

**Enrolled Minutes of the Fifty-Seventh Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Meeting (Electronic/Hybrid)
Monday, December 27, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, December 27, 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, through January 1, 2022. Some persons were participating 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. *Four of the five Town councilors participated in person.*

The Town Council President, Roger Sheeman, presided. The Town Clerk-Treasurer, Michael W. Griffin, was present in person to memorialize the proceedings. The meeting was opened with Councilor Bernie Zemen 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 and Sheeman all participated in person. Councilor Black participated remotely via Zoom.

Additional Officials Present: John Reed, Town Attorney; Mark Knesek, Public Works Director (remotely); Patrick Vassar, Assistant Chief of Police; William R. Timmer, Jr., CFOD, Fire Chief; (remotely); Alex M. Brown, CPRP, Superintendent of Parks and Recreation (remotely); Kathy DeGuilio-Fox, Redevelopment Director (remotely); Edward Dabrowski, Director of Information Technology; and Kenneth J. Mika, Building Commissioner were present. All participated in person except, where it's denoted remotely.

Also present: George M. Georgeff, Redevelopment Commission; and Larry Moes, Town Board of Metropolitan Police Commissioners were also present.

Guests: James L. Wieser, Attorney for Russell Group; Jennifer Smith, Esq., Russell Development Group; (remotely) Theresa Badovich of the Idea Factory (remotely); and Jennifer Hudson, London Witte Group; James D. Shanahan, Attorney with Taft Law (remotely) were present remotely.

Minutes of the Previous Meetings:

The minutes of the regular meeting of December 13, 2021, were approved by general consent.

Special Orders:

- 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).
 - (a) Instruction and Administration of Oath.* The Town Clerk-Treasurer offered the outline, rationale and instruction related to the oath of office for the police officer candidates.

The clerk-treasurer then administered the oath of office to each officer's, candidate separately. Each offer the proper oath.

- (b) *Presentation of Badges by Metropolitan Police Commission Chair and/or Town Council President or the Metropolitan Police Chief.* The Assistant Police Chief and the Town Board of Metropolitan Police Commissioners Chair, Mr. Moes presented police badges to Police Officer Freyek and Police Officer Glidewell.

The Town Council President and members of the Town Council welcomed the new officers, who then each introduced members of friends and family who were in attendance.

Comments from Visitors or Residents:

1. Larry Kondrat, Highland, expressed support for the introduced Ordinance No. 1760 increasing the wage and salary of the Town Council.

Mr. Kondrat expressed opposition to the passage and adoption of introduced Ordinance No. 1757. Mr. Kondrat expressed skepticism regarding the estimates of the tax increment production.

2. James L. Wieser, attorney for the Russell Group, acknowledged that Ms. Smith was also present via Zoom for the meeting. Mr. Wieser spoke in support of the passage and adoption of the introduced Ordinance No. 1757, outlining some of the infrastructure projects it required of the developer as part of the economic development agreement to be financed by private placement economic development bonds purchased by the developer and financed by the generated tax increment of the development.

Unfinished Business and 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.)*

Councilor Zemen moved the passage and adoption of Ordinance No. 1757. Councilor Herak seconded. Prior to the roll call, the following amendments were proposed. No amendment was considered as each failed to attain a second.

Councilor Schocke moved to amend Ordinance No. 1757, changing the issue amount of the economic development bonds from \$4 million dollars to one dollar. This motion did not attain a second.

Councilor Schocke moved to amend Ordinance No. 1757, changing the issue amount of the economic development bonds from \$4 million dollars to one dollar and once cent (\$1.01). This motion did not attain a second.

Councilor Schocke moved to amend Ordinance No. 1757, changing the issue amount of the economic development bonds from \$4 million dollars to ninety nine cents (99¢). This motion did not attain a second.

Councilor Schocke moved to amend Ordinance No. 1757, changing the issue amount of the economic development bonds from \$4 million dollars to ninety-eight cents (98¢). This motion did not attain a second.

