

**Enrolled Minutes of the Thirty-Fifth Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Meeting (Electronic)
Monday, March 22, 2021.**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, March 22, 2021 at 6:30 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

**Special note:* This special meeting was convened allowing members of the Town Council to participate electronically without being physically present, to be counted in the quorum and able to simultaneously listen and respond to matters taken up in the meeting, all pursuant to Governor Holcomb's Executive Orders 20-04 and 20-09, extended by Executive Order No. 21-05 allowing meetings to be convened pursuant to IC 5-14-1.5-3.6 for the duration of the Corona Virus COVID 19 Emergency. All members of the Town Council participated electronically with the Clerk-Treasurer participating as well. The electronic platform also allowed the public to observe and participate from on-line access.

The Town Council President, Roger Sheeman presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Mark Schocke leading in the Pledge of Allegiance to the Flag of the United States of America.

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. All were participating electronically. A quorum was attained.

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

Also present: Edward Dabrowski of the Board of Waterworks Directors; Robyn Radford of the Redevelopment Commission; and Ed Dabrowski as IT (Contract) Director (all electronically) were also present.

Guests: Theresa Badovich of the Idea Factory was also present (electronically).

Minutes of the Previous Meeting: The minutes of the regular meeting of March 8, 2021 was submitted for consideration. Councilor Zemen moved the approval of the minutes. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The minutes of the regular meeting of March 8, 2021 were approved.

Special Orders:

1. **Advisory Board of Zoning Appeals Docket:** Petition for a **Use Variance** for property located 2635 45th Avenue, **Highland**, to allow the petitioner to operate and expand existing a **child daycare facility**. This is not a listed, permitted use in this zoned district. The property is currently zoned as B-1 Neighborhood Business District. Petitioners: **Steven and Jaqueline Keller**, 2017 Azalea, Highland. (*Existing business. The petition supports expansion*)

The Advisory Board of Zoning Appeals by a vote of four (4) in favor and zero (0) opposed acted to **favorably recommend the request for the use variance** for the property. The ABZA acted at its meeting of 24 February 2021. The findings of fact were memorialized and are expected to be approved by the board in written form at its meeting of 24 March 2021. (*90 days ends 25 May 2021*).

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

(A) *Opportunity for Comment.* The petitioner, Jaqueline Keller was present electronically and again urged the approval of the use variance.

(B) *Action on the Recommendation.* Councilor Herak moved to accept the recommendation of the Advisory Board of Zoning Appeals and grant the use variance. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The use variance was granted.

2. **Advisory Board of Zoning Appeals Docket:** Petition for a **Use Variance** for property located 8542 Henry Street, **Highland**, to allow the petitioner to continue to the property and the existing structure as a **single family use**. This is currently a legal, non-conforming use. The property is currently zoned as B-2 Central Business District. Petitioner: **Alexander Momcilovic**, Highland. (*Existing business. The petition supports expansion*)

The Advisory Board of Zoning Appeals by a vote of four (4) in favor and zero (0) opposed acted to **favorably recommend the request for the use variance** for the property. The ABZA acted at its meeting of 24 February 2021. The findings of fact were memorialized and are expected to be approved by the board in written form at its meeting of 24 March 2021. (*90 days ends 25 May 2021*).

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

(A) *Opportunity for Comment.* The petitioner, Alexander Momcilovic, was present electronically and urged the approval of the use variance. He noted that he was

pursuing this at the urging of his Bank as he was refinancing the property and the bank really insisted on this approval, given the existing zoning.

(B) Action on the Recommendation. Councilor Herak moved to accept the recommendation of the Advisory Board of Zoning Appeals and grant the use variance. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The use variance was granted.

Comments from the Public or Visitors:

1. Larry Kondrat, Highland, said asked about the several proposed additional appropriations listed in the proposed notice of public hearing that would be taken up later in the meeting.

The Town Attorney reminded Mr. Kondrat that this portion of the agenda was not a public hearing and was arranged for comments and not so much to posing questions.

Mr. Kondrat asked about a leaking roof for the Town Hall but was advised that it had been repaired.

Appointments:

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

Home Rule Boards and Commissions

1. **Tree Board Chairperson.** The Town Council President also appoints the Chairperson to be selected from the membership of the board. (See HMC Section 8.25.030 (C)) *(Formerly held by Bill Vargo.)*

The Town Council President appointed James Colias, a member of the Tree Board as its chairperson, pursuant to HMC Section 8.25.030(C).

Unfinished Business and General Orders:

1. **Resolution No. 2021-11:** An Exigent Resolution Providing for the Transfer of Appropriation Balances From and Among Major Budget Classifications in the Municipal Cumulative Capital Development Fund as Requested By the Proper Officer And Forwarded To The Town Council For Its Action Pursuant To I.C. 6-1.1-18-6.

