town Council President must approve a preliminary edition of the newsletter at least two days prior to publication.

IN WITNESS WHEREOF, this Agreement has been entered into between the parties this _____ day _____ 2021.

TOWN OF HIGHLAND

THE IDEA FACTORY

By: _____
Roger Sheeman, President

Robin Carlascio

Attest: _____
Michael W. Griffin
Clerk-Treasurer

Theresa Badovich

**THE TOWN of HIGHLAND
WORKS BOARD ORDER No. 2021-46**

AN ORDER AUTHORIZING, AND APPROVING THE PAYMENT OF ELECTIVE HONORARIA TO THE MUNICIPAL DEPARTMENTS AND SELECT EVENT PARTICIPANTS IN RECOGNITION OF AND IN GOODWILL FOR THEIR ASSISTANCE AND SUPPORT OF THE EVENTS UNDER THE AEGIS OF THE COMMUNITY EVENTS COMMISSION AND AUTHORIZING THE PAYMENT OF ELECTIVE HONORARIA FOR THEIR PARTICIPATION IN THE SPECIAL EVENTS ORGANIZED BY THE COMMUNITY EVENTS COMMISSION.

Whereas, The Town Council for the Town of Highland is the Legislative and Fiscal Body of the Municipality as well as the works board pursuant to IC 36-1-2 et seq.,

Whereas, The Highland Community Events Commission and the Town Council of Highland did rely on the support and special services of the several departments of the municipality, and many volunteers from community groups in carrying out its programming for the year;

Whereas, The Town Council has been reliably advised that it has been customary and is highly desirable for the payment of an honorarium or stipend to some of the participating municipal departments and community groups in recognition of their laudable support and contribution to the special event programming during the recent festival;

Whereas, The Town Council has been further reliably advised that many employees of the Highland Parks and Recreation Department and the Public Works Department (Agency) and many volunteers from community groups did expend time, labor and creative process to support the Town of Highland's community programming during certain special events organized by the Community Events Commission;

Whereas, At its meeting of December 9, 2021, the Community Events Commission approved and recommended certain honoraria or stipends to be paid in consequence of contributions in time or service by certain groups, departments or persons;

Whereas, Under its authority of IC 36-1-3, the Town Council passed and adopted Section §2.35.030 of the Highland Municipal Code which provides in pertinent part that the Town Council is authorized to budget and appropriate funds from the general fund of the town to pay the expenses incurred in promoting the best interests of the town and that such expenses may include, but not necessarily be limited to those incurred in developing relations with other units of government or any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the Town; and,

Whereas, The Town Council has reviewed the matter, and now desires to make findings and determinations related to the support and authorization of the awarding of stipend or honoraria to certain groups or persons as recommended by the Community Events Commission,

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

Section 1. That the following named municipal departments be paid an elective honorarium in the amounts specified, in appreciation and recognition of their contribution and support for the year's Special Events organized by the Community Events Commission, as follows:

- | | | |
|-----|--------------------------------------|-----------|
| (A) | Parks and Recreation Department | \$ 500.00 |
| (B) | Volunteers in Police Services (VIPS) | \$ 100.00 |
| (C) | Police Department | \$ 250.00 |
| (D) | Fire Department | \$ 250.00 |
| (E) | Public Works (Agency) Department | \$ 300.00 |

Section 2. That the following named person, who participated in the most recent Special Event organized by the Community Events Commission, as identified, be paid an elective stipend in the amount specified, in appreciation and recognition of this participation as follows:

- | | | |
|-----|--|-----------|
| (A) | Brian Cristofaro, 7328 Marshall Street
Merrillville, IN 46410 | \$ 250.00 |
|-----|--|-----------|

Section 3. That the Town Council hereby finds and determines that the forgoing activities and items of expense are lawful and proper expenses incurred in promoting the best interests of the Town as set forth in Section §2.23.030 of the Highland Municipal Code which reads as follows:

§ 2.35.030 AUTHORITY OF TOWN COUNCIL TO REIMBURSE
TOWN OFFICIALS FOR CERTAIN EXPENSES.