The Town Council President ruled out of order and dilatory, any further motions to amend as presented to amend the issue value of the bonds, having not attained in any case a second.

Councilor Schocke moved to appeal the decision of the chair. The motion did not attain a second.

Close debate. Councilor Herak moved for the previous question to be considered. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and one negative. With Councilors Zemen, Herak, Black and Sheeman voting in the affirmative and Councilor Schocke voting in the negative, the motion passed. Further debate ended on the matter of whether to adopt the motion to adopt Ordinance No. 1757, and the vote was called.

Roll Call: The Town Council President instructed the Clerk-Treasurer to conduct the roll call on the motion for the passage and adoption of Ordinance No. 1757. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Zemen, Herak and Sheeman voting in the affirmative and Councilors Schocke and Black voting in the negative, the motion passed. Ordinance No. 1757 was adopted upon the signature of the municipal executive as attested thereto by the clerk-treasurer.

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;

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 13th 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 27th Day of December 2021, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 3 in favor and 2 opposed.

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

(SEAL)

/s/ 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 36-5-2-10.2; IC 36-5-6-5)

EXHIBIT

Economic Development Agreement

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
Scherverville, Indiana 46375
Email: jimwieser@wieserwyllelaw.com

To the Town Parties:

Town of Highland, Indiana
3333 Ridge Road
Highland, Indiana 46322

Attention: Michael W. Griffin, Clerk-Treasurer
Email: mgriffin@highland.in.gov

Highland Redevelopment Commission
3333 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 $SO^{\circ}17'53''V$ 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 $N89^{\circ}42'07''/$ 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
(TO BE ACQUIRED BY THE TOWN)

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 $N89^{\circ}42'07''W$ 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

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*)

Councilor Zemen moved the passage and adoption of Ordinance No. 1760. Councilor Herak seconded. Prior to the roll call, the following amendments were proposed.

Councilor Black moved to amend Ordinance 1760 to exclude the increase for the members of the Town Council from its provisions. Councilor Herak seconded. Upon a roll call vote, there were three negatives and two affirmatives. With Councilors Zemen, Schocke and Sheeman voting in the negative and Councilors Herak and Black voting in the negative, the motion to amend did not pass.

Following a colloquy between Councilor Schocke regarding whether an increase for the Information Technology Director salary, it was noted that a four percent increase to the base pay of the position would automatically go into effect on the one year anniversary of the person's service.

Councilor Schocke moved to amend Section 13 (A) of Ordinance No. 176, making the bi-weekly starting pay rate of \$3,538.47 the same as the listed incumbent bi-weekly rate of \$3,690.41. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Schocke, Black and Sheeman voting in the affirmative, and Councilor Herak voting in the negative, the motion passed. The ordinance was amended as indicated.

Roll Call: There being no further amendments forthcoming, the Town Council President instructed the Clerk-Treasurer to conduct the roll call on the motion for the passage and adoption of Ordinance No. 1760 *as amended*. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Zemen, Schocke and Sheeman voting in the affirmative and Councilors Herak and Black voting in the negative, the motion passed. Ordinance No. 1760 as amended was adopted upon the signature of the municipal executive as attested thereto by the clerk-treasurer.

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 of 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

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 mont
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)	\$ 2,191.05	\$ 2,246.40
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) Encumbering Officer	(1)	\$ 20.57	\$ 20.57 hr.
(3) Associate Clerk, Payroll & Personnel	(1)	\$ 20.57	\$ 20.57 hr.
(4) Chancery / Bursar Clerk, Senior	(1)	\$ 19.80	\$ 19.80 hr.
(5) Chancery / Bursar Clerk	(2)	\$ 19.47	\$ 19.47 hr.
(6) Lead Utility Clerk	(1)	\$ 20.57	\$20.57 hr.
(7) Utility Systems Clerk	(2) ^{xx}	\$ 19.47	\$19.47 hr.
(8) Chamberlain Clerk (part-time)	(X)	\$ 15.74	\$ 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	(ACPFA)	\$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)	\$101.60 bi-weekly	\$1.27 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
<i>* If position of administrative assistant is filled, the position of public works secretary must be vacant.</i>			
(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
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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.**