Councilor Herak moved the passage and adoption of Resolution No. 2021-11. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

RESOLUTION NO. 2021-11

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the MUNICIPAL CUMULATIVE CAPITAL DEVELOPMENT FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO I.C. 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Municipal Cumulative Capital Development Fund**;

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

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations of the **Municipal Cumulative Capital Development Fund**, which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

MUNICIPALITY CUMULATIVE CAPITAL DEVELOPMENT FUND

Reduce Account:

055-0000-43009 COMPUTER/PRINTERS	<u>\$ 28,000.00</u>
<i>Total 400 Series Decreases:</i>	\$ 28,000.00

Increase Account:

055-0000-39004 APPLICATION SOFTWARE	<u>\$ 28,000.00</u>
<i>Total 200 Series Increases:</i>	\$ 28,000.00

Total of Fund Decreases: **\$ 28,000.00**

Total of Fund Increases: **\$ 28,000.00**

DULY RESOLVED and ADOPTED this 22nd Day of March 2021 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

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

Attest:

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

- 2. Works Board Order No. 2021-04:** An Order Of The Works Board Approving The Agreement To Acquire And Licensing And For Services With BS&A Software, Inc. In Support of Its Software For Community Development Module To Be Used By The Building And Inspection Department of Town of Highland.

Councilor Black moved the passage and adoption of Works Board Order No. 2021-04. Councilor Schocke seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD 2021-04

AN ORDER OF THE WORKS BOARD APPROVING THE AGREEMENT TO ACQUIRE AND LICENSING AND FOR SERVICES WITH BS&A SOFTWARE, INC. IN SUPPORT OF ITS SOFTWARE FOR COMMUNITY DEVELOPMENT MODULE TO BE USED BY THE BUILDING AND INSPECTION DEPARTMENT OF TOWN OF HIGHLAND

WHEREAS, The Building and Inspection Department determined a need to acquire new software to support the administration of the building code, zoning code and regulatory code enforcement responsibilities of the department;

WHEREAS, The Building Commissioner in consultation with the IT Director (Contact) favorably noted that the existing BS&A Software that powers general ledger, payroll, special assessments, business and animal licensing, utility billing and associated accounting systems *according to the municipality's reasonable requirements*, also has a compatible module that well supports the administration of the building code, zoning code and regulatory code enforcement responsibilities of the department, according to the municipality's reasonable requirements;

WHEREAS, Following further due diligence, the Clerk-Treasurer recommended, *BS&A Software*, as having acquitted itself as the sole vendor best able and most likely to provide *according to the municipality's reasonable requirements*, high quality general ledger, payroll, special assessments, utility billing and associated accounting systems that would also support the preparation of the Comprehensive Annual Financial Report, provide greater flexibility, and support certain transparency objectives related to financial, budgetary and contract information;

WHEREAS, Based upon the foregoing, the Town Council approved the acquisition and licensing agreement with *BS&A Software* by the passage and adoption of Works Board Order No. 2013-20 on the 8th of April 2013;

WHEREAS, Still further, based upon the foregoing, the Town Council approved the maintenance and support agreement with *BS&A Software* by the passage and adoption of Works Board Order No. 2014-37 on the 8th of December 2014;

WHEREAS, Following further due diligence, the Building Commissioner and IT Director (Contact) recommended, *BS&A Software Community Development Module*, as having acquitted itself as the sole vendor best able and most likely to provide *according to the municipality's reasonable requirements*, administration of the building code, zoning code and regulatory code enforcement responsibilities of the department;

WHEREAS, The *BS&A Software Module initial acquisition and licensing price is greater than \$15,000* and pursuant to Section 3.05.040 (C) as well as Section 03.05.050 (B) of the Highland Municipal Code requires the express approval of the purchasing agency;

WHEREAS, Section 3.05.030 (A) of the Highland Municipal Code provides that the Town Council as the Works Board of the municipality, shall serve as the purchasing agency for the municipality and its executive departments;

WHEREAS, Section 3.05.050(D)(3) of the Highland Municipal Code still further provides that the Building Commissioner or his/her designee is the purchasing agent for the Building and Inspection Department; and,

WHEREAS, The Town Council, acting as the Works Board for the Town of Highland now desires to approve and authorize the acquisition a, installation and maintenance agreement with BS&A Software for its Community Development Module and to further authorize the Building Commissioner to complete the renewal pursuant to the terms stated herein,

NOW, THEREFORE, BE IT HEREBY ORDERED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA ACTING AS THE WORKS BOARD OF THE MUNICIPALITY AS FOLLOWS:

Section 1. That the acquisition, installation and support and maintenance agreement with BS&A Software, 14965 Abbey Lane, Bath, Michigan 48808, first approved by the Town Council by its adoption of Works Board Order No. 2013-20 on the 8th of April 2013 is hereby affirmed and approved in all respects;

Section 2. That the Town Council as the works board, hereby finds and determines that the vendor constitutes a single source that meets the municipality's reasonable requirements for software and data processing, and thereby eligible for special purchasing methods, pursuant to Section 3.05.065 (H) of the Highland Municipal Code and I.C. 5-22-10;

Section 3. That the Community Development Module in the BS &A Software is approved and authorized for acquisition according to the terms of the proposal, incorporated herein as an exhibit;

Section 4. That the following fees and services as set forth in the agreement with BS&A Software, which constitutes the installation, conversion, training and activation for the Community Development Module, carrying a prices that are hereby found and determined to be reasonable and fair, are hereby approved and allocated as follows:

(A) For licensing, installation of the applications associated with the Community Development module, fees which shall not exceed in the amount of fifteen thousand, six hundred twenty dollars (\$15,620.00) for the Building Department component and shall not exceed the amount of six thousand, five hundred sixty dollars (\$5,560) for the Field Inspection component;