The Town Council is hereby authorized to budget and appropriate funds from the general fund of the town to pay the expenses of, and to reimburse, town officials for expenses incurred in promoting the best interests of the town. Such expenses may include, but not necessarily be limited to meals, decorations, memorabilia, awards, expenses incurred in interviewing job applicants, expenses incurred in promoting industrial, commercial, and residential development, expenses incurred in developing relations with other units of government, and any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the town.

Section 4. That the Town Council further finds and determines that the activities and expenses as described herein, if not paid from the Corporation General Fund, are uses and expenditures consistent with the purposes of the Special Events Non Reverting Fund, when proper appropriations are accordingly approved;

Section 5. That the Clerk-Treasurer is hereby authorized and instructed to prepare sufficient accounts payable vouchers against the appropriate fund and accounts for the benefit of each of the several identified honorees or stipended person, depicting the expense as an Honorarium or stipend as appropriate, in the amount herein fixed, to be paid to the proper donation fund for the named municipal departments, for their benefit, to pay all other parties as indicated and to take such other measures to carry-out the purposes and objects of this order;

Section 6. That the Clerk-Treasurer is hereby authorized and instructed to prepare sufficient accounts payable vouchers against the appropriate fund or funds and accounts for the benefit of each of the several named parties herein identified, depicting the expense as an Honorarium or Stipend, in the amount herein fixed, to be paid according to law;

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 27th day of December 2021, having passed by a vote of ____ in favor and ____ opposed.

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

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


Attest:

Michael W. Griffin, M.P.A., IAMC/MMC/CPFA/ACPFIM/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 22 DAY OF December 2021

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 \$ 645,181.46.

Dated this _____ day of _____,

TOWN COUNCIL

MARK A. HERAK

ROGER SHEEMAN

BERNIE ZEMEN

MARK SCHOCKE

TOM BLACK

User: CRK
DB: Highland

EXP CHECK RUN DATES 12/15/2021 - 12/28/2021
BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

GL Number Invoice Line Desc Ref # Vendor Invoice Description Amount Check #

Fund 001 GENERAL

Dept 0000									
001-0000-09000	MILEAGE 271*2*56C HIGH TO FRE	95758	JANICE FIGUEROA (R)	AIM IDEA SUMMIT	455.40				
001-0000-09000	MILEAGE 265*2*56C HIGH TO FRE	95759	MICHAEL W GRIFFIN (R)	AIM IDEA SUMMIT	439.36				
001-0000-09000	GENERAL NO APPROP EXPENSE	95648	TOWN OF HIGHLAND GENERAL FU	ORDIANCE 1759	15,000.00				
001-0000-32201	Conv	95646	Salyer Plumbing, Inc.	BD Payment Refund	300.00				
001-0000-32203	Electrical Contractors Exam A	95647	Todd Volling	BD Payment Refund	48.00				
001-0000-45200	GEN FUND TRANSFERS GROSS	95664	PAYROLL ACCOUNT	12/17PRL D/S TRANSFER GENERAL	175,585.36				46724
	Total For Dept 0000				191,828.12				

Dept 0001 TOWN COUNCIL

001-0001-31001	PROFESSIONAL SERVICES THROUGH	95741	FROST BROWN TODD LLC	PROFESSIONAL SERVICES THROUGH	4,166.20				
001-0001-33002	W2'S, 1099'S, ENVELOPES	95691	A E BOYCE CO INC	W2'S, 1099'S, ENVELOPES	273.26				
001-0001-39001	2022 AIM DUES	95685	AIM, ACCELERATE IND MUNICIP	2022 AIM DUES	9,232.00				
001-0001-39003	2021 MEMBERSHIP-TOWN COUNCIL	95689	HIGHLANDGRIFFITH CHAMBER OF	2021 MEMBERSHIP-TOWN COUNCIL	65.00				
	Total For Dept 0001 TOWN COUNCIL				13,736.46				

Dept 0003 VIPS

001-0003-22001	20 WIRELESS WALKIE MICS	95724	NWI EMERGENCY OUTFITTERS,LL	20 WIRELESS WALKIE MICS	4,420.00				
001-0003-39007	VIPS CAR WASHE FOR NOV	95716	EASY CLEAN CAR WASH,INC	VIPS CAR WASHES FOR NOV	12.00				
	Total For Dept 0003 VIPS				4,432.00				