	Starting Rate	Incumbent Rate
(4) Patrol Officers:		
Police Officer 1 (Special)	\$ 2,885.17	\$ 2,885.17
Police Officer 1	\$ 2,612.41	\$ 2,612.41
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
Deputy Commander (1)	\$ 3,008.81	\$ 3,008.81

(6) The following rank has been deemed a trace rank. Only officers employed in with the Metropolitan Police Department **on or before April 12, 2001** shall be eligible to elevation to the trace rank of Lance Corporal. This trace rank **is** conferred as follows:

(a) It shall be conferred on all Patrol Officers First Class in good standing, who meet the date eligibility indicated, who have successfully completed ten (10) years of continuous service with the Highland Metropolitan Police Department and upon approval of the Town Board of Metropolitan Police Commissioners; or

(b) It may be conferred on an officer of any higher rank in consequence of a proper disciplinary action who meets the date eligibility indicated.

Officers holding such rank will continue to hold such rank until their **demotion**, promotion or separation from service with the Metropolitan Police Department, at the level of pay set forth in this ordinance. Having separated, an officer having once been eligible to hold the trace rank or having the trace rank at the time of separation shall not be eligible hold such rank if officer is later re-hired, unless ordered by a court.

	Starting Rate	Incumbent Rate
Lance Corporal	\$ 2,700.98	\$ 2,700.98

(F) **Other Associate Staff and Public Safety Employees**

	Starting Rate	Incumbent Rate
(1) Support Services Administrator (1)	\$ 2,090.77	\$ 2,137.82

	Starting Rate	Incumbent Rate
(2) Systems Administrator/ IT & Training Officer (part-time)	\$23.39 hr.	\$32.31 hr*.
	Starting Rate	Incumbent Rate
(3) Secretary (1)	\$ 19.99	\$ 23.15 per hr.
(4) Lead Support Services Clerk (1)	\$ 17.75	\$ 19.33
(5) Lead Support Services Training Coordinator (1)	\$ 17.23	\$ 18.77
(6) Support Services Clerk (2)	\$ 16.59	\$ 18.14
Support Services Clerk (part-time)	\$ 16.59	\$ 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 \$1,070.00 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: Without an employer provider vehicle:			\$ 2,997.66 \$ 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:

		Salaried adds		Hourly adds
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 than 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:

	01.01.2022	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 <i>(per hour or fraction thereof) (see HMC Section 9.05.050)</i>	\$ 17.00 hr.	\$17.50 hr.
(5) Inspection <i>(per hour or fraction thereof) (see HMC Section 9.05.050)</i>	\$ 10.91 hr.\$10.91 hr.	

(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	\$ 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:

Years of Service Completed	HOURLY	BI-WEEKLY
1	\$ 0.09	\$ 7.12
2	\$ 0.14	\$ 11.20
3	\$ 0.19	\$ 15.20
4	\$ 0.24	\$ 19.20
5	\$ 0.29	\$ 23.20
6	\$ 0.34	\$ 27.20
7	\$ 0.39	\$ 31.20
8	\$ 0.44	\$ 35.20
9	\$ 0.49	\$ 39.20
10	\$ 0.54	\$ 43.20
11	\$ 0.59	\$ 47.20
12	\$ 0.64	\$ 51.20
13	\$ 0.69	\$ 55.20
14	\$ 0.74	\$ 59.20
15	\$ 0.79	\$ 63.20
16	\$ 0.84	\$ 67.20
17	\$ 0.89	\$ 71.20
18	\$ 0.94	\$ 75.20
19	\$ 0.99	\$ 79.20
20	\$ 1.05	\$ 84.00
21	\$ 1.11	\$ 88.80
22	\$ 1.16	\$ 92.80
23	\$ 1.20	\$ 96.00
24	\$ 1.22	\$ 97.60
25	\$ 1.24	\$ 99.20
26	\$ 1.26	\$ 100.80
27	\$ 1.28	\$ 102.40
28	\$ 1.30	\$ 104.00
29	\$ 1.32	\$ 105.60
30	\$ 1.34	\$ 107.20
31	\$ 1.40	\$ 112.00
32	\$ 1.46	\$ 116.80