(B) For licensing, installation of the applications associated with the Community Development module, fees which shall not exceed in the amount of nine thousand, eight hundred forty dollars (\$9,840.00) for the On-line permitting component;

(C) For data conversions and database set-up associated with the Community Development module, fees which shall not exceed in the amount of thirteen thousand, two hundred seventy-five dollars (\$13,275.00);

(D) For custom importing services associated with the Community Development module, fees which shall not exceed in the amount of one thousand, five hundred dollars (\$1,500.00);

(E) For project management implementation, planning and training services associated with the Community Development module, fees which shall not exceed in the amount of twenty-two thousand, seven hundred fifty dollars (\$22,750.00); all fees in the total amount of sixty-nine thousand, five hundred forty-five dollars (\$69,545.00) and travel fees;

Section 5. That the Town Council further finds and determines there is now or will be sufficient and available appropriations and cash balances on credit to the Information and Communications Technology Fund and the Municipal Cumulative Capital Development Fund to support the payments under the terms of the proposed agreement and authorizes the proper expenditures from these funds, all pursuant to I.C. 5-22-17-3(e);

Section 6. That the Building Commissioner as purchasing agent is authorized to execute such documents, cause such publications, and schedule such hearings as may be necessary or desirable to carry out the purposes of this order.

BE IT SO ORDERED

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DULY, PASSED, ADOPTED, AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana this 22nd day of March 2021 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

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

Attest:

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

Exhibit Agreement

Proposal for Software and Services, Presented to...
Town of Highland, Lake County IN
October 20, 2020
Quoted by: Dan J. Burns, CPA



Thank you for the opportunity to quote our software and services.

At BS&A, we are focused on delivering unparalleled service, solutions, support, and customer satisfaction. You'll see this in our literature, but it's not just a marketing strategy... it's a mindset deeply embedded in our DNA. Our goal is to provide such remarkable customer service that our customers feel compelled to remark about it.

*We are extremely proud of the many long-term customer relationships we have built. Our success is directly correlated with putting the customer first and consistently choosing to **listen**. Delivering unparalleled customer service is the foundation of our company.*

BS&A Software
14965 Abbey Lane Bath MI 48808
(855) BSA-SOFT / fax (517) 641-8960
bsasoftware.com

Cost Summary

Applications and Annual Service Fee prices based on an approximate population of 22,641. Software is licensed for use only by municipality identified on the cover page. If used for additional entities or agencies, please contact BS&A for appropriate pricing. Prices subject to change if the actual count is significantly different than the estimated count.

Applications	
Community Development	
Building Department .NET	\$15,620
Field Inspection .NET	\$6,560
BS&A Online	
Community Development	\$9,840
<i>Permit Application Feature - Enables contractors and the general public to submit permit applications online (A fee of \$2/application is accumulated and billed to the municipality).</i>	
Subtotal	\$32,020

Data Conversions/Database Setup	
Convert existing Builder Radius (SQL) data to BS&A format:	
Building Department (per database)	\$13,275

No conversion or database setup to be performed for:
Field Inspection

Custom Import	
Custom import from third-party software to populate Building Department database with parcels, properties, and current owners.	\$1,500

Project Management and Implementation Planning

Services include:

- Analyzing customer processes to ensure all critical components are addressed.
- Creating and managing the project schedule in accordance with the customer's existing processes and needs.
- Planning and scheduling training around any planned process changes included in the project plan.
- Modifying the project schedule as needed to accommodate any changes to the scope and requirements of the project that are discovered.
- Providing a central contact between the customer's project leaders, developers, trainers, IT staff, conversion staff, and other resources required throughout the transition period.
- Installing the software and providing IT consultation for network, server, and workstation configuration and requirements.
- Reviewing and addressing the specifications for needed customizations to meet customer needs (when applicable).

\$7,750

Implementation and Training

- \$1,000/day
- Days quoted are estimates; you are billed for actual days used

Services include:

- Setting up users and user security rights for each application
- Performing final process and procedure review
- Configuring custom settings in each application to fit the needs of the customer
- Setting up application integration and workflow methods
- Onsite verification of converted data for balancing and auditing purposes
- Training and Go-Live

Software Setup	Days:	1		\$1,000
Community Development Applications	Days:	14		\$14,000
	Total:	15	Subtotal	\$15,000



Cost Totals

Not including Annual Service Fees

Applications	\$32,020
Data Conversions	\$13,275
Custom Import	\$1,500
Project Management and Implementation Planning	\$7,750
Implementation and Training	\$15,000
Total Proposed	\$69,545
<i>Travel Expenses</i>	<i>\$5,025</i>

Payment Schedule

- 1st Payment: **\$21,025** to be invoiced upon execution of this agreement.
- 2nd Payment: **\$32,020** to be invoiced at start of training.
- 3rd Payment: **\$21,525** to be invoiced upon completion of training.



Annual Service Fees

Unlimited support during your first year with the program is included in your purchase price. Thereafter, Service Fees are billed annually. After two (2) years, BS&A Software reserves the right to increase the Annual Service Fee by no more than the yearly Consumers Price Index (CPI).