Dept 0004 CLERK-TREASURER

001-0004-20001	D/S BUS LIC PAPER AND ENVELOP	95688	BAXTER PRINTING INC	D/S BUS LIC PAPER AND ENVELOPES	253.19				
001-0004-20001	D/S TONER FOR PRINTER	95651	PULSE TECHNOLOGY OF INDIANA	D/S TONER FOR PRINTER	16.68				
001-0004-32002	LODGING 11/7-11/8	95758	JANICE FIGUEROA (R)	AIM IDEA SUMMIT	303.52				
001-0004-32002	LODGING 11/7-11/8	95759	MICHAEL W GRIFFIN (R)	AIM IDEA SUMMIT	285.12				
	Total For Dept 0004 CLERK-TREASURER				858.51				

Dept 0006 BUILDING & INSPECTION

001-0006-11304	CORPORATE THREAD INV 44778-NI	95702	THE CORPORATE THREAD	CORPORATE THREAD INV 44778-NICK R	403.46				
001-0006-39001	CHAMBER OF COMMERCE DUES FOR	95677	CHAMBER OF COMMERCE	CHAMBER OF COMMERCE DUES FOR 2022	65.00				
	Total For Dept 0006 BUILDING & INSPECTION				468.46				

Dept 0007 FIRE DEPARTMENT

001-0007-20003	INVOICE# 212373889001	95653	OFFICE DEPOT,INC	OFFICE SUPPLIES	370.12				
001-0007-22004	INV # 337-394362	95656	AUTO-WARES	5117 JAWS POWER PAK FUEL FILTER	6.08				
001-0007-22004	5151 BATTERY TENDER	95658	PC-PLUS! LLC	5151 BATTERY TENDER	110.00				
001-0007-23004	5 INCH JACKSTRAPS	95662	FIRE SERVICE, INC.	5 INCH JACKSTRAPS	399.00				
001-0007-23004	INV# 215202	95663	LINDY'S ACE HARDWARE,INC	HARDWARE TOOLS AND SUPPLIES	1,058.86				
001-0007-23006	CLASS B FOAM	95655	HAYDEN AND COMPANY	CLASS B FOAM	4,609.00				
001-0007-32006	STATIONS SECURITY SYSTEM	95657	PHIL & SON, INC	STATIONS SECURITY	145.60				
001-0007-36001	5124 BRAKE CALIPERS	95661	FAUTH SERVICE,INC	5124 BRAKE CALIPERS	400.00				
001-0007-36001	5117 AIR COMP & GAUGE REPAIRS	95659	FIRE SERVICE, INC.	5117 AIR COMP & GAUGE REPAIRS	2,400.00				
001-0007-36001	5119 REAR AUX INLET VALVE REP	95660	FIRE SERVICE, INC.	5119 REAR AUX INLET VALVE REPAIRS	1,915.68				
001-0007-36001	5118 ALTERNATOR REPAIRS	95654	FIRE SERVICE, INC.	5118 ALTERNATOR REPAIRS	1,400.00				
	Total For Dept 0007 FIRE DEPARTMENT				12,814.34				

Dept 0008 PLAN COMMISSION

001-0008-31002	NIES PC INV 5071200235 11/26-	95644	NIES ENGINEERING, INC.	NIES PC INV 5071200235 11/26-12/6	1,177.82				
	Total For Dept 0008 PLAN COMMISSION				1,177.82				

Dept 0009 POLICE DEPARTMENT

001-0009-11121	SUSP DAY FOR 1ST CLASS OFFIC	95726	POLICE PENSION FUND (V)	SUSPENSION DAY FOR 1ST CLASS OFFI	251.20				
001-0009-11121	SUSEN DAY 1ST CLASS OFFICER	95727	POLICE PENSION FUND (V)	SUSPENSION DAY FOR 1ST CLASS OFFI	251.20				

INVOICE GL DISTRIBUTION REPORT FOR TOWN OF HIGHLAND
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 DB: Highland

