

Agenda
Thirty-eighth Regular or Special Meeting
of the Twenty-Ninth Town Council of Highland
Regular Meeting of Monday, May 10, 2021 at 6:30 p.m.
 Agenda organized pursuant to Section 2.05.090 of the Highland Municipal Code
 This meeting will be convened as an electronic/hybrid meeting, pursuant to
 Governor Holcomb's Executive Orders, 20-04, 20-09, 20-25 and extended by
 Executive Order 21-11, allowing such meetings, pursuant to IC 5-14-1.5-3.6 for
 the duration of the emergency, through to May 31.

People may observe and record the meeting for live streaming by joining the meeting on the Zoom platform <https://zoom.us/j/93588978484?pwd=N0xXOVRsVjJRRXA3Z0RqdXFpVjVVGQT09>

Further, persons wishing to offer comment in the meeting may access the electronic meeting by using the preceding and adding the password for Meeting ID 935 8897 8484, password (code): 985585.

Prayer: Bernie Zemen

Pledge of Allegiance: Bernie Zemen

Roll Call: Bernie Zemen



Mark A. Herak

Mark J. Schocke

**A GREAT PLACE
TO CALL HOME**

Thomas (Tom) Black

Roger Sheeman

Minutes of Previous Session: Minutes of the Regular Meeting of 26 April 2021.

-
- Special Orders:**
1. **Consideration of Proposed Additional Appropriations:** (non-controlled funds) Proposed Additional Appropriations in Excess of the 2021 Budget for **Downtown Allocation Area Fund**.
 - (a) Attorney verification of Proofs of Publication: The TIMES 29 April 2021.
 - (b) **Public Hearing.**
 - (c) Action on **Appropriation Enactment No. 2021-20:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Downtown Allocation Area Fund in the amount of **\$226,310**, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

 2. **Consideration of Proposed Additional Appropriations:** (controlled funds): Proposed Additional Appropriations in Excess of the 2021 Budget for the Redevelopment General Fund in the amount of \$2,160.00.
 - (a) Attorney verification of Proofs of Publication: The TIMES 29 April 2021.

The Town of Highland acknowledges its responsibility to comply with the American with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, etc.) for participation in or access to Municipal sponsored public programs, services and or meetings, the Town of Highland requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and or meeting. To make arrangements, contact the ADA Coordinator for the Town of Highland at (219) 972-7595.

(b) **Public Hearing.**

(c) Action on **Appropriation Enactment No. 201X-05:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Office of the Clerk-Treasurer of the Corporation General Fund, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

3. **Presentation from Dan Botich, M.P.A. of Short, Elliott, Hendrickson of Indiana, Incorporated.** Mr. Botich has been invited by the Redevelopment Department to remotely present scenario's regarding Economic Revitalization Areas and the schedule of deductions available.

COMMENTS FROM THE PUBLIC or VISITORS

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

Staff Reports:

- Building & Inspection Report for April 2021.
- Fire Department Report for April 2021.
- Workplace Safety Report for April 2021.

Appointments:

- **Home Rule Boards and Commissions**
(Appointments have been placed on agenda in case there is readiness to act)

Executive Appointments

Home Rule Commissions

1. **Tree Board:** (2) appointments, to be made by the municipal executive, but requiring nomination from the Town Council. (*Positions recently vacated by resignations of Ms. Constance Sherbondy and Ms. Judy Vaughn.*)
 - a. Nomination by the Town Council. (*The council would pass a motion to nominate the person desired for appointment.*)
 - b. Appointment by executive. (*If nominee is acceptable, the Town Council President may appoint.*) (*One term ends Jan 2022 and one Jan 2024*)

Legislative Appointments

Home Rule Commissions

2. **Main Street Bureau Board:** Up to (17) appointments to be made by the Town Council. Term: Two years ending 1 Jan 2023. *There is currently 1 of the 17 in place and serving. Currently serving is Teri Yovkovich.*
3. **Community Events Commission Multi-year positions:** (2) appointments to be made by the Town Council. **Term: 4 years.**
 - *One vacancy of term expires on 1 Jan 2025.*
 - *One vacant post the term of which expires 1 January 2022(unexpired term)*

Single year positions: (2) appointments to be made by the Town Council.
Term: 1 year.

 - *One position the term expiring on 1 January 2022*
 - *One position the term expiring on 1 January 2022*

Unfinished Business & General Orders:

1. **Proposed Ordinance No. 1731:** An Ordinance to Amend Chapter 10.30 of the Highland Municipal Code Relating to Motor Vehicles and Traffic, Providing for the Enforcement Thereof, Repealing All Ordinances in Conflict Therewith, and Declaring an Emergency.
2. **Proposed Ordinance No. 1732:** An Ordinance to Further Amend Section 5.11.02 of the Highland Compensation and Benefits Ordinance,

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Particularly Amending the Provisions Special Administrative Leave Under Extreme and Unexpected Circumstances concerning National Emergencies

3. **Enactment NO. 2021-22:** An Enactment Regarding the Disposition of Municipality's Pro-Rata Share on Deposit to the Credit of the Community Crossings Grant Fund, Authorizing its Transfer to the Corporation General Fund and Authorizing its Return to the Community Crossings Grant Fund, pursuant to I.C. 36-1-3 et seq., and IC 36-1-8-12.
4. **Resolution No. 2021-19:** An Exigent Resolution Providing for the Transfer of Appropriation Balances from and among Major Budget Classifications in the Cumulative Capital Improvement 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.
5. **Works Board No. 2021-12:** An Order of the Works Board Accepting the Bid of Dave's Tree Service, Inc. for Tree Removal and Pruning Services for the Year 2021. *(After introduction at the meeting of April 26, 2021, by general consent The Town Council postponed this matter until further consideration).*
6. **Works Board No. 2021-13:** An Order of the Works Board Accepting and Approving a Local Roads and Bridges Matching Grant Agreement Between the State of Indiana, through its Department of Transportation and the Town of Highland through its Public Works Department (Agency) by its Works Board for Several HMA Overlay and Pavement Reconstruction Projects (DES#: 2100392), all pursuant to I.C. 8-23-30 et seq.
7. **Works Board Order No. 2021-14:** An Order of the Works Board Approving and Authorizing An Agreement between NIES Engineering, Incorporated and the Town of Highland to perform Professional Design Engineering services for the 2021 Community Crossings Matching Grant (CCMG) Street Improvement and Resurfacing Project in the Amount Not-to-Exceed \$39,500.00.
8. **Authorize a Special Meeting.** Authorize a Special meeting for Monday, May 17, 2021 at 6:30 p.m., pursuant to HMC Section 2.05.130(A) (4), and Section 2.05.130(F) for the purpose of conducting a public hearing to consider public comments regarding the use of Community Development Block Grant Funds FY 2021 in the amount of \$102,103.
9. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of **\$1,000,000** in the **Community Crossings Grant Fund**, in the amount of **\$315,000** in the **Park Non Reverting Capital Fund** and in the amount of **\$416,584**, partially funded by a corresponding decrease in appropriations in the amount of **\$278,637**, for a net amount of **\$137,947** in the Works Board Department of the **Corporation General Fund**.

NEW BUSINESS:

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

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Councilor Thomas Black

Councilor Roger Sheeman

COMMENTS FROM THE PUBLIC or VISITORS	This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council. Depending on the nature of the comments, the Town Council may direct the staff to address the topic or follow-up on matters that may arise from public comments. If necessary, the matter may be set for action at a future meeting. Persons addressing the Town Council are requested to limit their presentations to two (2) minutes and encouraged to avoid repetitious comments.
ACTION TO PAY Accounts Payable Vouchers	Accounts payable vouchers April 27, 2021 to May 10, 2021 in the amount of \$646,507.85 . Payroll Docket for the payday of April 23, 2021 in the amount of \$316,328.87
ADJOURNMENT	The Town Council may meet in study session immediately following the Regular Meeting. <i>Posted pursuant to IC 5-14-1.5-4(a)</i>

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**Enrolled Minutes of the Thirty-Seventh Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Meeting (Electronic)
Monday, April 26, 2021.**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, April 26, 2021 at 6:30 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

****Special note:*** This 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. 21-08 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 using the Zoom platform. *Councilor Mark Herak and Town Council President Roger Sheeman were also present in the plenary meeting of the Highland Municipal Building.* The electronic platform Zoom allowed the public to observe and participate from on-line access. The meeting was streamed as well in real time on Facebook, which allowed the public to observe the meeting, all pursuant to IC 5-14-1.5-3.7.

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 the Town Council President 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 via the electronic platform. Councilor Mark Herak and Town Council President Roger Sheeman were present in the meeting room. 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; and Alex M. Brown, CPRP, Parks and Recreation Superintendent; were present.

Also present: Edward Dabrowski of the Board of Waterworks Directors IT (Contract) Director (all electronically) was also present.

Guests: Robin Carlascio of the Idea Factory was also present (electronically).

Minutes of the Previous Meeting: The minutes of the regular meeting of April 12, 2021. was submitted for consideration. The minutes of the regular meeting of April 12, 2021 were approved by general consent.

Special Orders:

1. **Executive Proclamation:** A Proclamation of the Municipal Executive Recognizing Friday, April 30, 2021 as Arbor Day in Highland.

The Clerk-Treasurer read aloud the enrolled proclamation. The Town Council President approved the proclamation by his signature:

A PROCLAMATION RECOGNIZING FRIDAY, APRIL 30, 2021 AS ARBOR DAY IN HIGHLAND AND APRIL 25 THROUGH APRIL 30 AS TREE PLANTING WEEK

- Whereas,** In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees;
- Whereas,** Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air and storm water, produce life-giving oxygen, and provide habitat for wildlife;
- Whereas,** Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products;
- Whereas,** Trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community;
- Whereas,** Trees, wherever they are planted, are a source of joy and spiritual renewal; and,
- Whereas,** On Arbor Day and during tree planting times, the Tree Board, community partners, families and friends join together to celebrate the benefits of trees and to recognize the unique beauty of our trees, which provide a lasting impression on residents, visitors and memories for



Now, Therefore, I, Roger Sheeman by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim and designate Friday, April 30, 2021, as ARBOR DAY in the Town of Highland the week of April 25 through April 30 as TREE PLANTING Week;

Be it Further Proclaimed, That , I urge all Highland residents to celebrate Arbor Day and to support efforts to protect our trees and urge all residents to acquire a plant a tree.

In Witness Whereof, I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 26th day of April in the year 2021.

TOWN of HIGHLAND, INDIANA
BY ITS TOWN COUNCIL PRESIDENT

/s/ROGER SHEEMAN

Attest:

/s/ Michael W. Griffin, Clerk-Treasurer

- 2. Ratify Executive Session.** Ratify the calling of an Executive Session for Monday, April 19, 2021 at 7:30 p.m. pursuant to HMC Section 2.05.130(A) (6), Section 2.05.130(G).

Councilor Herak moved to ratify and authorize the Executive Session as indicated. Councilor Black seconded. Upon a roll call vote, 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. The meeting was ratified and approved.

Comments from the Public or Visitors:

- Larry Kondrat, Highland, inquired about the proposed ordinance to amend the Highland Municipal Code regarding the lead time for filing for a special event involving alcohol permit in the park. Mr. Kondrat also expressed concern regarding the adequacy of information provided to Councilor Schocke related to the executive session conducted on April 19, 2021.

Unfinished Business and General Orders:

- 1. Proposed Ordinance No. 1729:** An Ordinance to Amend Chapters 12.20 and 12.15 of the Highland Municipal Code Regarding Technical Corrections to Provisions Regarding the Reading Months for Wastewater Summer Consumption Protocol and Aligning the Delinquency Language in the Solid Waste Chapter, Pursuant To I.C. 36-9-25 Et Seq.

Councilor Herak introduced and moved for the consideration of Ordinance No. 1729 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 for the passage and adoption of Ordinance No. 1729 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

ORDINANCE NO. 1729
TOWN OF HIGHLAND

AN ORDINANCE TO AMEND CHAPTERS 12.20 AND 12.15 OF THE HIGHLAND MUNICIPAL CODE REGARDING TECHNICAL CORRECTIONS TO PROVISIONS REGARDING THE READING MONTHS FOR WASTEWATER SUMMER CONSUMPTION PROTOCOL AND ALIGNING THE DELINQUENCY LANGUAGE IN THE SOLID WASTE CHAPTER, PURSUANT TO I.C. 36-9-25 ET SEQ.

WHEREAS, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq; and

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; and

WHEREAS, The Legislative Body on July 21, 1969 did establish a Department of Public Sanitation and Sanitary District by passage and adoption of Ordinance No. 586 of the Town, now codified as Chapter 12.10 of the Highland Municipal Code;

WHEREAS, The Town of Highland, is a municipality located in Lake County which operates a Department of Public Sanitation, which has been continuously governed by the provisions of IC 36-9-25 et seq. at least since 1970; and,

WHEREAS, The Board of Sanitary Commissioners, noting that certain technical changes were necessary and desirable to Section 12.20.340 and Chapter 12.15 of the Highland Municipal Code, passed and adopted its Resolution No. 2021-07 recommending desirable and necessary changes to Section 12.20.340 and Chapter 12.15 of the Highland Municipal Code and now is commending these to the Town Council for its favor and action;

WHEREAS, The Board of Sanitary Commissioners, has requested that the Town Council of the Town of Highland as the legislative body favor approve and adopt these changes set forth in Resolution No. 2021-07 pursuant to IC 36-9-25 et seq., and thereby put them into force and effect;

WHEREAS, The Town of Highland, through its Town Council now wishes to still further perfect its own organization as well as that of the Department of Public Sanitation and make certain amendments to the ordinance establishing and governing the ways and means of the Sanitary District, pursuant to IC 36-9-25 et seq.; and,

WHEREAS, The Town Council now desires to favor the recommendations for amendment to the Highland Municipal Code as recommended by the Board of Sanitary Commissioners for Chapters 12.20 and 12.15 by making these amendments as commended,

Therefore, Now Be it Hereby Ordained by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That subdivision (B)(1) of Section 12.20.340 of the Highland Municipal Code be hereby deleted and repealed and be hereby amended by inserting the following replacement subdivision, to be renamed subdivision (B)(1) of Section 12.20.340, which shall read as follows:

Section 12.20.340 Special Adjustments

(B) *Summer Consumption Protocol.* There shall be a summer usage consumption protocol in order that single and two-family residential users of wastewater service shall not be unduly charged for sprinkling their lawns and other summer activities where higher consumption does not have a nexus to cost recovery and wastewater treatment.

(1) There is established a summer usage period in which shall apply to single-family and two-family residential users. The summer usage period applies to metered usage for beginning on the date the meter is read in ~~May~~, June, July, August, ~~and~~ September and ending on the date the meter is read in October;

Section 2. That Section 12.15.090 subdivisions (B) and (C) of the Highland Municipal Code be hereby deleted and repealed, then be hereby amended by inserting the following replacement language, to be renamed Section 12.15.090 subdivision (B), which shall read as follows:

12.15.090 Solid waste management fees and services.

~~(B) The solid waste management fees, which shall be payable monthly and charged to qualified residential dwelling units shall be based upon the presumptive service volume according to the following:~~

- ~~(1) Standard service volume will be provided to qualified residential dwelling units that are principally occupied by a person or persons who are not described in subsection (B)(2) of this section.~~
- ~~(2) Reduced service volume will be provided to qualified residential dwelling units that are principally occupied by persons who are 65 years of age or older, and upon approved applications to the public works director. "Principally occupied by persons who are 65 years of age or older" shall mean that at least 50 percent of the regular occupants in the dwelling are persons 65 years of age or older, or at least one occupant owner of a jointly owned dwelling is 65 years of age or older.~~
- ~~(3) Reduced service volume may be provided to other users upon special application to the public works director or his designee, expressing the reasons for such service and establishing to the satisfaction of the public works director or his designee that reduced service volume is warranted.~~

~~(C) (B) The solid waste management fees shall be payable monthly and shall be billed, whenever practicable to do so, with the utility bill associated with charges for water, wastewater, stormwater and other services. Invoices shall be issued pursuant to the billing and reading frequencies and practices of the municipal water utility, all pursuant to Chapter 12.05 HMC. Service bills (invoices) shall be payable at the same time as water service bills of said utility are payable. Solid waste management fees shall be deposited into the sanitary district special operating fund.~~

Section 3. That Section 12.15.090 of the Highland Municipal Code be hereby amended by renaming the subdivisions therein, which shall read as follows:

Subdivision (D) shall be renamed (C)

Subdivision (E) shall be renamed (D)

Subdivision (F) shall be renamed (E)

Subdivision (G) shall be renamed (F)

Section 4. That Section 12.15.120 of the Highland Municipal Code be hereby repealed and be hereby amended by inserting the following replacement section to be renamed Section 12.15.120, which shall read as follows:

12.15.120 Delinquent accounts.

~~(A) How Delinquencies Arise. Fees levied charged pursuant to this chapter shall be due and payable on or before the due dates shown on the bills. Any fee not paid by the due date shall be considered delinquent. Such delinquent fee together with any applicable interest shall be collectible as hereinafter set forth.~~

~~(B) As is provided by statute, all rates and charges that are not paid when due are hereby declared to be delinquent, and a penalty of 10 percent of such rates or charges shall thereupon attach thereto. The time at which such rates or charges shall be paid is now fixed as the due date fixed for potable water. The penalty shall attach at 30 days after the date of mailing of the bill, pursuant to HMC 12.20.350. [Ord. 1637 § 1, 2016].~~

~~(NEW) (B) Delinquent Bills and Fees. Rates or charges so established shall be paid on the due date as stated in such bills. If such rates or charges are not paid on the due date thereof, as stated in such bills, after written notice to the owner of any such lot, parcel of real estate or building, the same shall thereupon become and hereby are declared to be delinquent and a penalty of ten percent (10%) of the amount of such charges shall attach, which charges, together with the penalty, shall be collectible in the manner hereinafter provided.~~

~~(NEW) (C) It shall be the duty of the clerk-treasurer of the town to enforce payment thereof, together with the penalty hereinabove provided.~~

- ~~(1) The clerk-treasurer shall certify to the county auditor a list of such rates or charges, including the amount of the penalty, which have become delinquent according to law.~~
- ~~(2) Such list shall include the name or names of the owner or owners of each and every lot, parcel of real estate or building on which such rates or charges have become delinquent, the description of such premises as shown by the records of the office of the county auditor, and the amount of such rates or charges, together with the amount of the penalty.~~
- ~~(3) It shall be the duty of the county auditor to place and include any such rates or charges, including the amount of the penalty, on the tax list, roll of taxes or tax duplicate, in the appropriate place~~

thereon in respect to the premises on which any such rates or charges and penalty are due and payable, in such manner and pursuant to the terms of IC [36-9-25-11\(g\)](#), [36-9-23-33](#) and [36-9-23-34](#).