Community Development	
Building Department .NET	\$3,125
Field Inspection .NET	\$1,310
BS&A Online	
Community Development:	\$1,970
Total Annual Service Fees	\$6,405

Additional Information

Program Customization

BS&A strives to provide a flexible solution that can be tailored to each municipality's needs. However, in some cases, custom work may be required. Typical examples include:

- custom payment import/lock box import
- custom OCR scan-line
- custom journal export to an outside accounting system
- custom reports

If you require any custom work, please let us know so that we can better understand the scope of your request and include that in a separate proposal.

Additional Training - Building Department Report Designer

Most of our Building Department customers heavily use our Report Designer, which is included free with the program. Report Designer Training is not included in the training quoted on this proposal and is highly recommended. You may attend a class at our office in Bath Township, or we can train at your location. Report Designer Training is typically completed in one day.

Please check the option you are interested in. Report Designer Training will be scheduled after successful implementation and training of your Building Department software.

- Classroom training, \$205/person/day
- On-site training (unlimited attendees), \$1,000/day, travel not included

BS&A Online

Connection Requirements

BS&A Online requires a high-speed internet connection (cable modem or DSL).

Payment Processing Requirements

Acceptance of online payments requires a contract with one of BS&A's approved Online Credit Card Processing companies. Please visit <https://www.bsasoftware.com/solutions/bsaonline/public-records-search/> for information.

Acceptance

Signature constitutes...	
1. An order for products and services as quoted <i>Quoted prices do not include Program Customization, training beyond the estimated number of days, or recommended Bank Reconciliation Consultation</i>	
2. Agreement with the proposed Annual Service Fees	
3. Acceptance of BS&A's hardware recommendations required to efficiently run the .NET applications	
<hr/>	
Signature	Date

BS&A PLEDGE. We offer a one-year, risk-reversal pledge on our software. If, up to a year after installation, you are not happy with our software and service, you can return our software for a full refund.

Returning Accepted Proposal to BS&A

Please return the entire proposal, with signature/date (this page) and contact information (next page) filled out, by any of these methods:

Mail: BS&A Software
14965 Abbey Lane
Bath, MI 48808

Fax: (517) 641-8960

Email: dburns@bsasoftware.com

Once your proposal is received, a BS&A representative will contact you to begin the scheduling process.

3. **Works Board Order No. 2021-05:** An Order of the Works Board Offering, Authorizing and Approving an Extension to the Contract between the Town of Highland and Walsh & Kelly, Incorporated for Materials and Services – Asphalt Work through December 31, 2021, all Pursuant to Indiana Code 5-22 *et Seq.* and Chapter 3.05 of the Highland Purchase Code.

Councilor Herak moved the passage and adoption of Works Board Order No. 2021-05. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

TOWN of HIGHLAND
BOARD OF WORKS
ORDER of WORKS BOARD NO. 2021-05

AN ORDER of the WORKS BOARD OFFERING, AUTHORIZING and APPROVING AN EXTENSION to the CONTRACT BETWEEN THE TOWN OF HIGHLAND AND WALSH & KELLY, INCORPORATED for MATERIALS and SERVICES – ASPHALT WORK through DECEMBER 31, 2021, ALL PURSUANT TO INDIANA CODE 5-22 ET SEQ. and CHAPTER 3.05 of the HIGHLAND PURCHASE CODE

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Whereas, The Town of Highland did receive bids on March 22, 2019 for Road Materials and Services, which included asphaltting work and associated services, pursuant to IC 5-22 *et seq.* and on April 8th, 2019, the Town Council for the Town of Highland accepted and awarded a bid for several items of asphaltting work to Walsh & Kelly, Incorporated, as the lowest responsible and responsive bid; and

Whereas, in subsequent years from the bid award, the Town of Highland had annually offered Walsh & Kelly, Incorporated an extension of the contract for asphaltting work, at the same term and conditions of the initial contract, through December 31, 2020, which Walsh & Kelly, Incorporated had accepted; and

Whereas, Walsh & Kelly, Incorporated has expressed interest, through a letter dated November 3, 2020, attached hereto, to extend the current contract for an additional year at the same terms and conditions for Road Materials and Services, asphaltting work;

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

Whereas, The Town Council for the Town of Highland, pursuant to IC 5-22-17-4, now wishes to offer a contract extension to Walsh & Kelly, Incorporated, through December 31, 2021, for Road Materials and Services – Asphaltting work, under the original terms, conditions and prices as the original contract (1-year),

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

Section 1. That the Director of Public Works is hereby ordered to offer contract an extension to Walsh & Kelly, Inc. for Road Materials and Services – Asphaltting Work under the same terms, conditions, and prices for the period January 1, 2021 through December 31, 2021;

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

Be it So Ordered

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 22nd day of March 2021 having passed by a vote of 5 in favor and 0 opposed.

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

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

Attest:

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

- 4. Works Board Order No. 2021-06:** An Order of the Works Board Offering, Authorizing and Approving an Extension to the Contract between the Town of Highland and Reith-Riley Construction Co., Incorporated for Materials and Services – Styrelf Fiber Cold Mix and Sand or Equal (FOB plant) through December 31, 2021, all Pursuant to Indiana Code 5-22-17-4 *et Seq.* and §31.18 of the Highland Purchase Code.