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 001 GENERAL						
Dept 0009 POLICE DEPARTMENT	SUSPN DAY 1ST CALSS OFFICER	95728	POLICE PENSION FUND (V)	SUSPENSION DAY FOR 1ST CLASS OFFI	251.20	
001-0009-11121	ACADEMY UNIFORMS FOR POLICE A	95733	STAR UNIFORM	ACADEMY UNIFORMS FOR NEW POLICE A	568.15	
001-0009-21001	968.7 GAL OF GAS	95738	WARREN OIL COMPANY	968.7 GAL OF GAS DELV ON 12/3	2,505.83	
001-0009-21001	1000.4 GAL OF GAS	95740	WARREN OIL COMPANY	GAS DELIVERY 12-14- 1000.4 GAL OF	2,670.17	
001-0009-22004	ANTI THEFT SYSTEMS FOR NEW VE	95734	TREM PRODUCTS CO,INC/DBA	ANTI-THEFT SYSTEMS FOR NEW VEHICL	490.90	
001-0009-22004	BUCKLE ASSEMBLY CAR 71	95739	WEBB FORD INC	BUCKLE ASSEMBLY FOR CAR 71	95.57	
001-0009-23004	AA AND AAA BATTERIES	95712	BEECHY BATTERY INC	BATTERY SUPPLY- AA AND AAA	215.76	
001-0009-23004	CID SUPPLIES FOR CRIME LAB	95732	SIRCHIE FINGERPRINT LABS, I	CID SUPPLIES FOR CRIME LAB	528.27	
001-0009-23006	ALUM SHEETING FOR OTHER SIDE	95710	AAA SUPPLY CORPORATION	ALUM SHEETING FOR DOG POUND WALLS	889.34	
001-0009-32003	SPILLMAN CIRCUIT USER FEE FOR	95722	LAKE COUNTY DATA PROCESSING	SPILLMAN CIRCUIT USER FEE FOR DEC	308.22	
001-0009-38006	MAINTENANCE CONTRACT RENEWAL	95713	CHICAGO COMMUNICATIONS LLC	CCS MAINTENANCE CONTRACT RENEWAL	2,160.00	
001-0009-38006	MAT CHANGE AT PD ON 12/14	95714	CINTAS CORPORATION #319	MAT CHANGE AT PD ON 12/14	37.10	
001-0009-39001	2022 ANNUAL MEMBERSHIP DUES	95721	HIGHLANDGRIFFITH CHAMBER OF	2022 MEMBERSHIP DUES AND LM ANNUA	265.00	
001-0009-39001	2022 SUBSC RENEWAL TECH/EQUIP	95742	NORTHWEST INDIANA LAW	2022 SUBSCRIPTION RENEWAL AND TEC	4,300.00	
Total For Dept 0009 POLICE DEPARTMENT					15,787.91	
Dept 0011 SERVICES & WORKS						
001-0011-38005	SAFETY BUILDING CORP	95757	LONDON WITTE GROUP, LLC	SAFETY BUILDING CORP	4,100.00	
Total For Dept 0011 SERVICES & WORKS					4,100.00	
Dept 0012 TOWN HALL						
001-0012-21004	BOTTLE WATER12/08/21	95687	HINCKLEY SPRINGS	BOTTLE WATER 12/08/21	138.23	