- (4) A fee is not enforceable as a lien against a subsequent owner of property unless the lien for the fee was recorded with the county recorder before the conveyance to the subsequent owner. If the property is conveyed before the lien can be filed, the municipality shall notify the person who owned the property at the time the fee became payable. The notice must inform the person that payment, including penalty fees for delinquencies, is due not more than fifteen (15) days after the date of the notice. If payment is not received within one hundred eighty (180) days after the date of the notice, the amount due may be expensed as a bad debt loss.
- (5) A lien attaches against real property occupied by someone other than the owner only if the utility notifies the owner not later than twenty (20) days after the time the utility fees become sixty (60) days delinquent. A notice sent to the owner under this subsection must be sent by first class mail or by certified mail, return receipt requested (or an equivalent service permitted under [IC 1-1-7-1](#)) to:
- (a) the owner of record of real property with a single owner; or
 - (b) at least one (1) of the owners of real property with multiple owners;
at the last address of the owner for the property as indicated in the records of the county auditor on the date of the notice of the delinquency, or to another address specified by the owner, in a written notice to the utility, at which the owner requests to receive a notice of delinquency under this subsection.

The cost of sending notice under this subsection is an administrative cost that may be billed to the owner.

NEW (D) In addition to the methods of collection of such charges, including the penalty thereon, when the same become delinquent as hereinabove provided, the board of sanitary commissioners shall have the right to foreclose the lien hereinbefore established. In all suits brought to foreclose such lien, the board of sanitary commissioners shall recover the amount of such charges and the penalty thereon, together with a reasonable attorney's fee, pursuant to the terms of IC [36-9-25-11\(g\)](#), [36-9-23-33](#) and [36-9-23-34](#).

Section 5. That Sanitary District Resolution 2021-07 be made a part of this ordinance as an exhibit.

Introduced and Filed on the 26th day of April 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 26th Day of April 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)

SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION NO. 2021 - 07

A RESOLUTION FOR TEXTUAL AMENDMENTS TO HIGHLAND MUNICIPAL CODE SECTION 12.20.340 ASSOCIATED WITH THE SUMMER USAGE PROTOCOL AS WELL AS CHAPTER 12.15 OF THE SOLID WASTE MANAGEMENT PROGRAM IN THE TOWN OF HIGHLAND, ALL PURSUANT TO IC 36-9-25 ET SEQ.

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

Whereas, IC 36-9-25-9 specifically provides that the Board shall manage and control all sewage works of the district and it shall collect and remove garbage, ashes, and other waste materials to prevent the pollution of watercourses within the district and to protect the public health;

Whereas, IC 36-9-25-11 provides that the Board may fix fees for the for the treatment and disposal of sewage and other waste discharged into the sewerage system, collect the fees, and establish and enforce rules governing the furnishing of and payment for sewage treatment and disposal service;

Whereas, The Board, did recently approve and recommend to the Town Council modifications to rates and charges for wastewater and storm water management services, that included a change that made the due date and delinquency date aligned with that imposed by the water department; and,

Whereas, It has been determined that there needs to be a clarifying amendment to the provisions regarding the summer consumption adjusting protocol and the alignment of the due date and delinquency date for the fees associated with the solid waste management services,

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That subdivision (B)(1) of Section 12.20.340 of the Highland Municipal Code be hereby deleted and repealed and be hereby amended by inserting the following replacement subdivision, to be renamed subdivision (B)(1) of Section 12.20.340, which shall read as follows:

Section 12.20.340 Special Adjustments

(B) Summer Consumption Protocol. There shall be a summer usage consumption protocol in order that single and two-family residential users of wastewater service shall not be unduly charged for sprinkling their lawns

and other summer activities where higher consumption does not have a nexus to cost recovery and wastewater treatment.

(1) There is established a summer usage period in which shall apply to single-family and two-family residential users. The summer usage period applies to metered usage for beginning on the date the meter is read in May, June, July, August, and September and ending on the date the meter is read in October;

Section 2. That Section 12.15.090 subdivisions (B) and (C) of the Highland Municipal Code be hereby deleted and repealed, then be hereby amended by inserting the following replacement language, to be renamed Section 12.15.090 subdivision (B), which shall read as follows:

12.15.090 Solid waste management fees and services.

~~(B) The solid waste management fees, which shall be payable monthly and charged to qualified residential dwelling units shall be based upon the presumptive service volume according to the following:~~

~~(1) Standard service volume will be provided to qualified residential dwelling units that are principally occupied by a person or persons who are not described in subsection (B)(2) of this section:~~

~~(2) Reduced service volume will be provided to qualified residential dwelling units that are principally occupied by persons who are 65 years of age or older, and upon approved applications to the public works director. "Principally occupied by persons who are 65 years of age or older" shall mean that at least 50 percent of the regular occupants in the dwelling are persons 65 years of age or older, or at least one occupant owner of a jointly owned dwelling is 65 years of age or older.~~

~~(3) Reduced service volume may be provided to other users upon special application to the public works director or his designee, expressing the reasons for such service and establishing to the satisfaction of the public works director or his designee that reduced service volume is warranted.~~

(C) (B) The solid waste management fees shall be payable monthly and shall be billed, whenever practicable to do so, with the utility bill associated with charges for water, wastewater, stormwater and other services. Invoices shall be issued pursuant to the billing and reading frequencies and practices of the municipal water utility, all pursuant to Chapter 12.05 HMC. Service bills (invoices) shall be payable at the same time as water service bills of said utility are payable. Solid waste management fees shall be deposited into the sanitary district special operating fund.

Section 3. That Section 12.15.090 of the Highland Municipal Code be hereby amended by renaming the subdivisions therein, which shall read as follows:

Subdivision (D) shall be renamed (C)

Subdivision (E) shall be renamed (D)

Subdivision (F) shall be renamed (E)

Subdivision (G) shall be renamed (F)

Section 4. That Section 12.15.120 of the Highland Municipal Code be hereby repealed and be hereby amended by inserting the following replacement section to be renamed Section 12.15.120, which shall read as follows:

12.15.120 Delinquent accounts.

(A) *How Delinquencies Arise.* Fees levied charged pursuant to this chapter shall be due and payable on or before the due dates shown on the bills. Any fee not paid by the due date shall be considered delinquent. Such delinquent fee together with any applicable interest shall be collectible as hereinafter set forth.

~~(B) As is provided by statute, all rates and charges that are not paid when due are hereby declared to be delinquent, and a penalty of 10 percent of such rates or charges shall thereupon attach thereto. The time at which such rates or charges shall be paid is now fixed as the due date fixed for potable water. The penalty shall attach at 30 days after the date of mailing of the bill, pursuant to HMC 12.20.350 (Ord. 1637 § 1, 2016).~~

(NEW) (B) *Delinquent Bills and Fees.* Rates or charges so established shall be paid on the due date as stated in such bills. If such rates or charges are not paid on the due date thereof, as stated in such bills, after written notice to the owner of any such lot, parcel of real estate or building, the same shall thereupon become and hereby are declared to be delinquent and a penalty of ten percent (10%) of the amount of such charges shall attach, which charges, together with the penalty, shall be collectible in the manner hereinafter provided.

(NEW) (C) It shall be the duty of the clerk-treasurer of the town to enforce payment thereof, together with the penalty hereinabove provided.

(1) The clerk-treasurer shall certify to the county auditor a list of such rates or charges, including the amount of the penalty, which have become delinquent according to law.

- (2) Such list shall include the name or names of the owner or owners of each and every lot, parcel of real estate or building on which such rates or charges have become delinquent, the description of such premises as shown by the records of the office of the county auditor, and the amount of such rates or charges, together with the amount of the penalty.
- (3) It shall be the duty of the county auditor to place and include any such rates or charges, including the amount of the penalty, on the tax list, roll of taxes or tax duplicate, in the appropriate place thereon in respect to the premises on which any such rates or charges and penalty are due and payable, in such manner and pursuant to the terms of IC ~~36-9-25-11(g)~~, ~~36-9-23-33~~ and ~~36-9-23-34~~.
- (4) A fee is not enforceable as a lien against a subsequent owner of property unless the lien for the fee was recorded with the county recorder before the conveyance to the subsequent owner. If the property is conveyed before the lien can be filed, the municipality shall notify the person who owned the property at the time the fee became payable. The notice must inform the person that payment, including penalty fees for delinquencies, is due not more than fifteen (15) days after the date of the notice. If payment is not received within one hundred eighty (180) days after the date of the notice, the amount due may be expensed as a bad debt loss.
- (5) A lien attaches against real property occupied by someone other than the owner only if the utility notifies the owner not later than twenty (20) days after the time the utility fees become sixty (60) days delinquent. A notice sent to the owner under this subsection must be sent by first class mail or by certified mail, return receipt requested (or an equivalent service permitted under IC ~~1-1-7-1~~) to:
- (a) the owner of record of real property with a single owner; or
 - (b) at least one (1) of the owners of real property with multiple owners;
at the last address of the owner for the property as indicated in the records of the county auditor on the date of the notice of the delinquency, or to another address specified by the owner, in a written notice to the utility, at which the owner requests to receive a notice of delinquency under this subsection.

The cost of sending notice under this subsection is an administrative cost that may be billed to the owner.

NEW (D) In addition to the methods of collection of such charges, including the penalty thereon, when the same become delinquent as hereinabove provided, the board of sanitary commissioners shall have the right to foreclose the lien hereinbefore

established. In all suits brought to foreclose such lien, the board of sanitary commissioners shall recover the amount of such charges and the penalty thereon, together with a reasonable attorney's fee, pursuant to the terms of IC 36-9-25-11(g), 36-9-23-33 and 36-9-23-34.

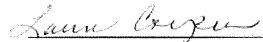
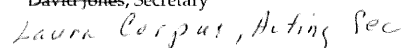
Section 5. That the Sanitary Board of Commissioners requests that this resolution be forwarded to the Town Council for its consideration and favor, amending the municipal code by ordinance with the provisions approved in this resolution.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 20th day of April 2021. Having been passed by a vote of 4 for and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:


Richard Garcia, President

Attest:


David Jones, Secretary

Laura Corpus, Acting Secy

- Proposed Ordinance No. 1730:** An Ordinance to Amend Section 11.10.225(F) of the Municipal Code which provides for a Special Event or Activity with alcohol Permit issued by the Department of Parks and Recreation and its Governance by a Park and Recreation Board, all pursuant to I.C. 36-1-4, IC 36-1-5 and IC 36-10-3 et sequitur.

Councilor Black introduced and moved for the consideration of Ordinance No. 1730 at the same meeting of its introduction. Councilor Herak 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 Black moved for the passage and adoption of Ordinance No. 1730 at the same meeting of its introduction. Councilor Schocke seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

ORDINANCE No. 1730
of the
TOWN of HIGHLAND, INDIANA

An Ordinance to Amend Section 11.10.225(F) of the Municipal Code which provides for a Special Event or Activity with alcohol Permit issued by the Department of Parks and Recreation and its Governance by a Park and Recreation Board, all pursuant to I.C. 36-1-4, IC 36-1-5 and IC 36-10-3 et sequitur.

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

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

Whereas, The Town of Highland, is a Municipal Government which may pass and codify ordinances for the operation of the government, all pursuant to IC 36-1-4 and IC 36-1-5;

Whereas, The Town of Highland, is a municipality located in Lake County, which operates a Parks and Recreation Department, which has been continuously governed by the provisions of IC 36-10-3 et seq. at least since 1969;

Whereas, The Town of Highland, through its Town Council now desires to still further perfect its own organization as well as that of the Parks and Recreation Department and make certain enhancements to the ordinance establishing and governing the Department of Parks and Recreation, pursuant to IC 36-10-3 et seq.;

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

Section 1. That Section 11.10.225(F) of the Highland Municipal Code is hereby repealed in its entirety and amended with a successor section to be styled as Section 11.10.225(F) which shall read as follows:

11.10.225 Special event or activity with alcohol (SEAP).

(F) A special event with alcohol permit authorized under this section and HMC [11.10.020\(D\)](#) requires the following process:

- (1) Applicant filed request with park at least ~~120~~ 30 days before the event;
- (2) Parks and recreation superintendent will cause the application to be considered by the park board within a reasonable time;
- (3) The park and recreation board will consider the matter at a regular or specially called meeting. If the park and recreation board favors the application, it will approve the permit subject to the approval of the town council;
- (4) **The town council will consider the permit at the first regular or special meeting following the receipt of the permit action from the park and recreation board.** If the town council approves the application, the permit is granted. If it rejects the applicant ~~or fails to act 30 or more days before the event~~, the permit is denied.

Section 2. That the provisions of any existing ordinances, which are in conflict with the provisions set forth in this ordinance are of no further force or effect and are hereby repealed;

Section 3. That the provisions set forth in this ordinance shall become and remain in full force and effect thereafter, immediately following the date of its passage and adoption upon its signature by the executive in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 26th day of April 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/~~REJECTED~~ this 26th day of April 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)

3. **Enactment No. 2021-16:** An Enactment Reducing Appropriations in the Annual Budget for Parks And Recreation Special Operating (General) Fund, Pursuant To I.C. 6-1.1-18, I.C. 36-5-3-5, Et Seq.

Councilor Herak introduced and moved for the consideration of Enactment No. 2021-16 at the same meeting of its introduction. Councilor Black seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Herak moved for the passage and adoption of Enactment No. 2021-16 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

TOWN of HIGHLAND
APPROPRIATION ENACTMENT
ENACTMENT NO. 2021-16

AN ENACTMENT REDUCING APPROPRIATIONS in the ANNUAL BUDGET for PARKS and RECREATION SPECIAL OPERATING (GENERAL) FUND, PURSUANT TO I.C. 6-1.1-18, I.C. 36-5-3-5, ET SEQ.

WHEREAS, It has been determined that it is now necessary to reduce appropriations from what was appropriated in the budget for the Parks and Recreation Special Operating (General) Fund;

WHEREAS, It has been determined that such diminished and reduced appropriations as may be approved by this enactment, will neither increase nor decrease the levy set under I.C. 6-1.1-17 and in the course of collection for FY 2021, however such reduction will serve to honor the most recent guidance regarding the treatment of CARES ACT proceeds as promulgated by the State Examiner of the Board of Accounts;

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

Section 1. That for the expenses of said municipality, the following appropriations of money are hereby reduced and ordered returned and reverted to the funds herein named and for the purposes herein specified, subject to the laws governing the same:

PARK AND RECREATION SPECIAL OPERATING (GENERAL) FUND:

Reduce Account 006-0000-21005 Lincoln Center Supplies:	<u>\$12,767.00</u>
Total Reduction to 200 Series:	<u>\$12,767.00</u>

Total Reduction for the Fund: \$ 12,767.00

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these reductions be depicted in the proper documentation accompanying the filing of the Year 2021 Budget, pursuant to IC 6-1.1-17.

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

Introduced and Filed on the 26th day of April 2021. Consent to consider this enactment 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 Passed and Adopted this 26th Day of April 2021, by the Town Council of the Town of Highland, Indiana. Having passed by a vote of 5 in favor and 0 opposed, with a duly constituted enactment, all pursuant to I.C. 36-5-2-9.6; I.C. 36-5-3-5; I.C. 36-5-4-2.