Councilor Black moved the passage and adoption of Works Board Order No. 2021-06. Councilor Zemen 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 WORKS BOARD NO. 2021-06

AN ORDER of the WORKS BOARD OFFERING, AUTHORIZING and APPROVING AN EXTENSION to the CONTRACT BETWEEN THE TOWN OF HIGHLAND AND REITH-RILEY CONSTRUCTION CO., INCORPORATED for MATERIALS and SERVICES – STYRELF FIBER COLD MIX AND SAND OR EQUAL (FOB PLANT) through DECEMBER 31, 2021, ALL PURSUANT TO INDIANA CODE 5-22-17-4 ET SEQ. and CHAPTER 3.05 of the HIGHLAND PURCHASE CODE

Whereas, The Town of Highland did receive bids on March 22, 2019 for Road Materials and Services, which included Styrelf fiber cold mix and sand or equal (FOB plant), pursuant to IC 5-22 *et seq.* and on April 8, 2019, the Town Council for the Town of Highland accepted and awarded a bid for Styrelf fiber cold mix and sand or equal (FOB plant) to Reith-Riley Construction Co., Incorporated, as the lowest responsible and responsive bid; and

Whereas, in subsequent years from the bid award, the Town of Highland had annually offered Reith-Riley Construction Co., Incorporated an extension of the contract for Styrelf fiber cold mix and sand or equal (FOB plant), at the same term and conditions of the initial contract, through December 31, 2020, which Reith-Riley Construction Co., Incorporated had accepted; and

Whereas, Reith-Riley Construction Co., Incorporated has expressed interest, through a letter dated February 8th, 2021, attached hereto, to extend the current contract for an additional year at the same terms and conditions for Road Materials and Services, Styrelf fiber cold mix and sand or equal (FOB plant);

Whereas, Reith-Riley Construction Co., Incorporated has demonstrated professional competence and qualifications to supply the Styrelf fiber cold mix and sand or equal (FOB plant) for the Town of Highland and it has been determined that extending the current contract will realize a cost and time savings for mutual benefit of both parties; and

Whereas, The Town Council for the Town of Highland, pursuant to IC 5-22-17-4, now wishes to offer a contract extension to Reith-Riley Construction Co., Incorporated, through December 31, 2021, for Road Materials and Services – Styrelf fiber cold mix and sand or equal (FOB plant), under the original terms, conditions and prices as the original contract (1-year).

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

Section 1. That the Director of Public Works is hereby ordered to offer contract an extension to Reith-Riley Construction Co., Inc. for Road Materials and Services – Styrelf fiber cold mix and sand or equal (FOB plant) under the same terms, conditions, and prices for the period January 1, 2021 through December 31, 2021;

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

Be it So Ordered

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 22nd day of March 2021 having passed by a vote of 5 in favor and 0 opposed.

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

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

Attest:

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

5. **Works Board Order No. 2021-07:** An Order of the Works Board Offering, Authorizing and Approving an Extension to the Contract between the Town of Highland and Krooswyk Trucking & Excavating for Materials and Services – Limestone (delivered) through December 31, 2021, all Pursuant to Indiana Code 5-22 *et seq.* and §31.18 of the Highland Purchase Code.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2021-07. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

It was noted by Councilor Schocke that Mr. Krooswyk of Krooswyk trucking also serves on the Town Board of Metropolitan Police Commissioners and the Tree Board.

TOWN of HIGHLAND
BOARD OF WORKS
ORDER of WORKS BOARD NO. 2021-07

AN ORDER of the WORKS BOARD OFFERING, AUTHORIZING and APPROVING AN EXTENSION to the CONTRACT BETWEEN THE TOWN OF HIGHLAND AND KROOSWYK TRUCKING & EXCAVATING for MATERIALS and SERVICES – LIMESTONE (DELIVERED) through DECEMBER 31, 2021, ALL PURSUANT TO INDIANA CODE 5-22 ET SEQ. and CHAPTER 3.05 of the HIGHLAND PURCHASE CODE

Whereas, The Town of Highland did receive bids on March 22, 2019 for Road Materials and Services, which included Limestone (delivered), pursuant to IC 5-22 *et seq.* and on April 8, 2019, the Town Council for the Town of Highland accepted and awarded a bid for Limestone (delivered) to Krooswyk Trucking & Excavating, as the lowest responsible and responsive bid; and

Whereas, in subsequent years from the bid award, the Town of Highland had annually offered Krooswyk Trucking & Excavating an extension of the contract for Limestone (delivered), at the same term and conditions of the initial contract, through December 31, 2020, which Krooswyk Trucking & Excavating had accepted; and

Whereas, Krooswyk Trucking & Excavating has expressed interest, through a letter dated March 10th, 2021, attached hereto, to extend the current contract for an additional year at the same terms and conditions for Road Materials and Services, Limestone (delivered);

Whereas, Krooswyk Trucking & Excavating has demonstrated professional competence and qualifications to supply the Limestone (delivered) for the Town of Highland and it has been determined that extending the current contract will realize a cost and time savings for mutual benefit of the both parties; and

Whereas, The Town Council for the Town of Highland, pursuant to IC 5-22-17-4, now wishes to offer a contract extension to Krooswyk Trucking & Excavating, through December 31, 2021, for Road Materials and Services – Limestone (delivered), under the original terms, conditions and prices as the original contract (1-year).