001-0012-36003	TOWN HALL MATS 12/20/21	95756	CINTAS CORPORATION #319	TOWN HALL MATS ACT 16459440	57.91	
001-0012-36003	TOWN HALL MATS 12/07/21	95686	CINTAS CORPORATION #319	TOWN HALL MATS ACT 16459440	57.91	
001-0012-36003	REPAIR HEAT - WOMENS BATHROOM	95743	MECHANICAL CONCEPTS, INC.	REPAIR HEAT IN WOMENS BATHROOM -	222.00	
001-0012-36003	WOMEN'S TOILET REPAIR	95766	TIGER PLUMBING LLC	REPAIR WOMEN'S TOILET AT TOWNHALL	260.00	
Total For Dept 0012 TOWN HALL					736.05	
Total For Fund 001 GENERAL					245,939.67	
Fund 002 MVH						
Dept 0000	MVH TRANSFERS GROSS	95668	PAYROLL ACCOUNT	12/17PRL D/S TRANSFER MVH	11,309.40	46725
002-0000-45200					11,309.40	
Total For Dept 0000					11,309.40	
Dept 0016 MVH ADMIN						
002-0016-11304	2021 UNIFORMS D/S	95693	FIRE SERVICE, INC.	2021 PW UNIFORMS D/S	1,720.01	
002-0016-11306	REIMBURSE CDL TEST	95696	BRENDAN CURRAN (R)	REIMBURSE CDL TEST	100.00	
002-0016-11306	REIMBURSE CDL PHYSICAL	95701	SEAN T MATUSIK (R)	REIMBURSE CDL PHYSICAL 2021	70.00	
002-0016-36009	2022 MEMBERSHIP DUES	95709	HIGHLANDGRIFFITH CHAMBER OF	MEMBERSHIP DUES FOR 2022 - MARK K	65.00	
Total For Dept 0016 MVH ADMIN					1,955.01	
Dept 0017 MVH RECONSTRUCTION/MAINTENANCE						
002-0017-23006	SR SPRAY PAINT GLS BLACK	95698	MENARDS	MISC SUPPLIES - STREET DEPT	61.71	
002-0017-23007	WINDSHIELD INSTALL	95708	GLASS AMERICA	WINDSHIELD INSTALL MVH 1-TON	249.73	
002-0017-23007	THERMOSTAT 60MM	95697	MCCANN INDUSTRIES, INC	THERMOSTAT/GASKET/HOSE FOR UNIT #	123.78	
002-0017-23007	12/1/2021 5479-130114 CORE	95699	NAPA AUTO PARTS	MISC PARTS AND SUPPLIES - STREET	163.50	
002-0017-31002	2021 CCMG (CE)	95700	NIES ENGINEERING, INC.	2021 CCMG (CE)	17,796.74	
002-0017-36006	REPAIR CHRISTMAS TREE LIGHTS	95767	MIDWESTERN ELECTRIC INC	REPAIRS FOR CHRISTMAS TREE LIGHTS	267.50	
002-0017-36006	REPAIR STREET LIGHTS	95768	MIDWESTERN ELECTRIC INC	REPAIR STREE LIGHTS OUT HIGHWAY A	239.20	
Total For Dept 0017 MVH RECONSTRUCTION/MAINTENANCE					18,902.16	
Total For Fund 002 MVH					32,166.57	