Duly Ratified this 24th Day of May 2021, by the Town Council of the Town of Highland, Indiana, following a public hearing. Having passed by a vote of 5 in favor and 0 opposed, with a duly constituted enactment, all pursuant to I.C. 36-5-2-9.6; I.C. 36-5-3-5; I.C. 36-5-4-2.

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)

4. **Resolution No. 2021-15:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications In The Works Board Department Of The Corporation General 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. 2021-15. 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
APPROPRIATION TRANSFER RESOLUTION

RESOLUTION NO. 2021-15

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the WORKS BOARD DEPARTMENT of the CORPORATION GENERAL 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 Works Board Department of the Corporation General 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 Works Board Department of the Corporation General 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:

CORPORATION GENERAL FUND

Works Board Department

Reduce Account:

001-0011-3XXX Transfer to Park & Rec Fund	\$ 12,767.00
Total 300 Series Decreases:	\$ 12,767.00

Increase Account:

001-0011-21005 Lincoln Center Supplies	\$ 12,767.00
Total 200 Series Increases:	\$ 12,767.00

Total of Fund Decreases:	\$ 12,767.00
Total of Fund Increases:	\$ 12,767.00

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)

5. Resolution No. 2021-17: A Resolution Authorizing the Transfer of the Proceeds of the Cares Act Reimbursement Grants to the Corporation General Fund.

Councilor Herak moved the passage and adoption of Resolution No. 2021-17. 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. 2021-17

A RESOLUTION AUTHORIZING THE TRANSFER OF THE PROCEEDS OF THE CARES ACT REIMBURSEMENT GRANTS TO THE CORPORATION GENERAL FUND

WHEREAS, Pursuant to the authority granted by the State Examiner's Directive 2020-03, and the authority conferred directly under IC 36-5-6-6(a), subdivisions (1), (2), (4), and (5), the Clerk-Treasurer did establish a temporary grant fund, styled as Fund No. 175 to be called CARES ACT IFA FUND;

WHEREAS, Pursuant to the authority granted by the State Examiner's Directive 2020-03, and the authority conferred directly under IC 36-5-6-6(a), subdivisions (1), (2), (4), and (5), the Clerk-Treasurer did establish a temporary grant fund, styled as Fund No. 176 to be called CARES ACT CDBG FUND;

WHEREAS, That the CARES ACT IFA FUND is dedicated and established to provide an accounting entity to account for the reimbursement grant funded by the CARES ACT, distributed by Indiana Finance Authority (IFA), specifically reimbursing the Town of Highland for its *Public Health and Safety wages and salaries* paid from March 1, 2020 through November 30, 2020;

WHEREAS, That the CARES ACT CDBG FUND is dedicated and established to provide an accounting entity to account for the reimbursement grant funded by the CARES ACT, distributed by the LAKE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT, specifically reimbursing the Town of Highland for its *COVID based expenses* paid from March 31, 2020 through the date of the filing for reimbursement;

WHEREAS, That no direct expenditures from these temporary funds shall be lawful except to transfer the reimbursement grant proceeds to the fund from which the reimbursed expenses arose, which is the **Corporation General Fund**; and,

WHEREAS, The Town Council of the Town of Highland has determined that the grant proceeds on deposit to the credit of the CARES ACT IFA FUND and the CARES ACT CDBG FUND should now be transferred to the Corporation General Fund and desiring now to authorize and execute the transfer,

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

Section 1. That the Clerk-Treasurer be and is hereby directed to transfer the following identified amounts of grant proceeds on deposit to the credit of the funds herein identified then to be transferred to and deposited to the credit of the **Corporation General Fund**:

(A)	CARES ACT IFA FUND <i>Transfer to Corporation General Fund</i>	\$ 726,156.00
(B)	CARES ACT CDBG FUND <i>Transfer to Rainy day Fund</i>	\$ 11,725.72

Section 2. That the Town Council further instructs the Clerk-Treasurer to create a special revenue account for the Corporation General Fund, to account for the receipts transferred from the CARES ACT FUNDS and deposited to the credit of the Corporation General Fund by authority of this resolution;

Section 3. That the Town Council still further instructs the Clerk-Treasurer to defease the funds created by him to account for the initial receipt of the CARES act proceeds, but not before an audit from the external auditor, the State Board of Accounts is completed.

DULY RESOLVED and ADOPTED this 26th Day of April 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)

6. **Works Board No. 2021-12:** An Order of the Works Board Accepting the Bid of Dave's Tree Service, Inc. for Tree Removal and Pruning Services for the Year 2021.

Councilor Herak moved the passage and adoption of Works Board Order No. 2021-12. Councilor Zemen seconded.

After a colloquy between and among the Town Council regarding the possible criminal violations for which the owner, Dave Johnson was convicted, by general consent the order was referred for further study.

7. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of **\$226,310** in the **Downtown Allocation Area Fund** and in the amount of **\$2,160** in the **Redevelopment General Fund**.

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 Building Commissioner who offered a survey of matters before the Plan Commission.

Councilor Zemen acknowledged the Parks and Recreation Superintendent who reported that there were 128 couples registered for the Daddy Daughter slated to occur on Friday, April 30.

- **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 expressed condolences to Ed Dabrowski on the recent death of his brother.

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, thanking the Town Council President for his Proclamation for Arbor Day.

Councilor Schocke reported that the Community Events Commission was continuing its work to plan for the Independence Day festival at Main Square.

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

Councilor Black inquired of the Police Chief regarding recent thefts of cars in town.

- **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.*

The Town Council President acknowledged the Redevelopment Director, who commented on the next downtown restaurant crawl and offered a modest survey of redevelopment activity.

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

1. Larry Kondrat, Highland, inquired about the Town Council possibly considering appointing a town manager or administrator. Mr. Kondrat expressed his opposition.
2. Terry Steagall, Highland, urged that the Town Council consider using the imminently provided American Rescue Plan proceeds to remove lead pipes from the water system if applicable.

3. Elijah Aurand, Highland, inquired about the status of the Sanitary Sewage Overflow (SSO) plan that is under review by the U.S. EPA. Mr. Aurand also inquired about its funding.

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 April 13, 2021 through April 26, 2021 as well as to ratify the payroll docket for the payday of April 9, 2021. Councilor Schocke 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, \$415,279.02; Motor Vehicle Highway and Street (MVH) Fund, \$19,849.10; Local Road and Streets Fund, \$1,156.64; Law Enforcement Continuing Education and Training and Supply Fund, \$21,557.72; Information Communications Technology Fund, \$5,390.02; Police Pension 1925 Fund, \$68,473.83; General Improvement Fund, \$50.00; Traffic Violations and Law Enforcement Agency Fund, \$250.00; Gaming Revenue Sharing Fund, \$250.00; Special Public Safety Fund, \$1,590.00; and Public Safety Local Income Tax Fund, \$635.48; Total: \$534,481.81.

Payroll Docket for payday of April 09, 2021:

Council, Boards and Commissions, \$0.30; Office of Clerk-Treasurer, \$16,784.41; Building and Inspection Department, \$8,835.07; Metropolitan Police Department, \$127,602.14; Public Works Department (Agency), \$69,898.35; Fire Department, \$3,717.04; and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$226,837.01.

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, April 26, 2021 was adjourned at 7:50 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

Customer Ad Proof

60006664 HIGHLAND CLERK TREASURER

Order Nbr 68535

Publication

The Times

Contact HIGHLAND CLERK TREASURER
Address 1 3333 RIDGE ROAD
Address 2
City St Zip HIGHLAND IN 46322
Phone 2198381080
Fax 2199725097

PO Number
Rate Legal
Order Price 24.34
Amount Paid 0.00
Amount Due 24.34

Section Legals
SubSection
Category 198 Legal - Lake County

Start/End Dates 04/29/2021 - 04/29/2021
Insertions 1
Size 52

Ad Key 68535-1
Keywords Notice Add'l Ctrl 05.10.2021

Salesperson(s) Amy Peters
Taken By Levi Sasek

Notes

Ad Proof

TOWN OF HIGHLAND NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

Notice is hereby given the taxpayers of the Town of Highland, Lake County, Indiana, that the Town Council of said Municipality in said Municipal Building, 3333 Ridge Road, at 6:30 p.m. on the 10th day of May 2021, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

REDEVELOPMENT GENERAL FUND
Acct. 094-0000-35012
Downtown Marketing \$2,160.00
Total 300 Series: \$2,160.00
TOTAL for the FUND: \$2,160.00

Funds to support these additional appropriations in the Redevelopment General Fund shall be supported by unobligated, unreserved, undesignated fund balance. Taxpayers appearing at such meeting shall have a right to be heard thereon. Taxpayers are asked to contact the Office of the Clerk-Treasurer at (219) 838-1080 to provide an email address to allow the Zoom platform information to be provided if the meeting is still being conducted electronically alone. You may also write to the Office of the Clerk-Treasurer if you have concerns. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its review. The Department of Local Government Finance shall make a written determination of the sufficiency of funds within fifteen days of receipt of a certified copy of the action taken.

TOWN COUNCIL of HIGHLAND
Roger Sheeman, President
By: Michael W. Griffin
IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer
4/29-68535-hspaxlp

**Town of Highland
Appropriation Enactment
Enactment No. 2021-20**

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET for the DOWNTOWN ALLOCATION AREA FUND, ALL PURSUANT TO I.C. 6-1.1-18, and I.C. 36-5-3-5.

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

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

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

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Downtown Allocation Area Fund**, herein named and for the purposes herein specified, subject to the laws governing the same:

DOWNTOWN ALLOCATION AREA FUND

Increase:

Account No. 098-0000-44066 Project Construction:	\$ 143,676.00
Account No. 098-0000-44067 Project Contingency:	<u>\$ 82,634.00</u>
Total Series:	\$ 226,310.00

Total for the Fund: \$226,310.00

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

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

Introduced and Filed on the 10th Day of May 2021. Consideration on the same day or at same meeting of introduction sustained a vote of _____ in favor and _____ opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this ____ Day of May 2021, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

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

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

ATTEST:

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

Customer Ad Proof

60006664 HIGHLAND CLERK TREASURER

Order Nbr 68532

Publication

The Times

Contact HIGHLAND CLERK TREASURER
 Address 1 3333 RIDGE ROAD
 Address 2
 City St Zip HIGHLAND IN 46322
 Phone 2198381080
 Fax 2199725097

PO Number
 Rate Legal
 Order Price 24.34
 Amount Paid 0.00
 Amount Due 24.34

Section Legals
 SubSection
 Category 198 Legal - Lake County

Start/End Dates 04/29/2021 - 04/29/2021
 Insertions 1
 Size 52

Ad Key 68532-1
 Keywords Notice Add'l Non-Ctrl 05.10.2021

Salesperson(s) Amy Peters
 Taken By Levi Sasek

Notes

Ad Proof

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

Notice is hereby given the taxpayers of the Town of Highland, Lake County, Indiana, that the Town Council of said Municipality in said Municipal Building, 3333 Ridge Road, at 6:30 p.m. on the 10th day of May 2021, will consider the following additional appropriations in excess of the budget for the current year in the following funds:
 DOWNTOWN ALLOCATION AREA FUND

Increase:
 Account No. 098-0000-44066 Project Construction: \$143,676.00
 Account No. 098-0000-44067 Project Contingency: \$82,634.00
 Total Series: \$226,310.00
 Total for the Fund: \$226,310.00

Funds to support these additional appropriations in the Downtown Allocation Area Fund shall be from miscellaneous revenues, tax increment accruing to the credit of the fund, and unobligated fund balance on deposit to the credit of the Fund. Taxpayers appearing at such meeting shall have a right to be heard thereon. Taxpayers are asked to contact the Office of the Clerk-Treasurer at (219) 838-1080 to provide an email address to allow the Zoom platform information to be provided if the meeting is still being conducted electronically alone. You may also write to the Office of the Clerk-Treasurer if you have concerns. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance for its information and file.

TOWN COUNCIL of HIGHLAND
 Roger Sheeman, President
 By: Michael W. Griffin
 IAMC/MMC/CPFA/ACPFIM/CMO
 Clerk-Treasurer
 4/29-68532-hspaxlp

**TOWN OF HIGHLAND
APPROPRIATION ENACTMENT
ENACTMENT NO. 2021-21**

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

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

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

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

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **several departments of the Corporation General Fund** and for the purposes herein specified, subject to the laws governing the same:

REDEVELOPMENT GENERAL FUND

Acct. 094-0000-35012 Downtown Marketing	\$	<u>2,160.00</u>
Total 300 Series:	\$	2,160.00
TOTAL for the FUND:	\$	<u>2,160.00</u>

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure **subject to an order** of the Commissioner, pursuant to IC 6-1.1-18.

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

Introduced and Filed on the 10th Day of May 2021. Consideration on the same day or at same meeting of introduction sustained a vote of _____ in favor and _____ opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this ____ Day of May 2021, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

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

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

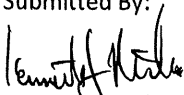
ATTEST:

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

Building Report April, 2021

PERMIT TYPE	#	Res.	Comm.	Est. Cost	Fee Collected
Commercial Buildings	0	0	0	\$ -	\$ -
Comm. Additions/Remodel	5	0	5	\$ 161,220.00	\$ 3,361.50
Signs	3	0	3	\$ 11,500.00	\$ 1,278.00
Single Family	0	0	0	\$ -	\$ -
Duplex/Condo	0	0	0	\$ -	\$ -
Residential Additions	0				
Residential Remodeling	72	72	0	\$ 537,030.00	\$ 13,917.00
Garages	4	4	0	\$ 145,675.00	\$ 3,600.00
Sheds	3	3	0	\$ 11,087.00	\$ 742.50
Decks & Porches	7	7	0	\$ 22,258.00	\$ 1,645.50
Fences	17	16	1	\$ 66,674.00	\$ 2,760.00
Above/In ground pools	2	2	0		\$ 216.00
Drain Tile/Waterproofing	6	6	0	\$ 54,411.00	\$ 1,489.50
Misc:Concrete,Demos,Grn. House,Rd.Cuts,Sol. Panels	35	35	0	\$ 197,072.00	\$ 7,591.50
Total Building Permits	154	145	9	\$ 1,206,927.00	\$ 36,601.50
Electrical Permits	18	17	1	\$ -	\$ 2,466.00
					\$ -
Mechanical Permits	17	11	6	\$ -	\$ 2,081.00
Plumbing Permits	10	2	8	\$ -	\$ 1,206.40
Water Meters	0	1	0	\$ -	\$ 375.00
Water taps	0	0	0	\$ -	\$ -
Sewer/Storm Taps	1	1	0	\$ -	\$ 300.00
Total Plumbing Permits	11	4	8	\$ -	\$ 1,881.40

April 2021 Code Enforcement: 75 Investigations and 6 Citations were issued.
 Inspections done for the month of April 2021 were as follows: 24 Building Inspections,
 13 Plumbing Inspections, 8 HVAC and 16 Electrical Inspections. There were 2 Electrical Exams given.

Submitted By:

 Kenneth J. Mika

FIRE DEPARTMENT REPORT

APRIL 2021

Type of Calls	April 2021	YTD
General Alarms	5	47
Paid Still Alarms	21	73
Still Alarms	1	8
	Month	
	27	
Total Calls in 2021		128

2021
TOWN OF HIGHLAND INJURIES FOR THE MONTH
APRIL

CASE	DATE	DEPARTMENT	DESCRIPTION	Record Only No Med Treatment	OSHA Recordable	Not OSHA Recordable	Filed with WC Insurance
	OF INJURY						
			NO Injuries for the month				

RO = Record Only

DEPARTMENT	INJURIES	YEAR TO	TOTAL	RESTRICTED	LOST DAYS	RESTRICTED	LOST DAYS
	THIS MONTH	DATE	2020	DAYS THIS YEAR	THIS YEAR	DAYS 2020	2020
PARK & REC			2			0	0
FIRE						0	0
POLICE		1	2			0	0
STREET			1			0	0
WATER/SEWER		2	2	32		93	81
MAINTENANCE						0	0
OTHER						0	0
TOTALS	0	3	7	32	0	93	81

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

**ORDINANCE No. 1731
of the
TOWN of HIGHLAND, INDIANA**

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

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

WHEREAS, The Traffic Safety Commission at its meetings convened on May 4, 2021 considered and then did vote to recommend certain amendments to the Highland Municipal Code particularly regarding additions to the Traffic Schedules;

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

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

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

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

Section 1. That Section **10.30.150**, Schedule XV *“Right Turn Only”* of the Highland Municipal Code be amended by **adding to the existing schedule the** following:

Street	Location	Ord. No.	Date Passed
Kennedy Avenue	Highland municipal parking lot ingress / egress	1731	
45 th Avenue	At Delaware parkway, northern most exit from the parking lot	1731	

Section 2. That the proper officer be hereby directed to erect appropriate signs, properly citing the traffic or parking regulation herein, to support the enforcement of the provisions herein and to further remove those signs where appropriate as well;

Section 3. That all provisions of ordinances in conflict with the provisions hereof are hereby repealed;

Section 4. That this ordinance shall become and be in full force and effect from and after its passage and adoption two (2) weeks following its publication in the manner prescribed by law and until its subsequent amendment or repeal by proper ordinance, all pursuant to IC 36-5-2-10(c).