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

Section 1. That the Director of Public Works is hereby ordered to offer contract an extension to Krooswyk Trucking and Excavating for Road Materials and Services – Limestone (delivered) under the same terms, conditions, and prices for the period January 1, 2021 through December 31, 2021;

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

Be it So Ordered

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 22nd day of March 2021 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

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

Attest:

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

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- 6. Works Board Order No. 2021-08:** An Order of the Works Board Offering, Authorizing and Approving an Extension to the Contract between the Town of Highland and H3, Incorporated for Materials and Services – Concrete Work through December 31, 2021, all Pursuant to Indiana Code 5-22 *et Seq.* and §31.18 of the Highland Purchase Code.

Councilor Herak moved the passage and adoption of Works Board Order No. 2021-08. Councilor Zemen 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 WORKS BOARD NO. 2021-08

AN ORDER of the WORKS BOARD OFFERING, AUTHORIZING and APPROVING AN EXTENSION to the CONTRACT BETWEEN THE TOWN OF HIGHLAND AND H3, INCORPORATED for MATERIALS and SERVICES – CONCRETE WORK through DECEMBER 31, 2021, ALL PURSUANT TO INDIANA CODE 5-22 ET SEQ. and CHAPTER 3.05 of the HIGHLAND PURCHASE CODE

Whereas, The Town of Highland did receive bids on March 24, 2020 for Road Materials and Services, which included concrete work, pursuant to IC 5-22 *et seq.* and on April 13th, 2020, the Town Council for the Town of Highland accepted and awarded a bid for several items of concrete work to H3, Incorporated, as the lowest responsible and responsive bid; and

Whereas, H3, Incorporated has expressed interest, through a letter dated January 21, 2021, attached hereto, to extend the current contract for an additional year at the same terms and conditions for Road Materials and Services, Concrete Work;

Whereas, H3, Incorporated has demonstrated professional competence and qualifications to perform the particular concrete work for the Town of Highland and it has been determined that extending the current contract will realize a cost and time savings for mutual benefit of both parties; and

Whereas, The Town Council for the Town of Highland, pursuant to IC 5-22-17-4, now wishes to offer a contract extension to H3, Incorporated, through December 31, 2021, for Road Materials and Services – Concrete work, under the original terms, conditions and prices as the original contract (1-year).

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

Section 1. That the Director of Public Works is hereby ordered to offer contract an extension to H3, Inc. for Road Materials and Services – Concrete Work under the same terms, conditions, and prices for the period January 1, 2021 through December 31, 2021;

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

Be it So Ordered

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 22nd day of March 2021 having 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)

7. **Works Board Order No. 2021-09:** An Order of the Works Board Authorizing and Approving an Extension to the Contract between the Town of Highland and Deans Lawn & Landscaping for Downtown Highland Landscape Maintenance Services and Three (3) Welcome to Highland Sign Planters in the amount of \$34,390.00 for the year 2021, all Pursuant to Indiana Code 5-22 *et Seq.* and Chapter 3.05 of the Highland Purchase Code.

Councilor Black moved the passage and adoption of Works Board Order No. 2021-09. Councilor Zemen 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 WORKS BOARD NO. 2021-09

AN ORDER of the WORKS BOARD AUTHORIZING and APPROVING AN EXTENSION to the CONTRACT BETWEEN THE TOWN OF HIGHLAND AND DEANS LAWN & LANDSCAPING for DOWNTOWN HIGHLAND LANDSCAPE MAINTENANCE SERVICES AND THREE (3) WELCOME TO HIGHLAND SIGN PLANTERS IN THE AMOUNT OF \$34,390.00 FOR THE YEAR 2021, ALL PURSUANT TO INDIANA CODE 5-22 ET SEQ. and CHAPTER 3.05 of the HIGHLAND PURCHASE CODE

Whereas, The Town of Highland did receive bids on March 20, 2020 for Landscape Maintenance Services in Downtown Highland and Three (3) Welcome to Highland Sign Planters pursuant to IC 5-22 *et seq.* and on April 13, 2020, the Town Council for the Town of Highland accepted and awarded a bid for landscape maintenance services Dean's Lawn & Landscaping, as the lowest responsible and responsive bid; and

Whereas, Dean's Lawn & Landscaping has expressed interest, through a letter dated January 20, 2021, attached hereto, to extend the current contract for an additional year at the same terms and conditions for landscape maintenance services;

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

Whereas, The Town Council for the Town of Highland, pursuant to IC 5-22-17-4, now wishes to offer a contract extension to Deans Lawn & Landscaping, for the year 2021, for landscaping services for downtown Highland, under the original terms, conditions and prices as the original contract (1-year).

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

Section 1. That the Director of Public Works is hereby ordered to offer a contract of extension to Deans Lawn & Landscaping for landscaping maintenance services under the same terms, conditions, and prices for the year 2021;

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

Be it So Ordered

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 22nd day of March 2021 having passed by a vote of 5 in favor and 0 opposed.

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

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

Attest:

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

- 8. Works Board Order No. 2021-10:** An Order of the Works Board Accepting the Proposal of Lounges Entertainment LLC Amending its Existing Agreement for Professional Entertainment and Stage Services for the Town of Highland, Associated with Independence Day Festivities, and to Comply with the Provisions of IC 22-5-1.7 et seq.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2021-10. Councilor Schocke seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak, Schocke, and Sheeman voted in the affirmative, and Councilor Black voting in the negative, the motion passed. The order was adopted.