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 express provisions of this ordinance, in all other instances not sooner than January 9, 2022, and except to any express effective dates herein described to the contrary 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 27th Day of December 2021, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 3 in favor and 2 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; IC 36-5-6-5; IC 36-5-2-10.2)

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.

Councilor Herak introduced and moved the consideration of Ordinance No. 1761 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Ordinance No. 1761 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction, upon signature of the municipal executive as attested thereto by the clerk-treasurer.

**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 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED 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 5 in favor and 0 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)

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

Councilor Zemen moved the passage and adoption of Resolution No. 2021-57. 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
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 5 in favor an 0 opposed.

TOWN COUNCIL of the TOWN of

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 CONNIT 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

12-19-21
Date


Kathy DeGuilio-Fox
Redevelopment Director
Highland Redevelopment Department

December 14, 2021
Date

VIS LAW, I.L.C.
NATHAN D. VIS, ESQ.
ATTORNEY AT LAW
Licensed in Illinois and Indiana

P. O. Box 980, Cedar Lake, Indiana 46403
Telephone (219) 689-1079
Facsimile (219) 533-1281

NATHAN D. VIS
ndv@vislaw.com

LISA M. KMETZ, PARALEGAL
ljamleg@vislaw.com

November 23, 2021

VIA EMAIL TO 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

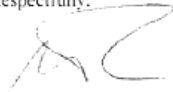
Over the course of the past 12 months, my clients have engaged in extensive energies and financial investment into their ongoing business operations. Recognizing this investment, it is my client's plan to commence this winter with the removal of the trees and underbrush from the property, and leveling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