Introduced and Filed on the _____ Day of May 2021. Consideration on same day or at same meeting of introduction sustained a vote of _____ in favor and _____ opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this _____ Day of May 2021, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

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

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

ATTEST:

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

Section 3. That all provisions of ordinances in conflict with the provisions hereof are hereby repealed;

Section 4. That this ordinance shall become and be in full force and effect from and after its passage and adoption two (2) weeks following its publication in the manner prescribed by law and until its subsequent amendment or repeal by proper ordinance, all pursuant to IC 36-5-2-10(c).

Introduced and Filed on the 10th Day of May 2021. Consideration on same day or at same meeting of introduction sustained a vote of _____ in favor and _____ opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this _____ Day of May 2021, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

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

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

ATTEST:

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

**Ordinance No. 1732
of the
TOWN of HIGHLAND, INDIANA**

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

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

Whereas, Owing to the National Emergency concerning the novel coronavirus, now more specifically known as COVID-19, in March 2020, the Town Council amended its Compensation and Benefits Ordinance commonly called the Municipal Employees Handbook to allow certain paid time off in consequence of the COVID 19 public health emergency; and,

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

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

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

§ 5.11.02 Special Administrative Leave

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

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

1. Full-Time Exempt Employees, regardless of the department of the Town in which they are so employed, shall be eligible for the application of this policy, to its fullest extent.
2. Full-Time Non-Exempt Employees who are required to work at least forty (40) hours per calendar week, and are eligible for overtime pay, regardless of the

department of the Town in which they are so employed, shall be eligible for the application of this policy, to its fullest extent.

3. *Part-time non-exempt employees:* All part time employees shall be compensated under special administrative leave subject to Subsection 3(i) and the following:
 - (i) The clerk-treasurer shall be tasked with calculating the amount of such compensation based upon what the usual and ordinary pay would be for each worker according to an average of the usual schedule for that worker as determined by the last six months of compensation;
 - (ii) For all members of the fire department the compensation based upon officer designation will continue without regard to hours worked;
 - (iii) For all members of the fire department except the Fire chief, the compensation shall be based on the average of calls for the last two quarters or the actual calls, whichever is higher;
 - (iv) Part-time workers who are compensated under this section, who apply for unemployment compensation, will be required to repay the municipality for remuneration received from the State under that program;
 4. That for any circumstances not addressed under this section, the Clerk-Treasurer under the Clerk-Treasurer's authority under IC 36-5-6-6(4), and the Town Council President under emergency authority are empowered to fashion a compensatory remedy consistent with law and the purposes and object of the special administrative leave provision.
- (B) Before administrative leave with pay and continuation of benefits may be granted, except in the case of an illness reasonably suspected by the Employee to be the same illness that resulted in the declaration of a National Emergency as declared by the President of the United States, documentation of and rationale for the leave must be made on a form approved by and filed with the Clerk-Treasurer, and carrying the signatures of the following persons for the accompanying purposes:
1. The appropriate department head, evidencing approval; if the employee is a department head, only the signatures of the following officers will be required;
 2. Chairman of the relevant Board or Commission; and
 3. The Municipal Executive (Town Council President), evidencing notice of the action.
- (C) In the case of an employee who takes leave without prior approval because they reasonably suspect that they may have contracted or know that they have been exposed to the same illness that resulted in the declaration of a National Emergency as declared by the President of the United States, the approval, retroactive or otherwise, of the Special Administrative Leave will depend upon the employee's enumerated reasons and rationale for taking said leave and an opinion from a licensed medical professional stating that said reason(s) were medically justifiable.
- (D) For all compensation under 5.11.02 related to a National emergency, should be documented in a fashion that the Clerk-Treasurer prescribes.
- (E) **For all compensation under 5.11.02 related to a national emergency, if the national emergency involves a public health epidemic or pandemic associated with a virus for which an FDA approved vaccine is available, an employee who refuses to be vaccinated, is not eligible for the special administrative leave under Section 5.11.02 if the employee becomes ill from the virus the vaccine was intended to abate, except as follows:**

1. The employee has a bonafide medical reason that bars the use of the vaccine(s);or
 2. The employee asserts protections under IC 34-13-9-8;
- (F) The municipality may require workers who assert exceptions under subdivision (E) to provide reasonable evidence of the bonafide medical reasons barring the use of a vaccine or other medical prevention and the municipality preserves it's authority to act under the exception provided in IC 34-13-9-8(b).

Introduced and Filed on the 10th Day of May 2021. Consideration on same day or at same meeting of introduction sustained a vote of _____ in favor and _____ opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this _____ Day of May 2021, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

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

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

ATTEST:

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

**TOWN COUNCIL of the TOWN of HIGHLAND
ENACTMENT NO. 2021-22**

AN ENACTMENT REGARDING THE DISPOSITION OF MUNICIPALITY'S PRO-RATA SHARE ON DEPOSIT TO THE CREDIT OF THE COMMUNITY CROSSINGS GRANT FUND, AUTHORIZING ITS TRANSFER TO THE CORPORATION GENERAL FUND AND AUTHORIZING ITS RETURN TO THE COMMUNITY CROSSINGS GRANT FUND, PURSUANT TO I.C. 36-1-3 ET SEQ., AND IC 36-1-8-12.

WHEREAS, The Town of Highland by proper legislative action has established a Community Crossings Grant Fund pursuant to IC 36-1-3, and IC 8-23-30, codified as Section 3.45.129 of the Highland Municipal Code;

WHEREAS, The Community Crossings Grant Fund, as a separate, discrete fund that hosts state based grant resources for which a local match is required, is governed by the provisions of IC 8-23-20 and IC 36-1-8-12 in its management of assets;

WHEREAS, Indiana Code 8-23-30-6 particularly provides that any eligible applicant, with a population of 10,000 or more, seeking the local road and bridge matching grant authorized under that law, must provide a fifty percent match;

WHEREAS, Pursuant to IC 36-1-8-12 (b), provides that when a political subdivision completes a project that was supported by a state grant that required local matching money, a separate fund shall be created to support the resources of the grant and its match and if there are resources remaining at the completion of a project, the remaining share of the state grant shall be remitted to the treasurer of state and the local share shall revert to the political subdivision's general fund;

WHEREAS, The Town of Highland is a political subdivision, pursuant to IC 36-1-2-13 and IC 36-1-2-10;

WHEREAS, The Town of Highland, has encumbered the remaining costs associated with the 2020 qualifying project supported by a local road and bridge matching grant, in the amount of \$122,429.87;

WHEREAS, The Town of Highland, pursuant to the provisions of IC 36-1-8-12, has identified that there is no share that needs to be returned to the State of Indiana, leaving the unreserved, undesignated cash balance of \$225,314.33 to revert to the Corporation General Fund;

WHEREAS, The remaining share in the amount of \$225,314.33 was anticipated and was contemplated as a component of the required local share to support the 2021 match for its projects identified to be funded by a local road and bridge matching grant, under IC 8-23-30;

WHEREAS, The Town of Highland highly desires to follow the law's prescription stating that the local remaining share reverts to the corporation general fund, yet at the same time, it also wishes to avoid the administrative inefficiency that would occasion the transfer of the \$225,314.33 unreserved, undesignated cash balance from the Community Crossings Grant Fund to the Corporation General Fund only then to authorize its transfer back to the Community Crossings Fund again, to be part of the Town's local share;

WHEREAS, Pursuant to IC 36-1-3-2, it is the policy of the State of Indiana to grant to local governments all the powers they need for the effective operation of government as to local affairs;

WHEREAS, Pursuant to IC 36-1-3-4(b), the Town of Highland has all the powers granted it by statute and all other powers necessary or desirable in the conduct of its affairs even though not granted by statute; and,

WHEREAS, Town Council of the Town of Highland now wishes to exercise such powers deemed necessary and desirable for the effective operation of the Town,

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

Section 1. That the Town Council hereby finds and determines the following:

- (A) That the Town Council did approve and obtain a local road and bridge matching grant for projects in 2020 totaling \$1,592,656, with the matching portions being in the amount of \$1,000,000 to allow for a \$200,000 local share contingency, pursuant to IC 8-23-30 et seq.;
- (B) That after completion of all identified projects, the final costs for all tasks identified in the grant, including the encumbered appropriations committed but not yet expended, the cash amount unexpended under the terms of the grant, rendering a share for the Town alone in the amount of \$225,314.33;
- (C) That the Town Council further acknowledges that IC 36-1-8-12 (b), expressly provides that when a political

subdivision completes a project that was supported by a state grant that required local matching money, *if there are resources remaining at the completion of a project, the remaining share of the state grant shall be remitted to the treasurer of state **and the local share shall revert to the political subdivision's general fund;***

- (D) That owing to the state basing its contribution on the project bid price and not the project estimate, there is no state portion to be returned and remitted to the State upon receipt of an appropriate invoice from the Indiana Department of Transportation;
- (E) That, under the provisions of IC 36-1-8-12 the remaining share in the amount of **\$225,314.33** at once reverts to the Town's corporation general fund, while at the same time was contemplated as a component of the required local share to support the 2021 match for its projects identified to be funded by a local road and bridge matching grant, under IC 8-23-30; and,
- (F) That the Town of Highland highly desires to adhere to the law's prescription stating the local remaining share reverts to the corporation general fund, yet at the same time, it also wishes to avoid the *administrative inefficiency that would occasion the reversion of the \$225,314.33 from the Community Crossings Matching Fund to the Corporation General Fund only then to authorize its transfer back to the Community Crossings Fund*, to be part of the local share for FY 2021;

Section 2. That owing to the foregoing findings and determinations, the remaining share on deposit to the credit of the Community Crossings Grant Fund in the amount of **\$225,314.33** shall be deemed to have reverted to the corporation general fund, with this enactment providing a constructive, putative reversion;

Section 3. That further owing to the foregoing findings and determinations the reverted amount of \$225,314.33 shall be hereby deemed to be transferred from the corporation general fund to the community crossings matching fund to be part of the local match for the FY 2021 grant program;

Section 4. That, the provisions of this enactment are exercised as necessary and desirable for the effective operation of the town and to achieve administrative efficiency, while honoring the provisions of IC 36-1-8-12;

Section 5. That the money putatively reverted and then transferred may be expended from the Community Crossings Matching Fund, for purposes permitted by law, and after its appropriation in the manner set forth in IC 6-1.1-18.

Introduced and Filed on the 10th day of May 2021. Consideration on same evening of introduction attained a vote of _____ in favor and _____ opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this _____ day of May 2021 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

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

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

Attest:

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

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2021-19**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the CUMULATIVE CAPITAL IMPROVEMENT 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 **Cumulative Capital Improvement 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 **Cumulative Capital Improvement 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:

CUMULATIVE CAPITAL IMPROVEMENT FUND

Reduce Account:

054-0000-39009 CONSTR. & RECONSTR. STREETS	<u>\$ 35,000.00</u>
<i>Total 300 Series Decreases:</i>	\$ 35,000.00

Increase Account:

054-0000-40001 LAND PURCHASE	\$ 5,000.00
054-0000-44200 SIDEWALK REPLACEMENT	<u>\$ 30,000.00</u>
<i>Total 400 Series Increases:</i>	\$ 35,000.00

Total of Fund Decreases:	\$ 35,000.00
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Total of Fund Increases:	\$ 35,000.00
---------------------------------	---------------------

DULY RESOLVED and ADOPTED this 10th Day of May 2021 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

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

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

Attest:

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

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS NO. 2021-12**

**An Order of the Works Board Accepting the Bid of Dave's
Tree Service, Inc. for Tree Removal and Pruning Services
for the Year 2021**

Whereas, The Town Council, as the Board of Works of the municipality, has deemed it necessary to solicit bids for road materials, supplies, and services (work) in order to construct, repair, and maintain public ways throughout the Town; and

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

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

Whereas, The Public Works Director, pursuant to § 3.05.050(D)(1) of the HMC, serves as the Purchasing Agent for the Public Works Department; and

Whereas, The Purchasing Agent, pursuant to §3.05.060(H) of the HMC, expected that the purchase, aggregate, would be more than \$150,000 and invited bids in accordance with Section §3.05.060(H) of the HMC; and

Whereas, The Public Works Director has prepared bid specifications for the work anticipated for the year 2021 and the work was bid in accordance with §3.05.060(H) of the HMC; and

Whereas, The following bid(s) were received at 10:00 a.m. of April 15, 2021:

Tree Removal

Bidder	Dave's Tree Service, Inc. 2021 DBH Unit Prices
--------	------------------------------------------------

Bid	6" to 11.9" = \$175
	12" to 17.9" = \$240
	18" to 23.9" = \$410
	24" to 29.9" = \$550
	30" to 35" = \$800
	>35" = \$1,680
	Stumps = \$5.00 per inch

Pruning

Dave's Tree Service, Inc.
Medium Trees (12" to 24") = \$240 / Tree

Large Trees (>24") = \$375 / Tree

Whereas, The Public Works Director has reviewed the bid and made recommendation for award on the various classes of work based on being the lowest responsive and responsible bids.

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

Section 1. That the bid for tree removal and tree pruning services from Dave's Tree Service, Inc., 1555 Park West Circle, Munster, Indiana 46321 be accepted as the lowest responsive and responsible bid as follows:

Tree Removal

<u>Diameter Breast Height</u>	<u>Cost</u>
6" to 11.9"	\$175.00 each
12" to 17.9"	\$240.00 each
18" to 23.9"	\$410.00 each
24" to 29.9"	\$550.00 each
30" to 35"	\$800.00 each
> 35"	\$1,680.00 each
Stump Removal	\$5.00 per inch

Pruning

Medium Trees (12" to 24")	\$240.00 each (per tree)
Large Trees (>24")	\$375.00 each (per tree)

Section 2. The Public Works Director is hereby authorized to execute agreements and all documents necessary to implement the work.

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 10th day of May, 2021 having passed by a vote of _____ in favor and _____ opposed.

**Works Board of the Town
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)

**Town of Highland
Board of Works
Order of the Works Board 2021-13**

AN ORDER OF THE WORKS BOARD ACCEPTING AND APPROVING A LOCAL ROADS AND BRIDGES MATCHING GRANT AGREEMENT BETWEEN THE STATE OF INDIANA, THROUGH ITS DEPARTMENT OF TRANSPORTATION AND THE TOWN OF HIGHLAND THROUGH ITS PUBLIC WORKS DEPARTMENT (AGENCY) BY ITS WORKS BOARD FOR SEVERAL HMA OVERLAY AND PAVEMENT RECONSTRUCTION PROJECTS (DES#: 2100392), ALL PURSUANT TO I.C. 8-23-30 ET SEQ.

Whereas, The Town of Highland, Department (agency) of Public Works, as part of its public duties, has responsibility for the management and maintenance of the several public ways, highways, local roads and streets throughout the Town of Highland not otherwise under another Department;

Whereas, The State of Indiana enacted and authorized a matching grant program, styled as the Local Roads and Bridges Matching Grants Program, which provides a fifty percent funding match not to exceed one million dollars to local units of government that successfully apply for particular road and bridge projects;

Whereas, The Department of Public Works successfully applied to the Local Roads and Bridges Matching Grants Program to support several projects in the total estimated amount of **\$1,000,000**, with the total maximum grant amount being awarded being **\$500,000**;

Whereas, The proper officer of the Department of Transportation for the State of Indiana has prepared and presented a Local Roads and Bridges Matching Grant agreement, that sets forth the terms and conditions of the Grant award; and

Whereas, The Public Works Director now wishes to recommend to the Town Council acting as the Works Board, the favorable review and adoption of the proposed agreement;and,

Whereas, The Town Council acting as the Works Board now desires to approve, accept, and adopt the proposed agreement presented by the Indiana Department of Transportation (INDOT), which provides for Local Roads and Bridges Matching Grant agreement that would support and provide for the projects listed in Attachment A (DES#:2100392),s

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 proposed agreement, **Local Roads and Bridges Matching Grant Agreement**, attached and incorporated by reference to this Order, presented by the Indiana Department of Transportation (INDOT), which provides State based matching grant funds in the maximum amount of **\$500,000** for HMA Overlay and Pavement Reconstruction projects as herein described in Attachment A, in the Town of Highland, styled as Contract **#A249-21-LG210100**, (DES No. **2100392**) is hereby accepted, approved and adopted in every respect;

Section 2. That the Town Council President is hereby authorized to evidence this approval and execute the agreement by his signature as attested to by the Clerk-Treasurer;

Section 3. That the proper officers of the municipality are hereby authorized to identify and secure such funds of the municipality that may be lawfully expended in order to support the Town of Highland's funding share and implement the provisions and objects of the agreement.

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 10th day of May, 2021, having passed by a vote of ____ in favor and ____ opposed.