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GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 004 LR&S						
Dept 0000						
004-0000-31002	MEETING APR THRU 11/2	95692	DVG TEAM INC	HIGHLAND TRAFFIC SAFETY COMMISSIO	2,685.00	
004-0000-31002	PAVEMENT ASSET MANAG. PLAN AN	95694	NIES ENGINEERING, INC.	GENERAL CONSULTING THROUGH 11/26/	1,382.08	
			Total For Dept 0000		4,067.08	
			Total For Fund 004 LR&S		4,067.08	
Fund 018 LAW ENFORCE CON'T ED						
Dept 0000						
018-0000-23004	BAL OF XGRD RAINCOATS	95730	PUBLIC SAFETY CENTER, INC	BALANCE OF CROSSING GRD RAINCOATS	450.00	
018-0000-23004	OCAT SPRAY FOR NEW OFFICERS	95731	SHAMROCK FILLING LLC	OCAT SPRAY FOR NEW OFFICERS	95.19	
018-0000-23004	NEW POLO SHIRTS FOR AW	95735	VARSITY SPORTS INC	NEW POLO SHIRTS FOR NEW PT AW	89.00	
018-0000-23004	2 NEW SHORTS RECORDS PERSONNE	95736	VARSITY SPORTS INC	2 NEW SHIRTS FOR RECORDS PERSONNE	52.70	
018-0000-23006	USB GIGABIT ETHERNET AND TRIP	95725	OFFICE DEPOT, INC	USB GIGABIT ETHERNET AND TRIPP LI	86.56	
018-0000-31004	INSTRUCTOR RENEWAL	95715	DOLAN CONSULTING GROUP LLC	VERBAL DE ESCALATION INSTRUCTOR R	95.00	
018-0000-31004	ON LINE TRAINING RENEWAL	95729	PRAETORIAN GROUP INC.	ONLINE TRAINING RENEWAL SERVICES	3,619.20	
018-0000-33002	PRINTED RASVE CARDS AND NOTIC	95711	BAXTER PRINTING INC	PRINTED RAVE CARDS AND NOTICE STI	465.00	
018-0000-39005	PD CAR WASHES FOR NOV	95717	EASY CLEAN CAR WASH, INC	PD CAR WASHES FOR NOV	111.00	
			Total For Dept 0000		5,063.65	
			Total For Fund 018 LAW ENFORCE CON'T ED		5,063.65	
Fund 030 ICT FUND						
Dept 0000						
030-0000-32001	POSTAGE FOR METER	95690	US POSTMASTER	POSTAGE FOR METER	1,500.00	
030-0000-32003	219 R10 2255 255 7	95748	AT&T	219 R10 2255 255 7 11/2/21-12/11/	574.24	46728
030-0000-32003	ELEVATOR PHONE-11/2/21-12/1/2	95749	AT&T	219923-2320 260 1 ELEVATOR PHONE	205.38	46729
030-0000-32003	PHONE/INTERNET FD CENTRAL	95750	COMCAST CABLE	FD CENTRAL/2901 HIGHWAY-PHONE/INT	214.76	46730
030-0000-32003	MONTHLY TELEPHONE FEE- PD	95751	WINDSTREAM HOLDINGS INC	MONTHLY TELEPHONE FEE- PD DEC 202	814.91	46731
030-0000-32003	PUMP STATION 877140025029637	95760	COMCAST CABLE	PUMP STATION 8771400250296375 12	241.27	46733
030-0000-32003	INTERNET SVC PS BLDG 8771400	95762	COMCAST CABLE	INTERNET FOR PUBLIC SAFETY BLDG	238.40	46734
030-0000-32003	PARK INTERNET ACCT 8771400250	95763	COMCAST CABLE	PARK INTERNET ACCT 87714002502083	246.12	46735
030-0000-32003	PW INTNET # 8771400250212877	95761	COMCAST CABLE	8771400250212877 PW 8001 KENNEDY	300.13	46736
030-0000-32003	FD SOUTH 2647 45TH ST	95764	COMCAST CABLE	FD S STATION PHONE/INTERNET SVC 1	119.74	46737
030-0000-32003	MEADOWS PKINTERNET ACT 877140	95765	COMCAST CABLE	MEADOWS PK MO INTERNET 11/12-1/11	114.73	46738
030-0000-33811	BRIVO CLOUD HOSTED MONTHLY SI	95753	PHIL & SON, INC	BRIVO CLOUD HOSTED MONTHLY SITE/A	100.95	
030-0000-38006	NOV 2021 COPIER AGREEMENT	95744	RICOH USA, INC	NOV 2021 COPIER AGREEMENT	380.94	
030-0000-45200	ICT TRANSFERS GROSS	95669	PAYROLL ACCOUNT	12/17 PRL D/S TRANSFER ICT	4,303.50	46723
			Total For Dept 0000		9,355.07	
			Total For Fund 030 ICT FUND		9,355.07	
Fund 055 MCCC						
Dept 0000						
055-0000-43009	BROTHER ADS-2200 SCANNERS FOR	95747	AMAZON	TWO BROTHER ADS-2200 SCANNERS FOR	659.99	
055-0000-43009	CISCO DUO SECURITY STANDARD L	95745	CDW-GOVERNMENT, INC	CISCO DUO SECURITY STANDARD ACCES	3,150.50	
055-0000-43009	8 COMPUTERS FOR CIVIL TOWN	95746	DELL COMPUTER, LP	16 NEW COMPUTERS FOR 2021	7,176.00	
055-0000-43010	8 COMPUTERS FOR POLICE	95746	DELL COMPUTER, LP	16 NEW COMPUTERS FOR 2021	7,176.00	
			Total For Dept 0000		18,162.49	
			Total For Fund 055 MCCC		18,162.49	
Fund 083 GENERAL IMPROVEMENT						
Dept 0000						