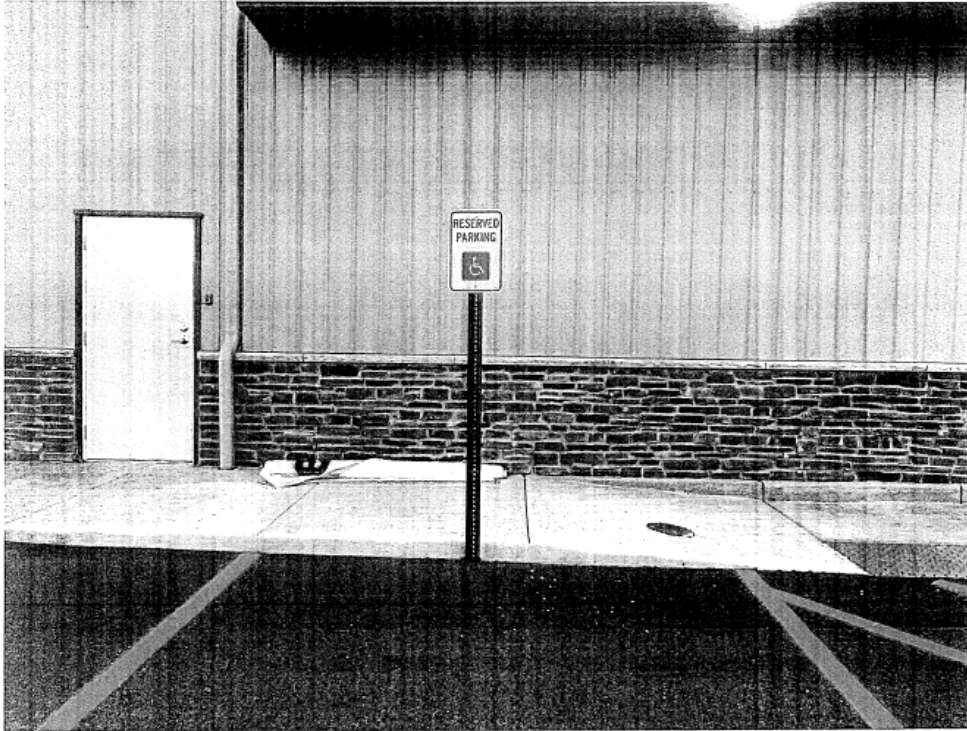
Respectfully,



Nathan D. Vis

NDV/lmk
Attachment