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

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

Attest:

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

Exhibit: AGREEMENT with INDOT

LOCAL ROADS AND BRIDGES MATCHING GRANT AGREEMENT

Contract # A249-21-LG210100

This Grant Agreement (this "Grant Agreement"), entered into by and between the Indiana Department of Transportation (the "State") and Town of Highland, a Local Unit, (the "Grantee"), is executed pursuant to the terms and conditions set forth herein. In consideration of those mutual undertakings and covenants, the parties agree as follows:

1. **Purpose of this Grant Agreement; Funding Source.** The purpose of this Grant Agreement is to enable the State to award a Grant of \$500,000.00 (the "Grant"), representing 50% of the eligible costs of the project (the "Project") described in Attachment A of this Grant Agreement, which is incorporated fully herein. The funds shall be used exclusively in accordance with the provisions contained in this Grant Agreement and in conformance with Indiana Code § 8-23-30 establishing the authority to make this Grant.

FUNDING SOURCE:

State Funds: Program Title: Local Road and Bridge Matching Grant Fund (I.C. § 8-23-30).

2. Representations and Warranties of the Grantee.

A. The Grantee expressly represents and warrants to the State that it is statutorily eligible to receive these Grant funds and that the information set forth in its Grant Application is true, complete and accurate. The Grantee expressly agrees to promptly repay all funds paid to it under this Grant Agreement should it be determined either that it was ineligible to receive the funds, or it made any material misrepresentation on its grant application.

B. The Grantee certifies by entering into this Grant Agreement that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from entering into this Grant Agreement by any federal or state department or agency. The term "principal" for purposes of this Grant Agreement is defined as an officer, director, owner, partner, key employee or other person with primary management or supervisory responsibilities, or a person who has a critical influence on or substantive control over the operations of the Grantee.

C. The Grantee has committed matching funds from one of the following revenue sources in accordance with Ind. Code § 8-23-30-3: (1) any money the local unit is authorized to use for a local road or bridge project; (2) special distribution of local income tax under Ind. Code § 6-3.6-9-17; or (3) local rainy day fund under Ind. Code § 36-1-8-5.1.

D. The Grantee uses an approved transportation asset management plan on file with the State.

3. Implementation of and Reporting on the Project.

The Grantee shall implement and complete the Project in accordance with Attachment A and with the plans and specifications contained in its Grant Application, which is on file with the State and is incorporated by reference. Modification of the Project shall require prior written approval of the State.

4. **Term.** This Grant Agreement commences on the date approved by the State Budget Agency, and shall remain in effect for two (2) years. Unless otherwise provided herein, it may be extended upon the written

agreement of the parties and in conformance with Ind. Code § 5-22-17-4, and as permitted by Ind. Code § 8-23-30.

The Grantee understands that the Grantee must procure materials and/or a contractor for the Project no later than four (4) months from the date of the award letter, attached hereto as Attachment B and incorporated fully herein. If the Grantee fails to procure a contractor by four (4) months from the date of the award letter, the Grantee forfeits the Grant, the grant funds shall not be distributed to the Grantee, but shall be redistributed as all other funds under Indiana Code § 8-23-30.

5. Grant Funding. Pursuant to Ind. Code § 8-23-30, the Grantee agrees to the following:

A. It may use the State funds only for the Project described in Attachment A;

B. If it uses the grant funds for any purpose other than construction of the Project as described in Attachment A, the Grantee:

- i. must immediately repay all grant funds provided to the State; and
- ii. may not participate in the grant program during the succeeding calendar year.

C. It shall provide local matching funds equal to not less than 50% of the estimated project cost;

D. Disbursement of grant funds will not be made until the Grantee's submission of an accepted/awarded Project Material Bid and/or an executed contract with the contractor;

E. The State's participation in the Project is strictly limited to the grant funds awarded herein. The Grantee understands and agrees that the State is under no obligation to pay for or participate in any cost increases, change orders, cost overruns or additional Project expenses of any kind.

6. Payment of Claims.

A. If advance payment of all or a portion of the Grant funds is permitted by statute or regulation, and the State agrees to provide such advance payment, advance payment shall be made only upon submission of a proper claim setting out the intended purposes of those funds. After such funds have been expended, Grantee shall provide State with a reconciliation of those expenditures. Otherwise, all payments shall be made thirty five (35) days in arrears in conformance with State fiscal policies and procedures. As required by IC § 4-13-2-14.8, all payments will be by the direct deposit by electronic funds transfer to the financial institution designated by the Grantee in writing unless a specific waiver has been obtained from the Indiana Auditor of State.

B. Requests for payment will be processed only upon presentation of a Claim Voucher in the form designated by the State. Such Claim Vouchers must be submitted with the budget expenditure report detailing disbursements of local funds.

C. The State may require evidence furnished by the Grantee that substantial progress has been made toward completion of the Project prior to making the payment under this Grant. All payments are subject to the State's determination that the Grantee's performance to date conforms with the Project as approved, notwithstanding any other provision of this Grant Agreement.

D. Pursuant to Ind. Code § 8-23-30, Local Road and Bridge Grant Funds made available to the Grantee by the State will be used to pay the Grantee for up to 50% of the eligible Project costs and not more than \$1 million. The maximum amount of state funds allocated to the Project is \$500,000.00. The Grantee

understands that maximum amount of Local Road and Bridge Grant funds may not exceed more than \$1 million for all qualifying projects the Grantee may have in a calendar year.

E. Claims must be submitted with accompanying supportive documentation as designated by the State. Claims submitted without supportive documentation will be returned to the Grantee and not processed for payment. Failure to comply with the provisions of this Grant Agreement may result in the denial of a claim for payment.

F. Pursuant to Ind. Code § 8-23-30-3, the Grantee's 50% match shall be paid from one of the identified revenue sources. The remainder of the Project costs greater than the total of the State's grant and the Grantee's 50% match shall be borne by the Grantee and may be paid how the Grantee chooses. In the interest of clarity and to avoid misunderstanding, the State shall not pay the Grantee for any costs relating to the Project except as specifically provided herein, unless the Parties enter into an amendment to this Grant Agreement.

7. **Project Monitoring by the State.** The State may conduct on-site or off-site monitoring reviews of the Project during the term of this Grant Agreement and for up to ninety (90) days after it expires or is otherwise terminated. The Grantee shall extend its full cooperation and give full access to the Project site and to relevant documentation to the State or its authorized designees for the purpose of determining, among other things:

- A. whether Project activities are consistent with those set forth in Attachment A, the Grant Application, and the terms and conditions of the Grant Agreement;
- B. that Grantee is making timely progress with the Project, and that its project management, financial management and control systems, procurement systems and methods, and overall performance are in conformance with the requirements set forth in this Grant Agreement and are fully and accurately reflected in Project reports submitted to the State.

8. Compliance with Audit and Reporting Requirements; Maintenance of Records.

A. The Grantee shall submit to an audit of funds paid through this Grant Agreement and shall make all books, accounting records and other documents available at all reasonable times during the term of this Grant Agreement and for a period of three (3) years after final payment for inspection by the State or its authorized designee. Copies shall be furnished to the State at no cost.

B. If the Grantee is a "subrecipient" of federal grant funds under 2 C.F.R. 200.330, Grantee shall arrange for a financial and compliance audit that complies with 2 C.F.R. 200.500 *et seq.* if required by applicable provisions of 2 C.F.R. 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements).

C. The Grantee shall file the annual financial report required by Ind. Code § 5-11-1-4 in accordance with the State Board of Accounts Uniform Compliance Guidelines for Examination of Entities Receiving Financial Assistance from Governmental Sources. All grant documentation shall be retained and made available to the State Board of Accounts if and when requested.

D. A final audit construction invoice detailing the actual costs of construction and proof of payment to the contractor must be submitted to the State within thirty (30) days of completion of the Project. If for any reason, including overpayment of grant funds to the Grantee, the Grantee is required to repay to the State the sum or sums of state funds paid to the Grantee under the terms of this Grant Agreement, then the Grantee shall repay to the State such sum or sums within forty-five (45) days after receipt of a billing from the State.

Payment for any and all costs incurred by the Grantee which are not eligible for state funding shall be the sole obligation of the Grantee.

E. If for any reason the State finds noncompliance and requires a repayment of state funds previously paid to the Grantee, the Grantee is required to submit such sum or sums within thirty (30) days after receipt of a billing from the State. If the Grantee has not paid the full amount due within sixty (60) calendar days past the due date, the State may proceed in accordance with Ind. Code § 8-14-1-9 to compel the Auditor of the State of Indiana to make a mandatory transfer of funds for the Grantee's allocation of the Motor Vehicle Highway Account to the State's Local Road and Bridge Matching Grant Fund account until the amount due has been repaid.

9. Compliance with Laws.

A. The Grantee shall comply with all applicable federal, state and local laws, rules, regulations and ordinances, and all provisions required thereby to be included herein are hereby incorporated by reference. The enactment or modification of any applicable state or federal statute or the promulgation of rules or regulations thereunder after execution of this Grant Agreement shall be reviewed by the State and the Grantee to determine whether the provisions of this Grant Agreement require formal modification.

B. The Grantee and its agents shall abide by all ethical requirements that apply to persons who have a business relationship with the State as set forth in IC § 4-2-6, *et seq.*, IC § 4-2-7, *et seq.* and the regulations promulgated thereunder. If the Grantee has knowledge, or would have acquired knowledge with reasonable inquiry, that a state officer, employee, or special state appointee, as those terms are defined in IC 4-2-6-1, has a financial interest in the Grant, the Grantee shall ensure compliance with the disclosure requirements in IC § 4-2-6-10.5 prior to the execution of this Grant Agreement. If the Grantee is not familiar with these ethical requirements, the Grantee should refer any questions to the Indiana State Ethics Commission, or visit the Inspector General's website at <http://www.in.gov/ig/>. If the Grantee or its agents violate any applicable ethical standards, the State may, in its sole discretion, terminate this Grant immediately upon notice to the Grantee. In addition, the Grantee may be subject to penalties under IC §§ 4-2-6, 4-2-7, 35-44.1-1-4, and under any other applicable laws.

C. The Grantee certifies by entering into this Grant Agreement that neither it nor its principal(s) is presently in arrears in payment of taxes, permit fees or other statutory, regulatory or judicially required payments to the State. The Grantee agrees that any payments currently due to the State may be withheld from payments due to the Grantee. Additionally, payments may be withheld, delayed, or denied and/or this Grant suspended until the Grantee is current in its payments and has submitted proof of such payment to the State.

D. The Grantee warrants that it has no current, pending or outstanding criminal, civil, or enforcement actions initiated by the State, and agrees that it will immediately notify the State of any such actions. During the term of such actions, the Grantee agrees that the State may suspend funding for the Project. If a valid dispute exists as to the Grantee's liability or guilt in any action initiated by the State or its agencies, and the State decides to suspend funding to the Grantee, the Grantee may submit, in writing, a request for review to the Indiana Department of Administration (IDOA). A determination by IDOA shall be binding on the parties. Any disbursements that the State may delay, withhold, deny, or apply under this section shall not be subject to penalty or interest.

E. The Grantee warrants that the Grantee and any contractors performing work in connection with the Project shall obtain and maintain all required permits, licenses, registrations, and approvals, and shall comply with all health, safety, and environmental statutes, rules, or regulations in the performance of work activities for the State. Failure to do so may be deemed a material breach of this Grant Agreement and grounds for immediate termination and denial of grant opportunities with the State.

F. The Grantee affirms that, if it is an entity described in IC Title 23, it is properly registered and owes no outstanding reports to the Indiana Secretary of State.

G. As required by IC § 5-22-3-7:

(1) The Grantee and any principals of the Grantee certify that:

(A) the Grantee, except for de minimis and nonsystematic violations, has not violated the terms of:

(i) IC § 24-4.7 [Telephone Solicitation Of Consumers];

(ii) IC § 24-5-12 [Telephone Solicitations]; or

(iii) IC § 24-5-14 [Regulation of Automatic Dialing Machines];

in the previous three hundred sixty-five (365) days, even if IC 24-4.7 is preempted by federal law; and

(B) the Grantee will not violate the terms of IC § 24-4.7 for the duration of this Grant Agreement, even if IC § 24-4.7 is preempted by federal law.

(2) The Grantee and any principals of the Grantee certify that an affiliate or principal of the Grantee and any agent acting on behalf of the Grantee or on behalf of an affiliate or principal of the Grantee, except for de minimis and nonsystematic violations,

(A) has not violated the terms of IC § 24-4.7 in the previous three hundred sixty-five (365) days, even if IC § 24-4.7 is preempted by federal law; and

(B) will not violate the terms of IC § 24-4.7 for the duration of this Grant Agreement

10. Debarment and Suspension.

A. The Grantee certifies by entering into this Grant Agreement that it is not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from entering into this Grant by any federal agency or by any department, agency or political subdivision of the State. The term "principal" for purposes of this Grant Agreement means an officer, director, owner, partner, key employee or other person with primary management or supervisory responsibilities, or a person who has a critical influence on or substantive control over the operations of the Grantee.

B. The Grantee certifies that it has verified the suspension and debarment status for all subcontractors receiving funds under this Grant Agreement and shall be solely responsible for any recoupments or penalties that might arise from non-compliance. The Grantee shall immediately notify the State if any subcontractor becomes debarred or suspended, and shall, at the State's request, take all steps required by the State to terminate its contractual relationship with the subcontractor for work to be performed under this Grant Agreement.

11. Drug-Free Workplace Certification. As required by Executive Order No. 90-5, April 12, 1990, issued by the Governor of Indiana, the Grantee hereby covenants and agrees to make a good faith effort to provide and maintain a drug-free workplace. Grantee will give written notice to the State within ten (10) days after receiving actual notice that the Grantee, or an employee of the Grantee in the State of Indiana, has been convicted of a criminal drug violation occurring in the workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of grant payments, termination of the Grant and/or debarment of grant opportunities with the State of Indiana for up to three (3) years.

In addition to the provisions of the above paragraphs, if the total amount set forth in this Grant Agreement is in excess of \$25,000.00, the Grantee certifies and agrees that it will provide a drug-free workplace by:

-
- A. Publishing and providing to all of its employees a statement notifying them that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Grantee's workplace and specifying the actions that will be taken against employees for violations of such prohibition; and
 - B. Establishing a drug-free awareness program to inform its employees of: (1) the dangers of drug abuse in the workplace; (2) the Grantee's policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon an employee for drug abuse violations occurring in the workplace; and
 - C. Notifying all employees in the statement required by subparagraph (A) above that as a condition of continued employment the employee will: (1) abide by the terms of the statement; and (2) notify the Grantee of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction; and
 - D. Notifying in writing the State within ten (10) days after receiving notice from an employee under subdivision (C)(2) above, or otherwise receiving actual notice of such conviction; and
 - E. Within thirty (30) days after receiving notice under subdivision (C)(2) above of a conviction, imposing the following sanctions or remedial measures on any employee who is convicted of drug abuse violations occurring in the workplace: (1) take appropriate personnel action against the employee, up to and including termination; or (2) require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency; and
 - F. Making a good faith effort to maintain a drug-free workplace through the implementation of subparagraphs (A) through (E) above.

12. Employment Eligibility Verification. As required by IC § 22-5-1.7, the Grantee hereby swears or affirms under the penalties of perjury that:

- A. The Grantee has enrolled and is participating in the E-Verify program;
- B. The Grantee has provided documentation to the State that it has enrolled and is participating in the E-Verify program;
- C. The Grantee does not knowingly employ an unauthorized alien.
- D. The Grantee shall require its contractors who perform work under this Grant Agreement to certify to Grantee that the contractor does not knowingly employ or contract with an unauthorized alien and that the contractor has enrolled and is participating in the E-Verify program. The Grantee shall maintain this certification throughout the duration of the term of a contract with a contractor.

The State may terminate for default if the Grantee fails to cure a breach of this provision no later than thirty (30) days after being notified by the State.

13. Funding Cancellation. As required by Financial Management Circular 2007-1 and IC § 5-22-17-5, when the Director of the State Budget Agency makes a written determination that funds are not appropriated

or otherwise available to support continuation of performance of this Grant Agreement, it shall be canceled. A determination by the Director of the State Budget Agency that funds are not appropriated or otherwise available to support continuation of performance shall be final and conclusive.

14. Governing Law. This Grant Agreement shall be governed, construed, and enforced in accordance with the laws of the State of Indiana, without regard to its conflict of laws rules. Suit, if any, must be brought in the State of Indiana.

15. Information Technology Accessibility Standards. Any information technology related products or services purchased, used or maintained through this Grant must be compatible with the principles and goals contained in the Electronic and Information Technology Accessibility Standards adopted by the Architectural and Transportation Barriers Compliance Board under Section 508 of the federal Rehabilitation Act of 1973 (29 U.S.C. §794d), as amended. The federal Electronic and Information Technology Accessibility Standards can be found at: <http://www.access-board.gov/508.htm>.

16. Insurance. The Grantee shall maintain insurance with coverages and in such amount as may be required by the State or as provided in its Grant Application.

17. Nondiscrimination. Pursuant to the Indiana Civil Rights Law, specifically IC § 22-9-1-10, and in keeping with the purposes of the federal Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act, the Grantee covenants that it shall not discriminate against any employee or applicant for employment relating to this Grant with respect to the hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of the employee or applicant's: race, color, national origin, religion, sex, age, disability, ancestry, status as a veteran, or any other characteristic protected by federal, state, or local law ("Protected Characteristics"). Furthermore, Grantee certifies compliance with applicable federal laws, regulations, and executive orders prohibiting discrimination based on the Protected Characteristics in the provision of services.