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

12/21/2021 03:41 PM
 User: CRK
 DB: Highland

Invoice Line Desc Ref # Vendor Invoice Description Amount Check #

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 083 GENERAL IMPROVEMENT						
Dept 0000						
083-0000-44070	3500 CLOCK OF JEWETT (CN) ASS 95706		DYER CONSTRUCTION CO	3500 BLOCK OF JEWETT (CN) ASSESSM	51,622.64	
	Total For Dept 0000				51,622.64	
	Total For Fund 083 GENERAL IMPROVEMENT				51,622.64	
Fund 085 TRAFFIC VIOLATIONS						
Dept 0001 TOWN COUNCIL						
085-0001-00400	CASH BOND FEES	95755	LAKE COUNTY CLERK	CASH BOND FEES	1,000.00	46732
	Total For Dept 0001 TOWN COUNCIL				1,000.00	
	Total For Fund 085 TRAFFIC VIOLATIONS				1,000.00	
Fund 091 GAMING REVENUE						
Dept 0000						
091-0000-31002	3500 BLOCK OF JEWETT (CE)	95695	NIES ENGINEERING, INC.	3500 BLOCK OF JEWETT (CE)	19,171.00	
091-0000-44085	3500 BLOCK OF JEWETT (CN)	95705	DYER CONSTRUCTION CO	3500 BLOCK OF JEWETT (CN)	216,175.29	
	Total For Dept 0000				235,346.29	
	Total For Fund 091 GAMING REVENUE				235,346.29	
Fund 249 PUBLIC SAFETY INCOME TAX FUND						
Dept 0000						
249-0000-43008	NEW LPR CAMERA RIDGE/KLEINMAN 95719		HERNANDEZ ELECTRIC CONSTRUC	NEW LPR CAMERA/EQUIP FOR RIDGE RD	18,871.00	
249-0000-43008	LPR CAMERA/EQUIP KENNEDY/GRAN 95720		HERNANDEZ ELECTRIC CONSTRUC	NEW LPR CAMERA/EQUIP FOR KENNEDY	18,587.00	
249-0000-43049	UPGRADE OF PUB SAFTEY SURVL C 95718		HERNANDEZ ELECTRIC CONSTRUC	UPGRADE OF PUB SAFETY SURV VIDEO	5,000.00	
	Total For Dept 0000				42,458.00	
	Total For Fund 249 PUBLIC SAFETY INCOME TAX FUND				42,458.00	

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
				Fund 001 GENERAL	245,939.67	
				Fund 002 MVH	32,166.57	
				Fund 004 LR&S	4,067.08	
				Fund 018 LAW ENFORCE CON'T ED	5,063.65	
				Fund 030 ICT FUND	9,355.07	
				Fund 055 MCCD	18,162.49	
				Fund 083 GENERAL IMPROVEMENT	51,622.64	
				Fund 085 TRAFFIC VIOLATIONS	1,000.00	
				Fund 091 GAMING REVENUE	235,346.29	
				Fund 249 PUBLIC SAFETY INCOME TAX	42,458.00	
				Fund Totals:	645,181.46	

Payroll Docket

\$	232,117.82	\$	232,117.82	Delta	\$	-
Council, Boards and Commissions		\$	-			
Office of Clerk-Treasurer		\$	15,090.83			
Regular Staff	\$ 15,090.83					
Field Service Rep	\$ -					
Building & Inspection		\$	10,209.65			
Metropolitan Police		\$	130,240.10			
Crossing	\$ 1,262.00					
Full-Time Police	\$ 110,596.67					
Full-Time Non-sworn	\$ 18,381.43					
Public Works Department		\$	68,902.65			
Fire Department		\$	4,136.12			
Component One	\$ 4,136.12					
Component Two	\$ -					
Information Communications Technology Dept		\$	3,538.47			
Police 1925 Pensions		\$	-			

Payday: 17-Dec-2021