**Town of Highland
Board of Works**

Order of the Works Board 2021-10

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

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

Whereas, The *Tom Lounges Entertainment, LLC* has presented to the Community Events Commission a proposed an amendment to an existing agreement for professional entertainment and stage services for the Town of Highland to be conducted during the 2021 Independence Day Festival, that was approved by the Town Council with its passage and adoption of Works Board Order 2021-03 on March 8, 2021;

Whereas, The Community Events Commission favorably recommends to the purchasing agency, the approval of the proposed amendment to an existing agreement for professional entertainment and stage

services for the Town of Highland to be conducted during the 2021 Independence Day Festival as submitted by Tom Lounges Entertainment, LLC;

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

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

Whereas, The amendment does not exceed the purchase code threshold but together with the existing agreement, the price exceeds \$15,000.00, pursuant to Section 3.05.040 (C) and Section 3.05.050(B)(3) of the HMC requires the express approval of the purchasing agency;

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

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

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

Section 1. That the proposal/agreement amendment for professional entertainment and stage services of **Tom Lounges Entertainment, LLC**, 104 Fraser Lane, Hobart, Indiana, 46342, prepared and presented by its principal, Tom Lounges, which includes providing appropriate stage production for the events booked, all entertainment booking, providing lighting, offering emcee services, contracting and artist payments and related services according to the written terms set forth in the agreement, for the *all the days of the event* is hereby accepted, approved and adopted in every respect, provided that **Tom Lounges Entertainment, LLC** complies with the provisions of IC 22-5-1.7 et seq., and completes the relevant portions of the attached exhibit styled as Addendum for e-verify;

Section 2. That the fees for performance of the services identified in the amendment to the existing proposal adding **\$10,000** for the special performers to be booked for the annual Independence Day festival to be conducted on and around July 4th 2021, and production services, is found to be reasonable and fair;

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

Section 4. That any provisions regarding timing of payments shall be construed as progress payments and all payments must be processed and executed pursuant to IC 5-11-10-1.6;

Section 5. That the Clerk-Treasurer is hereby authorized to issue a purchase order, in the proper year, to **Tom Lounges Entertainment, LLC** and to execute all documents necessary to implement the purchase of services thereof;

Section 6. That the proper officers of the municipality are hereby authorized to identify the proper funds of the municipality that may be lawfully expended in order to support and implement the purchase of these services.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 22nd day of March 2021 having passed by a vote of 4 in favor and 1 opposed.

/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)

AMENDMENT TO 2021 ENTERTAINMENT SERVICES AGREEMENT

This amendment is now attached to and made part of a certain 2021 Entertainment Services Agreement by and between **The Town of Highland** and **Tom Lounges Entertainment, LLC** authorized on March 8, 2021 by both parties. The undersigned hereby mutually agree that the original Agreement shall be amended as follows:

1. The live music performance by **The Ides of March** proposed for the **Sunday, July 4 2021** closing day of the *Highland Fourth of July Festival* will require the additional amount of \$10,000, the previously agreed upon budget increase needed to cover the cost of having the nationally known musical group appear at the 2021 festival.
2. Payments pertaining to this special increased budget amendment shall be made as follows: 50% of the agreed sum (\$5,000.00) is to be paid on or before **March 26, 2021** to cover the required contract progress payment, which must accompany the signed and executed contract securing the group. The remaining balance (\$5000.00) is to be paid on or before, **Saturday, July 3, 2021**, 24-hours prior to the **July 4, 2021** performance.
3. At the time of this amendment submission, a written offer to the artist's booking agency has been sent and acknowledged. The agency is drafting a formal contract for the date which is expected to be signed and returned along with a progress payment for \$5,000 by **Tom Lounges Entertainment, LLC**. While all is expected to move forward as planned and described above, should the contract not be issued in good faith as described above, the amendment amount of \$10,000 requested herein shall be returned to the **Town of Highland**, unless both parties agree to apply it towards another artist of the same caliber for that performance date.

Accepted by: The following representatives of both parties of this agreement.

Tom Lounges Entertainment, LLC

Town of Highland Representative:

Dated : _____

Dated: _____

9. **Conflict of Interest Disclosure Statement.** Action of the Town Council President as appointing authority to consider approval of an Annual Conflict of Interest Disclosure Statement filed by Christine Cash. who, is a Hotel Manager in Lake County. Ms. Cash is also Highland's appointment to the Lake County Convention and Visitors' Bureau Board of Directors. This filing is pursuant to IC 35-44-1-3.

- (a) *Action of the Town Council President as Municipal Executive or the appointing authority.* The Town Council President announced his approval of the conflict disclosure statement.
- (b) Town Council as the governing body of the governing entity to act to accept the disclosure form, if desired. Councilor Herak moved to approve in the conflict disclosure statement. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The form was approved in an open meeting.

The conflict form is on file with Office of the Clerk-Treasurer and filed with the Clerk of the Circuit Court as well as the State Board of Accounts.

10. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of \$40,000 in the **Municipal Cumulative Street Fund** and in the amount of \$713,303 in the **several Departments of the Corporation General Fund**, in the **Law Enforcement Continuing Education Fund** in the amount of \$32,500, in the **Special Public Safety Fund** in the amount of \$10,000, in the **Parks and Recreation Fund** in the amount of \$12,767, and in the **Municipal Cumulative Capital Development Fund**, the amount of \$75,000.

Councilor Herak moved to approve the publication of legal notice of a public hearing on the proposed additional appropriations as set forth. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The publication was authorized.

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

- **Councilor Bernie Zemen:** • *Fire Department, Liaison* • *Liaison to the Advisory Board of Zoning Appeals.*

Councilor Zemen acknowledged the Highland Parks and Recreation Superintendent who reported on staffing in the department including some hires to fill positions left vacant during the pandemic.

With leave from the Town Council, the Town Council President expressed praise for the recent 5 year master plan of the Parks and Recreation Department.

Councilor Zemen acknowledged the Highland Fire Chief who offered a cursory report on matters of the fire service.

Councilor Zemen praised the police department.

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

Councilor Herak engaged in a colloquy with the Parks and Recreation Superintendent regarding the landscape architect used to inform the master plan.

Councilor Herak acknowledged the Public Works Director who offered a cursory report. It was noted that paper shredding day is June 5 and is just for Highland residents.

Councilor Herak acknowledged the Building Commissioner who reported on matters pending before the Advisory Board of Zoning Appeals.

- **Councilor Mark Schocke:** *Park and Recreation Board Liaison* • *Liaison to the Tree Board.*

Councilor Schocke offered a survey report of activity related to the Tree Board, noting that work was underway for a possible Arbor Day event.

Councilor Schocke reported that the Community Events Commission was moving forward with plans for the Twilight Parade.

Councilor Schocke noted his desire to prepare an ordinance for the Town Council to consider imposing term limits. Councilor Schocke noted that he had conversed with Councilor Justin Elpers of the Evansville City Council. He further noted that Councilor Elpers had proposed such an ordinance in 2018 that the Evansville Common Council did not approve. Councilor Schocke noted his hope to invite him to talk to the Town Council about this at its study session.

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

Councilor Black, acknowledging the Public Works Director asking about the date of the Household Hazardous Waste Day for Highland. It was noted that it was August 21.

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

Town Council President reported on his efforts working with the Idea Factory, the website content provider on some new features that would make accessing the agenda and the packets for boards and commission meetings easier.

The Town Council President acknowledged the Redevelopment Director, who commented on the next downtown restaurant crawl and offered a modest survey of redevelopment activity. She also reported that the new lights for the downtown area along Highway Avenue would soon be installed.

The Town Council President reported that he expected the study session of April 5 to be an electronic meeting. He further indicated his intention that the meetings of the Town Council would be in person and hybrid beginning with the April 12 plenary meeting.

The Town Council President then noting that there was a concern about a staff level meeting raised in a previous meeting, asked to be allowed to read a portion of the Public Access Counselor Handbook and have it be placed into the minutes. There was an objection raised.

Motion to allow reading Placement in Minutes. Councilor Herak moved to permit the reading as described at that the portion read be placed into the minutes. Councilor Zemen seconded. 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. The reading was permitted and the read portion would be memorialized in the minutes.

The Town Council President read the following excerpt from the Public Access Counselor Handbook on the Open Door Law (ODL) and the Access to Records law, styled as : "*What is not a Meeting.*"

What is not a meeting?

"The ODL lists seven types of gatherings not considered "meetings." A meeting does not include the following:

... A gathering to discuss an industrial or a commercial prospect that does not include a conclusion as to recommendations, policy, decisions, or final action on the terms of a request or an offer of public financial resources;"

Page 7 of the Public Access Counselor's Handbook.

Comments from Visitors or Residents: (In person and electronically)

1. Larry Kondrat, Highland, asked why Councilor Schocke did not participate in the gathering to which the Town Council president referred in the Public Access Counselor's handbook.

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 March 9, 2021 through March 22, 2021 as well as to ratify the payroll docket for the payday of February 26 2021. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payroll dockets and other payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$307,858.41 Motor Vehicle Highway and Street (MVH) Fund, \$34,247.90; Local Road and Streets Fund, \$3,520.02; Law Enforcement Continuing Education and Training and Supply Fund, \$4,945.78; Gasoline Payment Agency Fund, \$20,128.68; Information Communications Technology Fund, \$6,448.40; Police Pension 1925 Fund, \$12,000.00; Municipal Cumulative Capital Development Fund, \$730.00; Traffic Violations and Law Enforcement Agency Fund, \$8,000.00; Gaming Revenue Sharing Fund, \$415.80; Total: \$398,249.99.

Payroll Docket for payday of February 26, 2021:

Council, Boards and Commissions, \$8,340.30; Office of Clerk-Treasurer, \$16,746.99 Building and Inspection Department, \$8,857.52; Metropolitan Police Department, \$119,752.51; Public Works Department (Agency), \$89,857.67; Fire Department, \$3,940.02; and 1925 Police Pension Plan Pension Fund, \$68,622.81; Total Payroll: \$316,117.82.

Adjournment of Plenary Meeting. Having completed all matters on the agenda, noting there was no further business before the Town Council, the Town Council President adjourned the meeting. The regular plenary meeting, convened electronically, of the Town Council for Monday, March 22, 2021 was adjourned at 8:39 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