The Grantee understands that the State is a recipient of federal funds, and therefore, where applicable, Grantee and any subcontractors shall comply with requisite affirmative action requirements, including reporting, pursuant to 41 CFR Chapter 60, as amended, and Section 202 of Executive Order 11246 as amended by Executive Order 13672.

18. Notice to Parties. Whenever any notice, statement or other communication is required under this Grant, it will be sent by E-mail or first class U.S. mail service to the following addresses, unless otherwise specifically advised.

A. Notices to the State shall be sent to:

Office of LPA/MPO and Grant Administration
Attention: Director of LPA/MPO and Grant Administration
100 North Senate Avenue, Room N758 - Local Programs
Indianapolis, IN 46204
E-mail: indotlpampo@indot.in.gov

With a copy to:

Chief Legal Counsel/Deputy Commissioner
Indiana Department of Transportation
100 N. Senate Avenue, Room N758
Indianapolis, IN 46204-2216

- B. Notices to the State regarding project management shall be sent to respective District Office:

Marcia Blansett
LaPorte District
315 East Boyd Blvd.
LaPorte, IN 46350
Email: mblansett@indot.in.gov

- C. Notices to the Grantee shall be sent to:

Town of Highland
ATTN: Roger Sheeman
3333 Ridge Road
HIGHLAND IN 46322
Email: rsheeman@highland.in.gov

As required by IC § 4-13-2-14.8, payments to the Grantee shall be made via electronic funds transfer in accordance with instructions filed by the Grantee with the Indiana Auditor of State.

19. Order of Precedence; Incorporation by Reference. Any inconsistency or ambiguity in this Grant Agreement shall be resolved by giving precedence in the following order: (1) this Grant Agreement, (2) Exhibits prepared by the State, (3) Invitation to Apply for Grant, (4) the Grant Application; and (5) Exhibits prepared by Grantee. All of the foregoing are incorporated fully herein by reference.

20. Public Record. The Contractor acknowledges that the State will not treat this Grant as containing confidential information, and will post this Grant on the transparency portal as required by Executive Order 05-07 and IC § 5-14-3.5-2. Use by the public of the information contained in this Grant shall not be considered an act of the State.

21. Termination for Breach.

A. Failure to complete the Project and expend State, local and/or private funds in accordance with this Grant Agreement may be considered a material breach, and shall entitle the State to suspend grant payments, and to suspend the Grantee's participation in State grant programs until such time as all material breaches are cured to the State's satisfaction.

B. The expenditure of State or federal funds other than in conformance with the Project or the Budget may be deemed a breach. The Grantee explicitly covenants that it shall promptly repay to the State all funds not spent in conformance with this Grant Agreement.

22. Termination for Convenience. Unless prohibited by a statute or regulation relating to the award of the Grant, this Grant Agreement may be terminated, in whole or in part, by the State whenever, for any reason, the State determines that such termination is in the best interest of the State. Termination shall be effected by delivery to the Grantee of a Termination Notice, specifying the extent to which such termination becomes effective. The Grantee shall be compensated for completion of the Project properly done prior to the effective date of termination. The State will not be liable for work on the Project performed after the effective date of termination. In no case shall total payment made to the Grantee exceed the original grant.

23. **Travel.** No expenses for travel will be reimbursed unless specifically authorized by this Grant.

24. **Provision Applicable to Grants with tax-funded State Educational Institutions:** "Separateness" of the Parties. The State acknowledges and agrees that because of the unique nature of State Educational Institutions, the duties and responsibilities of the State Educational Institution in these Standard Conditions for Grants are specific to the department or unit of the State Educational Institution. The existence or status of any one contract or grant between the State and the State Educational Institution shall have no impact on the execution or performance of any other contract or grant and shall not form the basis for termination of any other contract or grant by either party.

25. **State Boilerplate Affirmation Clause.** I swear or affirm under the penalties of perjury that I have not altered, modified, changed or deleted the State's standard contract clauses (as contained in the 2019 OAG/ IDOA *Professional Services Contract Manual* or the 2019 *SCM Template*) in any way except as follows: Payment of Claims; the Compliance with Audit and Reporting Requirements; Maintenance of Records were modified to include statutory and program requirements.

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Non-Collusion, Acceptance

The undersigned attests, subject to the penalties for perjury, that the undersigned is the Grantee, or that the undersigned is the properly authorized representative, agent, member or officer of the Grantee. Further, to the undersigned's knowledge, neither the undersigned nor any other member, employee, representative, agent or officer of the Grantee, directly or indirectly, has entered into or been offered any sum of money or other consideration for the execution of this Grant Agreement other than that which appears upon the face hereof. Furthermore, if the undersigned has knowledge that a state officer, employee, or special state appointee, as those terms are defined in IC § 4-2-6-1, has a financial interest in the Grant, the Grantee attests to compliance with the disclosure requirements in IC § 4-2-6-10.5.

AGREEMENT TO USE ELECTRONIC SIGNATURES

(Applicable to only to Grant Agreements processed through SCM)

In Witness Whereof, the Grantee and the State have, through their duly authorized representatives, entered into this Grant Agreement. The parties, having read and understood the foregoing terms of this Grant Agreement, do by their respective signatures dated below agree to the terms thereof.

[Grantee] Town of Highland

Indiana Department of Transportation

By: _____

By: _____

Roger Sheeman, Town Council President

_____ (for)

Date: _____

Joseph McGuinness, Commissioner

Date: _____

Approved by:
Indiana Department of Administration

Approved by:
State Budget Agency

By: _____ (for)

By: _____ (for)

Lesley A. Crane, Commissioner

Zachary Q. Jackson, Director

Date: _____

Date: _____

APPROVED as to Form and Legality:
Office of the Attorney General

By: _____ (for)

Curtis T. Hill, Jr., Attorney General

Date: _____

*Form approval has been granted by the
Office of the Attorney General pursuant to
IC 4-13-2-14.3(e) on November 24, 2020*

FA 20-89

This instrument was prepared by the undersigned attorney:

Attorney:
Indiana Department of Transportation
100 N. Senate Avenue
Indianapolis, IN 46204

Date: _____

Exhibit Listing Projects

ATTACHMENT A

PROJECT DESCRIPTION

Des No: 2100392

Program: Local Roads and Bridges Matching Grants

Type of Project: HMA Overlay Minor Structural

Location:

Route Name	From	To
41ST ST	5TH ST	ELLEN DR
O'DAY DR	MARTHA ST	HIGHLAND PL
HIGHLAND ST	O'DAY DR	MARTHA ST
HIGHLAND PL	41ST ST	MARTHA ST
COTTAGE GROVE ST	WIRTH RD	LINCOLN AV
COTTAGE GROVE PL	WIRTH RD	LINCOLN AV
JOHNSON ST	41ST ST	MARTHA ST
BOULEVARD DR	44TH ST	44TH ST
OHIO PL	WIRTH RD	DEAD END
38TH ST	130' W. OF OHIO PL	120' E. OF OHIO PL
JEWETT AV	ORCHARD DR	KLEINMAN RD
STRONG ST	KENNEDY AV	5TH ST
GRAND BLVD	KENNEDY AV	5TH ST
EDER AV	DULUTH AV	PARRISH AV
EDER CT	DEAD END	EDER AV
PARRISH AV	GLENWOOD AV	NORTH DR
NORTH DR	PARRISH AV	270' E. OF GRACE ST
OAKDALE DR	RIDGEWOOD AV	RIDGEWOOD AV
LINCOLN AV	N PARKWAY DR	PRAIRIE AV
WILDWOOD DR	BLUEBIRD LN	37TH PL
37TH PL	WILDWOOD DR	IDLEWILD AV
38TH PL	WILDWOOD DR	IDLEWILD AV
IDLEWILD AV	MARTHA ST	37TH PL
39TH PL	HOOK ST	KENNEDY AV
WILDWOOD CT	DEAD END	45TH ST
WAYMOND AV	45TH ST	DEAD END

Application ID: 10655

A general scope/description of the Project is as follows:

Location of projects, by priority, is as follows:01: 41st St (from 5th St to Ellen Dr)02: O?Day Dr (from Martha St to Highland Pl)03: Highland St (from O?Day Dr to Martha St)04: Highland Pl (from 41st St to Martha St)05: Cottage Grove St (from Wirth Rd to Lincoln Av)06: Cottage Grove Pl (from Wirth Rd to Lincoln Av)07: Johnson St (from 41st St to Martha St)08: Boulevard Dr (from 44th St to 44th St)09: Ohio Pl (from Wirth Rd to Dead End)10: 38th St (from 130? W. of Ohio Pl to 120? E. of Ohio Pl)11: Jewett Av (from Orchard Rd to Kleinman Rd)12: Strong St (from Kennedy Av to 5th St)13: Grand Blvd (from Kennedy Av to 5th St)14: Eder Av (from Duluth Av to Parrish Av)15: Eder Ct (from Dead End to Eder Av)16: Parrish Av (from Glenwood Av to North Dr)17: North Dr (from Parrish Av to 270? E . of Grace St)18: Oakdale Dr (from Ridgewood Av to Ridgewood Av)19: Lincoln Av (from N Parkway Dr to Prairie Av) 20: Wildwood Dr (from Bluebird Ln to 37th Pl)21: 37th Pl (from Wildwood Dr to Idlewild Av)22: 38th Pl (from Wildwood Dr to Idlewild Av)23: Idlewild Av (from Martha St to 37th Pl)24: 39th Pl (from Hook St to Kennedy Av)25: Wildwood Ct (from Dead End to 45th St)26: Waymond Av (from 45th St to Dead End)All projects include asphalt milling and HMA overlay.All projects, except for priority project 10, include pavement markings.Priority projects 01-02, 04-06, 08-09, 12, 16-17, 20, 23 and 25 also include new sidewalk curb ramps for ADA compliance.Priority project 13 also includes traffic loop repair.Priority projects 01 and 25 also include new regulatory signage.

The maximum amount of state funds allocated to the Project is \$500,000.00

ATTACHMENT B

AWARD LETTER



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N768 - Local Programs
Indianapolis, Indiana 46204

PHONE: (317) 233-3680
FAX: (317) 234-8385

Eric Holcomb, Governor
Joe McGuinness, Commissioner

April 29, 2021

Town of Highland
Roger Sheeman
3333 Ridge Road
Highland, IN 46322

RE: Community Crossing Matching Grant Fund 2021-1 Award Letter

Dear Roger Sheeman:

The Indiana Department of Transportation (INDOT) has completed the review and selection of projects for funding in the 2021-1 Community Crossings Matching Grant Fund Program. Your community has preliminarily been awarded Community Crossings Matching Grant Funds based upon your estimates the following:

Application ID	Preliminary Awarded Amount	Location Priority
10655	\$500,000.00	All
TOTAL	\$500,000.00	

Preliminary award amounts are contingent upon the following:

- INDOT must receive a copy of the fully-executed contract with a contractor or material supplier.
- Contractor/material supply contracts must be submitted no later than four (4) months from the date of this award letter. Failure to meet this date will result in the forfeiture of your funds.
- Local Public Agency (LPA) must sign and return the LPA-INDOT Grant Agreement no later than two (2) months from the date of this award letter. Signatures cannot be over 30 days old once it reaches the INDOT LPA/MPO Division Office located in Indianapolis. Failure to meet this will result in forfeiture of your funds.
- Once all documentation listed above is received, reviewed, and contracts fully executed INDOT will transfer the agreed upon contract amount into your account.

The Community Crossings Matching Grant Funds, which are administered by INDOT, will be used for funding up to 50 percent of the construction of your project or the purchase of materials. These grant dollars will enable you to help build and improve Indiana's infrastructure.

If you have any questions, please contact Marcia Blansett, (219) 325-7564 or mblansett@indot.in.gov.

The state of Indiana looks forward to partnering with all Hoosier communities, both urban and rural, to invest in road and bridge infrastructure projects. Improvement to local roads and bridges will bring about economic development, create jobs, and strengthen local transportation networks for all of Indiana.

Sincerely,

A handwritten signature in blue ink that reads "Kathy Eaton McKelip".

Director of Local Programs
Indiana Department of Transportation

www.in.gov/dot/
An Equal Opportunity Employer

The logo for NextLevel INDIANA, featuring a stylized 'N' and the text "NextLevel INDIANA".

**THE TOWN of HIGHLAND
ORDER OF THE WORKS BOARD NO. 2021-14**

**AN ORDER OF THE WORKS BOARD APPROVING AND AUTHORIZING AN
AGREEMENT BETWEEN NIES ENGINEERING, INCORPORATED AND THE TOWN
OF HIGHLAND TO PERFORM PROFESSIONAL DESIGN ENGINEERING SERVICES
FOR THE 2021 COMMUNITY CROSSINGS MATCHING GRANT (CCMG) STREET
IMPROVEMENT AND RESURFACING PROJECT IN THE AMOUNT NOT-TO-
EXCEED \$39,500.00**

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 to improve certain streets (Project) in the Town of Highland and had applied and been approved for a Community Crossings Matching Grant in the amount of \$500,000.00, which represents one-half the of the estimated total amount of the Project;

Whereas, NIES Engineering, Incorporated has offered and presented an agreement to provide and furnish **Professional Design Engineering Services** in consideration for fees to be charged and billed monthly based upon a not-to-exceed amount of Thirty-nine Thousand Five Hundred Dollars (\$39,500.00);

Whereas, The Project includes the following streets as listed in the proposal as table 1;

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council now desires to approve the project and to accept and approve the agreement for services as herein described,

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

Section 1. That the Professional Design Engineering Services proposal, (incorporated by reference and made a part of this Order) between NIES Engineering, Incorporated and the Town of Highland, is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for design engineering services in the not to exceed fee amount of Thirty-nine Thousand Five Hundred Dollars (\$39,500.00) is found to be reasonable and fair;

Section 3. That the Town of Highland, through its Board of Works, believes that NIES Engineering, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the Director of Public Works be authorized to execute the Agreement 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 10th day of May 2021 having passed by a vote of _____ in favor and _____ opposed.

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

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

Attest:

dd

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

Table 1
Town of Highland, Indiana
2021 Community Crossings Matching Grant Application #10633

Project Locations			
Street Name	Limits	Estimated Construction Cost	Estimated Match
41st St	3th St to Elen Dr	\$ 71,853.00	\$ 35,927.50
O'Day Dr	Martha St to Highland Pl	\$ 41,143.00	\$ 20,572.50
Highland St	O'Day Dr to Martha St	\$ 14,790.00	\$ 7,395.00
Highland Pl	41st St to Martha St	\$ 33,438.00	\$ 16,719.00
Cottage Grove St	Wirth Rd to Lincoln Av	\$ 66,615.00	\$ 33,307.50
Cottage Grove Pl	Wirth Rd to Lincoln Av	\$ 43,213.00	\$ 22,607.50
Johnson St	41st St to Martha St	\$ 20,732.00	\$ 10,376.00
Boulevard Dr	44th St to 44th St	\$ 61,163.00	\$ 30,582.50
Ohio Pl	Wirth Rd to Dead End	\$ 29,324.00	\$ 29,662.00
38th St	130' W. of Ohio Pl to 120' E. of Ohio Pl	\$ 8,048.00	\$ 4,024.00
Jewett Av	Orchard Rd to Kleinman Rd	\$ 19,803.00	\$ 9,901.50
Strong St	Kennedy Av to 3th St	\$ 72,811.00	\$ 36,405.50
Grand Blvd	Kennedy Av to 3th St	\$ 28,291.00	\$ 29,143.50
Eder Av	Duluth Av to Parrish Av	\$ 43,750.00	\$ 21,875.00
Eder Ct	Dead End to Eder Av	\$ 5,620.00	\$ 2,810.00
Parrish Av	Glenwood Av to North Dr	\$ 16,973.00	\$ 8,486.50
North Dr	Parrish Av to 270' E. of Grace St	\$ 46,939.00	\$ 23,469.50
Oakdale Dr	Ridgewood Av to Ridgewood Av	\$ 44,718.00	\$ 22,359.00
Lincoln Av	N Parkway Dr to Prairie Av	\$ 37,749.00	\$ 18,874.50
Wildwood Dr	Bluebird Ln to 37th Pl	\$ 66,254.00	\$ 33,147.00
37th Pl	Wildwood Dr to Idlewild Av	\$ 13,058.00	\$ 6,549.00
38th Pl	Wildwood Dr to Idlewild Av	\$ 13,058.00	\$ 6,529.00
Idlewild Av	Martha St to 37th Pl	\$ 32,004.00	\$ 26,002.00
39th Pl	Hook St to Kennedy Av	\$ 36,801.00	\$ 18,400.50
Wildwood Ct	Dead End to 43th St	\$ 40,831.00	\$ 20,425.50
Weymond Av	43th St to Dead End	\$ 8,893.00	\$ 4,446.50
TOTAL COST:		\$ 1,000,000.00	\$ 500,000.00

Table 2

2021 NIES Engineering Personnel Hourly Rates

Classification	Hourly Rate	
	From	To
Intern	\$39.00	\$46.00
Clerical	\$49.00	\$57.00
Senior Clerical	\$58.00	\$67.00
Administrative Assistant	\$67.00	\$78.00
Senior Administrative Assistant	\$77.00	\$90.00
Technician Level 1	\$65.00	\$76.00
Technician Level 2	\$77.00	\$90.00
Technician Level 3	\$89.00	\$105.00
Technician Level 4	\$100.00	\$118.00
Technician Level 5	\$108.00	\$126.00
Technician Level 6	\$118.00	\$138.00
Engineer Level 1	\$87.00	\$102.00
Engineer Level 2	\$102.00	\$120.00
Engineer Level 3	\$121.00	\$121.00
Engineer Level 4	\$133.00	\$133.00
Engineer Level 5	\$148.00	\$148.00
Project Manager	\$128.00	\$128.00
Senior Project Manager	\$200.00	\$200.00
Principal Level 1	\$145.00	\$145.00
Principal Level 2	\$149.00	\$149.00
Senior Principal	\$202.00	\$202.00

STANDARD CONDITIONS FOR PROFESSIONAL ENGINEERING SERVICES

The term "NIES Engineering" used in these terms and conditions is defined as: NIES Engineering, Incorporated of 2421 173rd Street, Hammond, Indiana 46323; its officers, partners, employees, sub-consultants and sub-contractors.