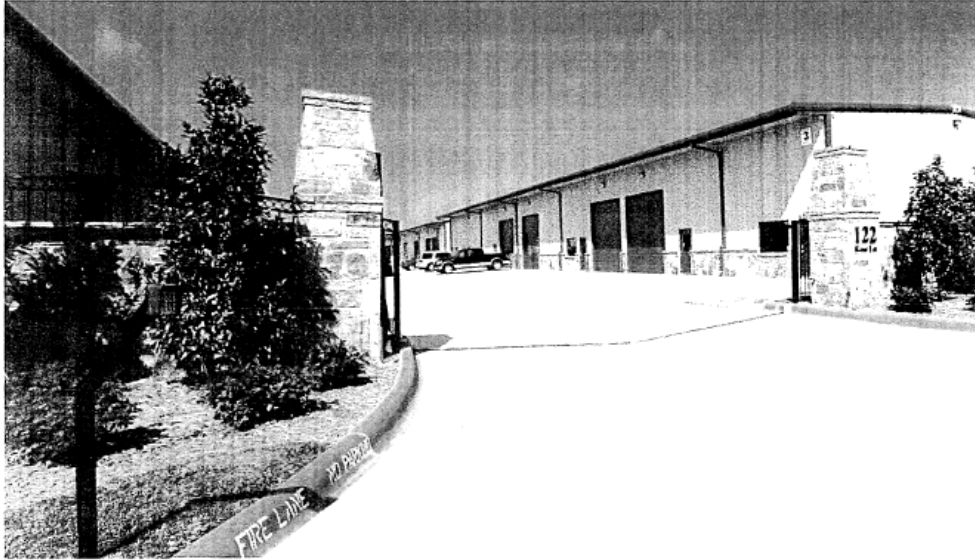


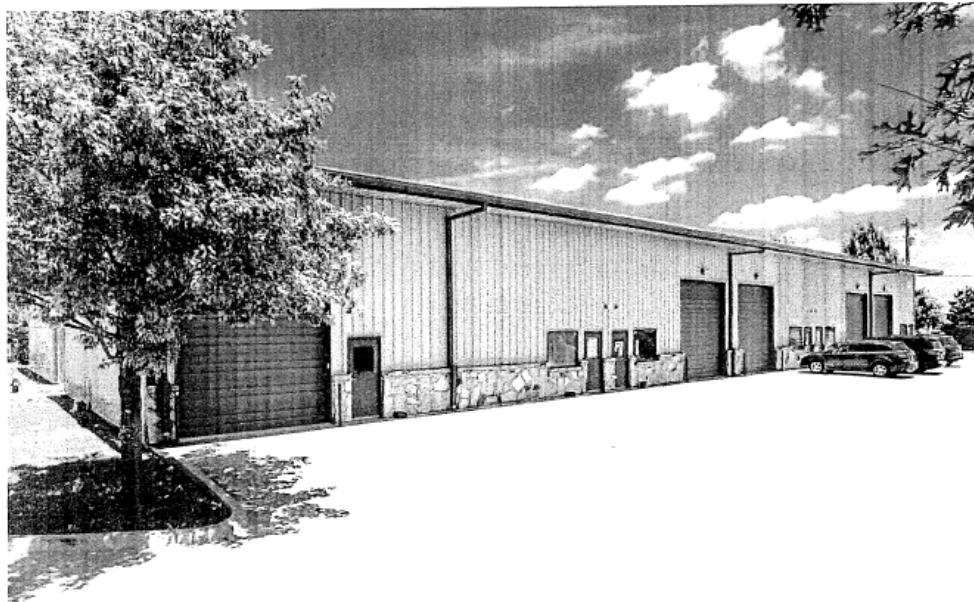
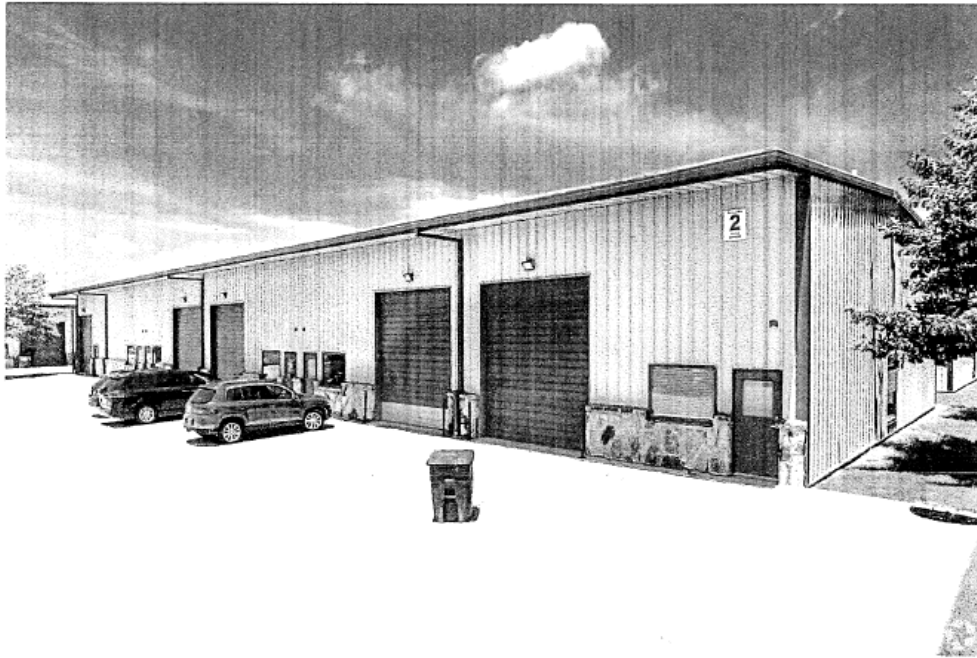