1. REIMBURSABLE EXPENSES:

- 1.1 Reimbursable expenses are defined as follows and shall be invoiced at direct cost:
- Reproduction of documents.
 - Shipping and mailing expenses.
 - Any other disbursements, application fees, etc., made on behalf of the Owner.

2. INDEMNIFICATION:

- 2.1 The OWNER agrees to hold harmless and indemnify NIES Engineering for and against all claims, damages, awards and costs of defense arising out of delays in NIES Engineering's performance resulting from events beyond the NIES Engineering's control.
- 2.2 Whereas construction job-site safety conditions are the sole responsibility of the Construction Contractor, the OWNER agrees to hold harmless and indemnify NIES Engineering for and against all claims, damages, awards and costs of defense arising out of claims related to Construction job-site safety.
- 2.3 The OWNER agrees to stipulate within the Contract Documents that the Contractor shall purchase and maintain, during the course of construction, "all-risk" builder's risk insurance which names the Contractor, the Owner's agents, and NIES Engineering as additional insureds.
- 2.4 It is understood and agreed that if NIES Engineering's Basic Services under this Agreement do not include project observation or review of the Contractor's performance or any other construction phase services, that such services will be provided for by the Client. If said services are provided for by the Client, then the Client assumes all responsibility for interpretation of the Contract Documents and for construction observation and supervision and waives any claims against NIES Engineering that may be in any way connected thereto. In addition, the Client agrees, to the fullest extent permitted by law, to indemnify and hold NIES Engineering harmless from any loss, claim or cost, including reasonable attorneys' fees and costs of defense, arising or resulting from the performance of such services by other persons or entities and from any and all claims arising from modifications, clarifications, interpretations, adjustments or changes made to the Contract Documents to reflect changed field or other conditions, except for claims arising from the sole negligence or willful misconduct of NIES Engineering.

3. TERMINATION:

- 3.1 This agreement between OWNER and NIES Engineering may be terminated by either party upon seven days, written notice in the event of substantial failure of performance of the material terms and conditions of this agreement by the other party through no fault of the terminating party.
- 3.2 If this agreement is terminated during the course of performance of the services, NIES Engineering shall be paid for the services performed during the period prior to the effective date of termination of the agreement.
- 3.3 If, prior to termination of this agreement, any services designed or specified by NIES Engineering during any phase of the service is suspended in whole or in part for more than three months or abandoned after written notice from the OWNER, NIES Engineering shall be paid for such services performed prior to receipt of such notice.

4. BILLING/PAYMENTS:

- 4.1 NIES Engineering reserves the right to adjust billing rates periodically as salary rates are adjusted and to use the most up-to-date billing rates in preparing project invoicing.

5. REUSE OF DOCUMENTS:

- 5.1 All reports, schedules, drawings, specifications of services of NIES Engineering for this project are instruments of services for this project only and shall remain the property of NIES Engineering until the OWNER has compensated NIES Engineering in full for services rendered pursuant to the AGREEMENT. Upon final payment for services and for each separately accepted and authorized proposal for additional services, ownership of instruments of service shall be vested in the OWNER. NIES Engineering, however, may retain record copies of all such instruments of service and may use such for NIES Engineering's exclusive purposes.
- 5.2 Any reuse of reports, schedules, drawings, specifications of services of NIES Engineering for this project without written verification or adaptation by NIES Engineering for the specific purpose intended will be at OWNER's sole risk and without liability or legal exposure to NIES Engineering, or to NIES Engineering's independent professional associates or consultants, and OWNER shall indemnify and hold harmless NIES Engineering and NIES Engineering's independent professional associates and consultants from all claims, damages, losses and expenses including attorney's fees arising out of or resulting therefrom. Any such verification or adaptation will entitle NIES Engineering to further compensation at rates to be agreed upon by OWNER and NIES Engineering.

6. OPINIONS OF PROJECT COST, CONSTRUCTION AND OPERATION AND MAINTENANCE:

6.1 Since NIES Engineering has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor methods of determining prices, or over competitive bidding or market conditions, NIES Engineering's opinions of probable Construction Cost are to be made on the basis of NIES Engineering's experience and qualifications and represent NIES Engineering's best judgment as an experienced and qualified professional engineer, familiar with the construction industry; but NIES Engineering cannot and does not guarantee that proposals, bids or actual Construction Cost will not vary from opinions of probable cost prepared by NIES Engineering. Similarly, opinions of Project Cost and Annual Operation and Maintenance Cost cannot be guaranteed because they depend upon numerous factors beyond NIES Engineering's control.

7. MEDIATION:

7.1 In addition to and prior to arbitration, the parties shall endeavor to settle disputes by mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association currently in effect unless the parties mutually agree otherwise. Demand for mediation shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. A demand for mediation shall be made within a reasonable time after the claim; dispute or other matter in question has arisen. In no event shall the demand for mediation be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations.

8. FIDUCIARY RESPONSIBILITY:

8.1 CLIENT confirms that NIES Engineering has not offered any fiduciary service to client and no fiduciary responsibility shall be owed to client by NIES Engineering as a consequence of NIES Engineering's entering into this agreement with client.

9. HAZARDOUS MATERIALS:

9.1 As used in this Agreement, the term hazardous materials shall mean any substances, including but not limited to asbestos, toxic or hazardous waste, PCBs, combustible gases and materials, petroleum or radioactive materials (as such of these is defined in applicable federal statutes) or any other substances under any conditions and in such quantities as would pose a substantial danger to persons or property exposed to such substances at or near the Project site.

9.2 Both parties acknowledge that the NIES Engineering's scope of services does not include any services related to the presence of any hazardous or toxic materials. In the event NIES Engineering or any other party encounters any hazardous or toxic materials, or should it become known to NIES Engineering that such materials may be present on or about the jobsite or any adjacent areas that may affect the performance of NIES Engineering's services, NIES Engineering may, at its option and without liability for consequential or any other damages, suspend performance of its services under this Agreement until the Client retains appropriate engineers or contractors to identify and abate or remove the hazardous or toxic materials and warrants that the jobsite is in full compliance with all applicable laws and regulations.

9.3 The Client agrees, notwithstanding any other provision of this Agreement, to the fullest extent by law, to indemnify and hold harmless NIES Engineering from and against any and all claims, suits, demands, liabilities, losses, damages or costs, including attorneys' fees and defense costs arising out of or in any way connected with the detection, presence, handling, removal, abatement, or disposal of any asbestos or hazardous or toxic substances, products or materials that exist on, about or adjacent to the Project site, whether liability arises under breach of contract or warranty, tort, including negligence, strict liability or statutory liability or any other cause of action, except for the sole negligence or willful misconduct of NIES Engineering.

10. CONSEQUENTIAL DAMAGES

10.1 Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the Owner or NIES Engineering, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation and any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the Owner and NIES Engineering shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.

11. SEVERABILITY:

11.1 If any clause or provision of this Agreement shall be held to be invalid in whole or in part, then the remaining clauses and provisions or portions thereof shall nevertheless be and remain in full force and effect.

END OF TERMS AND CONDITIONS

NIES-2021-B-IN

**THE TOWN of HIGHLAND
ORDER OF THE WORKS BOARD NO. 2021-14**

AN ORDER OF THE WORKS BOARD APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN NIES ENGINEERING, INCORPORATED AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL DESIGN ENGINEERING SERVICES FOR THE 2021 COMMUNITY CROSSINGS MATCHING GRANT (CCMG) STREET IMPROVEMENT AND RESURFACING PROJECT IN THE AMOUNT NOT-TO-EXCEED \$39,500.00

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 to improve certain streets (Project) in the Town of Highland and had applied and been approved for a Community Crossings Matching Grant in the amount of \$500,000.00, which represents one-half the of the estimated total amount of the Project; and

Whereas, NIES Engineering, Incorporated has offered and presented an agreement to provide and furnish **Professional Design Engineering Services** in consideration for fees to be charged and billed monthly based upon a not-to-exceed amount of Thirty-nine Thousand Five Hundred Dollars (\$39,500.00); and

Whereas, The Project includes the following streets as listed in the proposal as table 1; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council now desires to approve the project and to accept and approve the agreement for services as herein described.

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

Section 1. That the Professional Design Engineering Services proposal, (incorporated by reference and made a part of this Order) between NIES Engineering, Incorporated and the Town of Highland, is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for design engineering services in the not to exceed fee amount of Thirty-nine Thousand Five Hundred Dollars (\$39,500.00) is found to be reasonable and fair;

Section 3. That the Town of Highland, through its Board of Works, believes that NIES Engineering, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the Director of Public Works be authorized to execute the Agreement with his signature as attested thereto by the Clerk-Treasurer.

TOWN OF HIGHLAND, LAKE COUNTY, INDIANA NOTICE OF PUBLIC HEARING

Notice is hereby given that the Town of Highland, Lake County, Indiana, will hold a Public hearing at 6:30 p.m., **Monday, May 17, 2021**, at the Highland Municipal Building located at 3333 Ridge Road, Highland, Indiana.

The Town will submit an application for a one (1) year program under the Community Development Block Grant, Created by the Housing and Community Development Act of 1974, as amended to date, to the Lake County Community Development Department.

Lake County will then compile and submit a one (1) year application to the Indianapolis Area Office of the U.S. Department of Housing and Urban Development.

The amount of CDBG funding available for the year **2021** to the Town of Highland, Indiana is \$ 102,130.

The purpose of this hearing is to obtain views of the citizens on community development and housing needs as they relate to this application.

The hearing is open to all residents of the Town of Highland. Any citizen desiring to speak on these matters will be afforded an opportunity to do so. The activities must be designed to benefit low to moderate income persons and to eliminate or prevent slums and blight.

**TOWN OF HIGHLAND, INDIANA
BY ITS TOWN COUNCIL
Roger Sheeman, President**

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

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

Notice is hereby given the taxpayers of the Town of Highland, Lake County, Indiana, that the Town Council of said Municipality in said Municipal Building, 3333 Ridge Road, **Highland** at **6:30 p.m.** on the **24 May 2021** will consider the following additional appropriations in excess of the budget for the current year in the following funds:

COMMUNITY CROSSINGS GRANT FUND

Increase:

Acct. 104-0000-44081 CCMG Projects 2021:	<u>\$ 1,000,000.00</u>
Total for Fund:	\$ 1,000,000.00

Resources to support these additional appropriations in the **Community Crossings Grant Fund** shall be from miscellaneous revenues, a *Local Road and Bridge Matching Grant Fund grant award*, pursuant to IC 8-23-30 deposited to the credit of the fund, and a matching local contribution from funds of the Town deposited to the credit of the Fund.

Taxpayers appearing at such meeting shall have a right to be heard thereon. Taxpayers will have an opportunity to be heard, whether this is convened in person or electronically. If convened electronically, taxpayers are encouraged to access the meeting either in person or through the Zoom meeting platform, if the meeting is convened electronically. Taxpayers and persons interested in offering comment on the proposed additional appropriations should contact the Office of Clerk-Treasurer at (219) 838-1080 to obtain added details on accessing the meeting via Zoom or in person. A written comment may also be provided by writing or dropping off at the Office of the Clerk-Treasurer, 3333 Ridge Road, Highland, Indiana 46322. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its information and file.

**TOWN COUNCIL of HIGHLAND
Roger Sheeman, President**

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

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

Notice is hereby given the taxpayers of the Town of Highland, Lake County, Indiana, that the Town Council of said Municipality in said Municipal Building, 3333 Ridge Road, at **6:30 p.m.** on the **24th day of May 2021**, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

PARKS NON REVERTING CAPITAL FUND

Increase:

Account No. 010-0000-46009-0017 Northwood Park Improvements:	\$ 55,000.00
Account No. 010-0000-46013-0017 Sheppard Park Improvements:	\$ 60,000.00
Account No. 010-0000-46013-0017 Terrace Estates Park Improvements:	\$ 50,000.00
Account No. 010-0000-46018-0017 Vehicles:	<u>\$ 150,000.00</u>
Total 400 Series:	\$ 315,000.00

Total for the Fund: \$ 315,000.00

Funds to support these additional appropriations in the **Park Non Reverting Capital Fund** shall be from miscellaneous revenues, and unobligated, unreserved fund balance on deposit to the credit of the Fund.

Taxpayers appearing at such meeting shall have a right to be heard thereon. Taxpayers are asked to contact the Office of the Clerk-Treasurer at (219) 838-1080 to provide an email address to allow the Zoom platform information to be provided if the meeting is still being conducted electronically alone. You may also write to the Office of the Clerk-Treasurer if you have concerns. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance for its information and file.

**TOWN COUNCIL of HIGHLAND
Roger Sheeman, President**

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

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

Notice is hereby given the taxpayers of the Town of Highland, Lake County, Indiana, that the Town Council of said Municipality in said Municipal Building, 3333 Ridge Road, at **6:30 p.m.** on the **24th day of May 2021**, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

CORPORATION GENERAL FUND

Works Board Department

Reduce:

Acct. 001-0011-3XXX Transfer for Community Crossings	\$ 250,000.00
Acct. 001-0011-3XXX Transfer for OTHER FUNDS	<u>\$ 28,637.00</u>
Total for Series:	\$ 278,637.00

Increase:

Acct. 001-0011-39999 Transfer to Community Crossings:	<u>\$ 274,686.00</u>
Total for Series:	\$ 274,686.00

Increase:

Acct. 001-0011-4XXXX Intersection signals upgrade:	<u>\$ 141,898.00</u>
Total for Series:	\$ 141,898.00

TOTAL for the NET for FUND: \$ 137,947.00

Funds to support these additional appropriations, except the transfer to the Community Crossing Grant Fund, in the **Corporation General Fund** shall be supported by the reimbursement from the United States Government CARES Act proceeds as distributed by Lake County Community Development Department and the State of Indiana Finance Authority. Funds to support the transfer to the Community Crossings Grant Fund transfer is supported by unreserved, undesignated fund balance on deposit to the credit of the Corporation General Fund.

Taxpayers appearing at such meeting shall have a right to be heard thereon. Taxpayers are asked to contact the Office of the Clerk-Treasurer at (219) 838-1080 to provide an email address to allow the Zoom platform information to be provided if the meeting is still being conducted electronically alone. You may also write to the Office of the Clerk-Treasurer if you have concerns. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its review. The Department of Local Government Finance shall make a written determination of the sufficiency of funds within fifteen days of receipt of a certified copy of the action taken.

**TOWN COUNCIL of HIGHLAND
Roger Sheeman, President**

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

ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

TOWN OF HIGHLAND, INDIANA

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

DATED THIS 7th DAY OF May 2021, [Signature] FISCAL OFFICER

ALLOWANCE OF VOUCHERS

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 5 pages and except for accounts payables not allowed as shown on the Register such accounts payables are hereby allowed in the total amount of \$ 646,507.85.

Dated this _____ day of _____, _____.