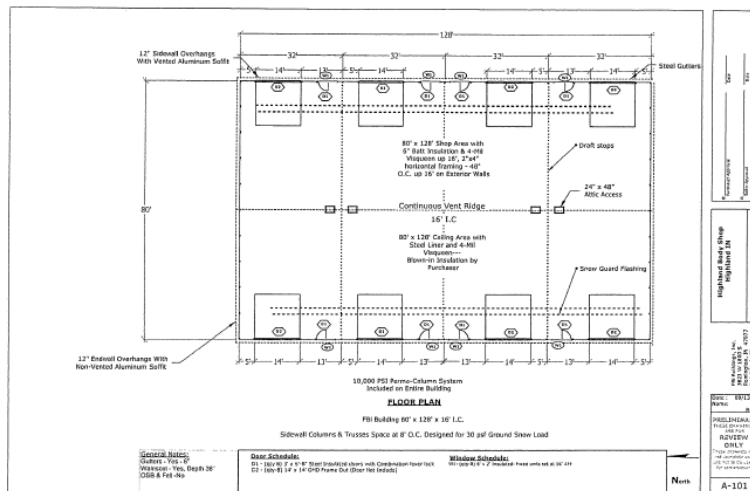


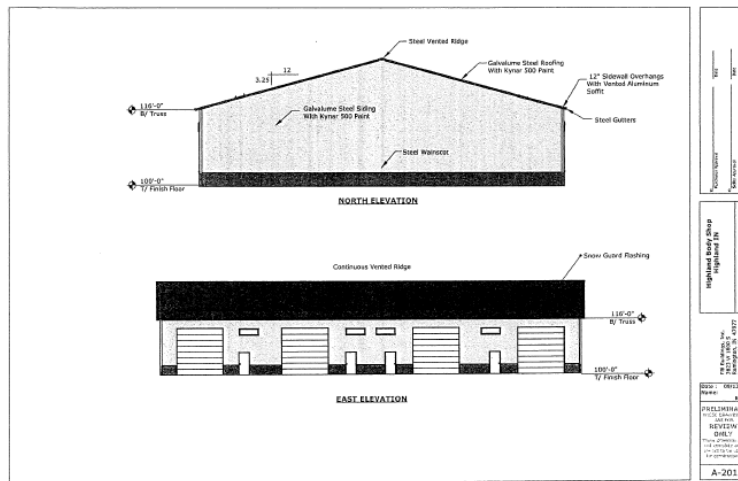










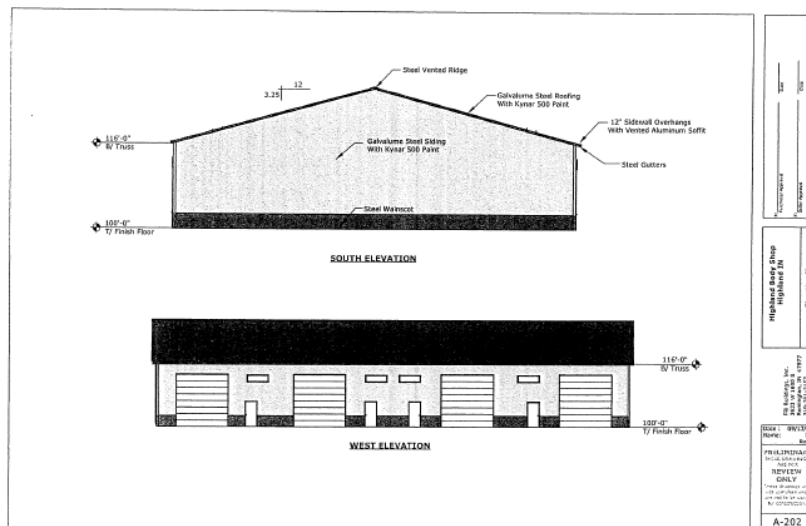


PROJECT NUMBER	DATE
DESCRIPTION	SCALE
PROJECT NAME	PROJECT NUMBER
PROJECT ADDRESS	PROJECT DATE
PROJECT PHONE	PROJECT FAX
PROJECT EMAIL	PROJECT URL

Highland Ridge Shop
 Highland, TN
 615-276-1111
 www.highlandridge.com

DATE: 01/21/22
 DRAWN BY: [Redacted]
 CHECKED BY: [Redacted]
 REVIEWED BY: [Redacted]
 ONLY FOR PRELIMINARY REVIEW
 NOT FOR CONSTRUCTION

A-201

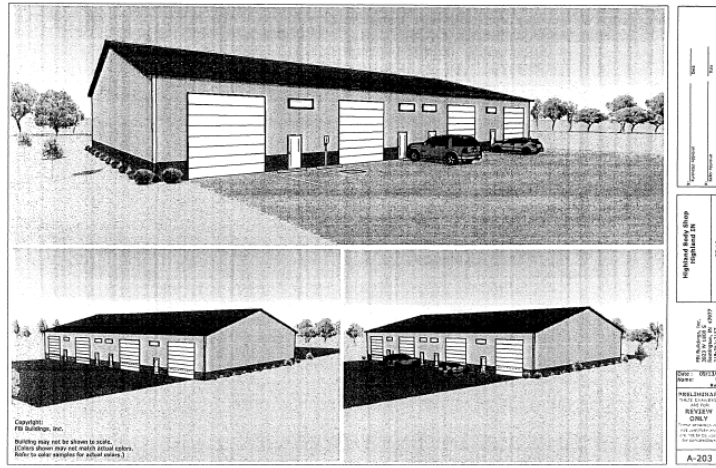


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 CHECKED BY: [Redacted]
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 ONLY FOR PRELIMINARY REVIEW
 NOT FOR CONSTRUCTION

A-202



- 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.

Councilor Herak moved the passage and adoption of Works Board Order No. 2021-44. 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 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 5 in favor and 0 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

Change order on file with the Office of Clerk-Treasurer

- 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.

Councilor Herak moved the passage and adoption of Works Board Order No. 2021-45. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order and agreement were adopted as amended.

Amend. Councilor Schocke moved to amend the affixed agreement to read for a term of one year. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The agreement was amended.

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 5 in favor and 0 opposed.

**WORKS BOARD 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)**

AGREEMENT

This Agreement made and entered into this 27th day of December 2021, 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) year 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

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.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2021-46. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

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
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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 5 in favor and 0 opposed.

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)

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 matters pending before the plan commission.

Councilor Zemen acknowledged the Parks and Recreation Superintendent, (remotely) who reported on the Twelfth night event for January 6, 2022.

Councilor Zemen acknowledged the Fire Chief who reported on fire service matters.

Councilor Zemen offered a moment of reflection regarding Ken Bogucki and Dr. Mark Kendra, both of whom were challenged by serious illness.

- **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 acknowledged the Building Commissioner who reported on activity of the Building and Inspection Department and code enforcement activity. He further offered comments regarding the activity before the Advisory Board of Zoning Appeals.

Councilor Herak acknowledged the Assistant Police Chief who reported on police department matters.

Councilor Herak acknowledged the Public Works Director, who reported (remotely) on projects under the aegis of the Public Works Department (agency). The Public Works Director reported workplace impacts from COVID.

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

Councilor Schocke congratulated the newly sworn police officers.

Councilor Schocke expressed his opprobrium with the passage of Ordinance No. 1757. Councilor Schocke asserted his belief that he was not allowed to express fully his opposition to its passage.

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

Councilor Black congratulated and thanked the newly sworn officers for their willingness to serve the town in a difficult job.

Councilor Black acknowledged Ms. Kathy DeGuilio-Fox as Redevelopment Director and thanked her for her service to the Town. (The Redevelopment Director noted that she was transitioning to less than full-time, assisting in the search and training for her successor).

- **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 provided survey of redevelopment matters generally and the course leading to the passage of Ordinance No. 1787.

The Town Council President offered remarks of encouragement and new year's wishes.

Comments from Visitors or Residents

1. Larry Kondrat, Highland, expressed skepticism regarding revenue projections associated with the economic development tax increment incentive adopted in the passage of Ordinance No. 1757.

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 December 14, 2021, 2021, through December 27, 2021 and ratifying the payroll docket for the payday of December 17, 2021. Councilor Schocke 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 were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$240,939.67; Motor Vehicle Highway and Street (MVH) Fund, \$32,166.57; Local Road and Street Fund, \$4,067.08; Law Enforcement Continuing Education and Training and Supply Fund, \$5,063.65; Information Communications Technology Fund, \$9,355.07; Municipal Cumulative Capital Development Fund, \$18,162.49; General Improvement Fund, \$51,622.64; Traffic Violations and Law Enforcement Fund, \$1,000.00; Gaming Revenue Sharing Fund, \$235,346.29; and Public Safety Local Income Tax Fund, \$42,458.00; Total: \$645,181.46.

Payroll Docket for payday of December 17, 2021:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$15,090.83; Building and Inspection Department, \$10,209.65; Metropolitan Police Department, \$130,240.10; Public Works Department (Agency), \$68,902.65; Fire Department, \$4,136.12; Information Communications Technology Department, \$3,538.47 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$232,118.72.

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 27, 2021, adjourned at 8:06 O'clock p.m.

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

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

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