TOWN COUNCIL

MARK A. HERAK

ROGER SHEEMAN

BERNIE ZEMEN

MARK SCHOCKE

TOM BLACK

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 001 GENERAL						
Dept 0000	GEN FUND TRANSFERS GROSS	91978	PAYROLL ACCOUNT	5/7 PRL D/S TRANSFER GENERAL	173,784.76	45618
001-0000-45200			Total For Dept 0000		173,784.76	
Dept 0001 TOWN COUNCIL						
001-0001-31001	PROFESSIONAL SERVICES THROUGH	91882	FROST BROWN TODD LLC	PROFESSIONAL SERVICES THROUGH 2/	354.00	
001-0001-31001	PROFESSIONAL SERVICES THROUGH	91876	FROST BROWN TODD LLC	PROFESSIONAL SERVICES THROUGH 2/	1,638.60	
001-0001-38004	ORDNANCE 1728-NEW PARGES	91857	CODE PUBLISHING COMPANY INC	HIGHLAND MUNICIPAL CODE WEB UPDAT	370.00	
001-0001-39044	NHM FLAT FEE SCREENING 3-19-2	91850	COMMUNITY FOUNDATION OF NWI	WELLNESS SCREENING MARCH - MINI H	1,152.00	
			Total For Dept 0001 TOWN COUNCIL		3,514.60	
Dept 0004 CLERK-TREASURER						
001-0004-34023	HEALTH INS	91921	TOWN OF HIGHLAND INS FUND (	MAY 2021 HEALTH/LIFE INS PREM CT	5,466.79	45607
001-0004-34043	LIFE INS	91921	TOWN OF HIGHLAND INS FUND (	MAY 2021 HEALTH/LIFE INS PREM CT	37.93	45607
			Total For Dept 0004 CLERK-TREASURER		5,504.72	
Dept 0006 BUILDING & INSPECTION						
001-0006-20003	553571 TONER 26X BLACK HIG	91883	OFFICE DEPOT, INC	553571 TONER 26X BLACK HIGH	136.48	
001-0006-21001	290.7 UNLEADED	91969	TOWN OF HIGHLAND GASOLINE F	FUEL BY USAGE D/S INSPECTIONS	1,128.68	45610
001-0006-34023	HEALTH INS	91920	TOWN OF HIGHLAND INS FUND (	MAY 2021 HEALTH/LIFE INS PREM BLD	6,113.36	45607
001-0006-34043	LIFE INS	91920	TOWN OF HIGHLAND INS FUND (	MAY 2021 HEALTH/LIFE INS PREM BLD	29.94	45607
			Total For Dept 0006 BUILDING & INSPECTION		7,408.46	
Dept 0007 FIRE DEPARTMENT						
001-0007-21001	184.3 DIESEL	91970	TOWN OF HIGHLAND GASOLINE F	FUEL BY USAGE D/S FIRE	743.50	45610
001-0007-23004	KII-TORNADO-2000 ACME WHISTLE	91890	FIRE SERVICE, INC.	ACME WHISTLES	41.30	
001-0007-23004	20VES9 LED PHOTOCNTROL BUTTO	91893	GRAINGER	LIGHTING SUPPLIES	103.42	
001-0007-23004	IB06-F-04N ISO7241 B COUPLER	91892	HOSE CONNECTIONS INC	JAWS OF LIFE HYDRAULIC FITTINGS	41.90	
001-0007-23004	INV# 64551	91894	MENARDS	MISC SUPPLIES	4.26	
001-0007-23004	INV# 60947	91895	MENARDS CORP - SCHERERVILLE	MISC SUPPLIES	40.19	
001-0007-32005	STATIONS SECURITY SYSTEM-FIRE	91896	PHIL & SON, INC	STATIONS SECURITY	145.60	45616
001-0007-32006	BROADBAND AIR CARDS FOR RIGS	91973	VERIZON WIRELESS	AIR CARDS FOR RIGS	300.36	45607
001-0007-34023	HEALTH INS	91919	TOWN OF HIGHLAND INS FUND (	MAY 2021 HEALTH/LIFE INS PREM FIR	2,159.83	45607
001-0007-34043	LIFE INS	91919	TOWN OF HIGHLAND INS FUND (	MAY 2021 HEALTH/LIFE INS PREM FIR	7.12	45607
001-0007-35001	ELECTRIC - SOUTH STATION	91974	NISOURCE INC.	GAS & ELECTRIC SOUTH STATION	259.29	45612
001-0007-35001	ELECTRIC - CENTRAL FIRE STATI	91976	NISOURCE INC.	ELECTRIC - CENTRAL FIRE STATION	628.01	45614
001-0007-35001	ELECTRIC - FD TRAINING SITE	91977	NISOURCE INC.	ELECTRIC - FD TRAINING SITE	30.42	45615
001-0007-35003	GAS - SOUTH STATION	91974	NISOURCE INC.	GAS & ELECTRIC SOUTH STATION	248.00	45612
001-0007-35003	GAS - CENTRAL STATION	91975	NISOURCE INC.	GAS - CENTRAL FIRE STATION	268.24	45613
001-0007-36001	REPAIR TURNOUT TROUSERS	91891	FIRE SERVICE, INC.	REPAIR TURNOUT TROUSERS	288.75	
001-0007-39007	2021 SCBA INSPECT/FIT/FLOW TE	91889	5 ALARM FIRE & SAFETY EQPT,	ANNUAL SCBA INSPECTION/TESTING	2,890.85	
			Total For Dept 0007 FIRE DEPARTMENT		8,201.04	
Dept 0009 POLICE DEPARTMENT						
001-0009-11204	2 PRE EMPLOYMENT POLYGRAPH TE	91939	ALERT PROFESSIONAL INVEST,I	PRE EMPLOYMENT POLYGRAPH TESTS FO	350.00	
001-0009-11204	POLYGRAPH TEST FOR POLICE APP	91940	ALERT PROFESSIONAL INVEST,I	POLYGRAPH TEST FOR POLICE APPLICA	175.00	
001-0009-21001	1250.8 GAL OF GAS	91954	WARREN OIL COMPANY	1250.8 GAL OF GAS DELY ON 4/20	3,212.68	
001-0009-21004	HFA MED FLTR VACC	91938	ABLE PAPER & JANITORIAL	CLEANING SUPPLIES	25.90	
001-0009-22004	INV 372240	91942	AUTO-WARES	APR STMT OF VEH PARTS AND SUPPLIE	572.33	
001-0009-22004	5QTS OIL FOR MC	91947	NAPA AUTO PARTS	5QTS OIL FOR THE PD MC	28.95	
001-0009-23004	FLRSCT LITEBULBS/ACRYLIC SHT/	91946	MENARDS	FLORESCNT LIGHTBULBS & ACRYLIC SH	71.40	
001-0009-32004	IDACS INTERNET 4/28- 5/27	91944	COMCAST CABLE	IDACS INTERNET FROM 4/28-5/27	126.85	
001-0009-34023	HEALTH INS	91918	TOWN OF HIGHLAND INS FUND (	MAY 2021 HEALTH/LIFE INS PREM PD	94,909.52	45607
001-0009-34042	SURVIVORS ADJ	91918	TOWN OF HIGHLAND INS FUND (	MAY 2021 HEALTH/LIFE INS PREM PD	2,086.96	45607

INVOICE GL DISTRIBUTION REPORT FOR TOWN OF HIGHLAND
 EXP CHECK RUN DATES 04/28/2021 - 05/11/2021
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 001 GENERAL						
Dept 0009 POLICE DEPARTMENT						
001-0009-34043	LIFE RETIREE	91918	TOWN OF HIGHLAND INS FUND (	MAY 2021 HEALTH/LIFE INS PREM PD	21.94	45607
001-0009-35001	LPR CAMERA 3949 HIGHWAY RED O	91948	NISOURCE INC.	LPR CAMERA 3949 HIGHWAY READ ON 4	39.01	
001-0009-35001	LPR CAMERA AT 8200 INDY READ	91949	NISOURCE INC.	LPR CAMERA T 8200 INDY READ ON 4/	45.99	
001-0009-35001	ELEC SERV FOR 3315 RIDGE RD R	91950	NISOURCE INC.	ELEC SERV AT 3315 RIDGE -PD- READ	5,934.16	
001-0009-36003	PARTS/LABR RPR HET/COOL SYSTE	91941	ARCTIC ENGINEERING CO., INC	PARTS AND LABOR FOR REPAIRS TO HE	2,705.89	
001-0009-36003	INV234.002 PART FOR URINAL V	91951	PATRICK L VASSAR (R)	REIMBURSE FOR PART FOR MENS URINA	23.33	
001-0009-36003	FIRE EXTINGUISHER MAINTENANCE	91952	SAFETY TRAINING SERVICES	ANNUAL MAINTENANCE OF ALL FIRE EX	660.00	
001-0009-36003	REPLACE POP UP SPRAY OUTLET	91953	THOMAS IRRIGATION,INC	REPLACE POP UP SPRAY SIDE OUTLET	18.25	
001-0009-36004	GEN OFFC CLEANING FOR APR AT	91945	GAYLE THARP	GEN OFFICE CLEANING FOR APRIL-PD	2,666.66	
001-0009-38006	MAT CHANGE AT PD ON 4/20	91943	CINTAS CORPORATION #319	MAT CHANGE AT PD ON 4/20	37.10	
			Total For Dept 0009 POLICE DEPARTMENT		113,711.92	
Dept 0011 SERVICES & WORKS						
001-0011-31001	MARCH 2,4,15,18,20,22,23,24,2	91856	KENNEDY DOWNS & ARLAND, P.C	LEGAL CONSULTATION/CORRESPONDENCE	5,680.00	
001-0011-35001	000-901-0005-4	91866	NORTHERN IN PUBLIC SERVICE	TH VIPS MULTI	1,045.77	999409
001-0011-35001	307-486-009-2	91867	NORTHERN IN PUBLIC SERVICE	MISC MULTI	46.16	999410
001-0011-35001	D/S MISC TH GARAGE 750-201-00	91880	NISOURCE INC.	D/S MISC TH GARAGE 750-201-002-4	293.61	45603
001-0011-35002	051-400-005-5	91872	NORTHERN IN PUBLIC SERVICE	STREET MULTI	14,365.25	999411
001-0011-35003	130-850-000-1 GAS	91866	NORTHERN IN PUBLIC SERVICE	TH VIPS MULTI	489.23	999409
001-0011-35003	D/S MISC TH GARAGE 750-201-00	91880	NISOURCE INC.	D/S MISC TH GARAGE 750-201-002-4	218.75	45603
001-0011-38005	EXT CONTRACT FOR TEMP DEPUTY	91839	GOVHR USA, LLC	EXTENDED CONTRACT FOR TEMP DEPUTY	1,627.50	
001-0011-38005	EXT CONTRACT FOR TEMP DEPUTY	91874	GOVHR USA, LLC	EXTENDED CONTRACT FOR TEMP DEPUTY	264.00	
001-0011-38005	EXT CONTRACT FOR TEMP DEPUTY	91875	GOVHR USA, LLC	EXTENDED CONTRACT (2) FOR TEMP D	1,374.00	
001-0011-39016	SR TAXI SUBSID 4/12/2021	91855	TRIPLE A EXPRESS	SR TAXI SUBS 4/12/2021	5.00	
			Total For Dept 0011 SERVICES & WORKS		25,409.27	
Dept 0012 TOWN HALL						
001-0012-21004	BOTTLE WATER 4/14/21	91881	HINCKLEY SPRINGS	BOTTLE WATER 4/14/21	99.20	
001-0012-22005	ENTRY SYDNEY KNOB-TOWN HALL I	91900	MENARDS CORP - SCHERERVILLE	ENTRY SYDNEY KNOB-TOWN HALL	20.99	
001-0012-35002	558-300-006-4	91867	NORTHERN IN PUBLIC SERVICE	MISC MULTI	138.49	999410
001-0012-36003	TOWN HALL MATS 4/21/2021	91853	CINTAS CORPORATION #319	TOWN HALL MATS ACT 16459440 4/2	57.91	
001-0012-36004	APRIL CLEANING	91933	GLOBAL MAINTENANCE & CO.	D/S GENERAL CLEANING FOR APRIL 2	1,565.00	
			Total For Dept 0012 TOWN HALL		1,881.59	
Fund 002 MVH						
Dept 0000						
002-0000-45200	MVH TRANSFERS GROSS	91979	PAYROLL ACCOUNT	5/7PRL D/S TRANSFER MVH	15,780.79	45619
			Total For Dept 0000		15,780.79	
Dept 0016 MVH ADMIN						
002-0016-36003	2021 UST	91903	INDIANA DEPT OF ENVIRON MGT	2021 UST FOR FUEL PUMPS D/S	90.00	
002-0016-36004	APRIL CLEANING	91935	GLOBAL MAINTENANCE & CO.	D/S GENERAL CLEANING SERVICES F	735.00	
			Total For Dept 0016 MVH ADMIN		825.00	
Dept 0017 MVH RECONSTRUCTION/MAINTENANCE						
002-0017-21001	1155.1 DIESEL	91971	TOWN OF HIGHLAND GASOLINE F	FUEL BY USAGE D/S STREET	3,436.15	45610
002-0017-21002	TIRES-STREET DEPT	91936	HELLMANS AUTO SPPLY CO.	TIRES-STREET DEPT	236.28	
002-0017-21003	DRILL BITS AND CAN INV 211332	91906	LINDY'S ACE HARDWARE,INC	DRILL BITS AND TRASH CAN FOR STRE	29.95	
002-0017-22004	337-371999	91934	AUTO-WARES	APRIL 2021 INVOICES FOR STREET DE	412.39	
002-0017-22004	TRUCK EQUIP#14 FOR STREET DEP	91937	MENARDS	TRUCK EQUIP #14 FOR STREET DEPT	43.44	
002-0017-22004	LIGHT BUCKET-STREET DEPT	91911	VALPARAISO AUTO/TRAILER SAL	LIGHT BUCKET-STREET DEPT	170.00	

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 002 MVH						
Dept 0017 MVH RECONSTRUCTION/MAINTENANCE						
002-0017-22004	RUBBER COVER/MISC STREET DEOT	91912	WESTSIDE TRACTOR SALES INC	RUBBER COVER/MISC STREET DEPT	36.21	
002-0017-22005	BLACK DIRT/SEED	91904	KROOSWYK MATERIALS, INC	BLACK DIRT AND SEED FOR STREET DE	245.00	
002-0017-22005	LANDSCAPING SUPPLIES - STREET	91910	MENARDS CORP - SCHERERVILLE	LANDSCAPING SUPPLIES - STREET	178.22	
002-0017-23003	AC2 GREEN TREATED WOOD - SIGN	91909	MENARDS CORP - SCHERERVILLE	AC2 GREEN TREATED WOOD - SIGN	44.68	
002-0017-23003	SUPPLIES FOR DEPOT SIGN INV#	91907	MENARDS CORP - SCHERERVILLE	SUPPLIES FOR DEPOT SIGN	24.73	
002-0017-23003	INDIANA FLAGS	91902	THE COLLINS GROUP	US AND INDIANA FLAGS FOR KENNEDY	505.75	
002-0017-23006	MISC SUPPLIES-STREET DEPT	91905	LINDY'S ACE HARDWARE, INC	MISC SUPPLIES - STREET DEPT	150.93	
002-0017-23006	BIKE TRAIL SIGN	91908	MENARDS	BIKE TRAIL SIGN	36.03	
002-0017-37001	1 OF 4 PAYMENTS FOR PW PICKUP	91869	GOVERNMENT LEASING AND FINA	1 OF 4 PAYMENTS FOR PW PICKUP TRU	9,797.91	45602
				Total For Dept 0017 MVH RECONSTRUCTION/MAINTENANCE	15,347.67	
				Total For Fund 002 MVH	31,953.46	
Fund 018 LAW ENFORCE CON'T ED						
Dept 0000						
018-0000-31004	GAS	91955	MICHAEL ROBERT YONKMAN (R)	REIMBURSE FOR APRIL 26 PATROL RIF	765.17	
				Total For Dept 0000	765.17	
				Total For Fund 018 LAW ENFORCE CON'T ED	765.17	
Fund 027 INSURANCE PREMIUM						
Dept 0000						
027-0000-34002	INSURANCE PREMIUM HEALTH FEB	91897	AIM MEDICAL TRUST	MAY 2021 MEDICAL AND LIFE INSURAN	214,421.36	45604
027-0000-34002	INSURANCE PREMIUM HEALTH/DENT	91898	METLIFE GROUP BENEFITS	MAY 2021 DENTAL PREMIUMS	8,509.48	45605
				Total For Dept 0000	222,930.84	
				Total For Fund 027 INSURANCE PREMIUM	222,930.84	
Fund 028 GASOLINE FUND						
Dept 0000						
028-0000-21001	5000 GALLONS UNLEADED	91962	WARREN OIL COMPANY	UNLEADED GASOLINE	12,007.00	45611
028-0000-21001	3000 GALLONS DIESEL FUEL	91963	WARREN OIL COMPANY	DIESEL FUEL	7,612.20	45611
				Total For Dept 0000	19,619.20	
				Total For Fund 028 GASOLINE FUND	19,619.20	
Fund 030 ICT FUND						
Dept 0000						
030-0000-31006	MONTHLY IT PER WBO 2020-47	91961	CBL CONSULTING, INC	MONTHLY IT SUPPORT PER WBO 2020-	4,150.00	
030-0000-32001	MAY 2021 POSTAGE METER SERVIC	91884	PITNEY BOWES INC.	MAY 2021 POSTAGE METER SERVICE A	129.29	
030-0000-32003	FIRE DEPT	91858	AT&T MOBILITY	FIRE DEPT 666-4120 ACT 2872990949	43.09	45597
030-0000-32003	PARK INTERNET ACCT 8771400250	91859	COMCAST CABLE	PARK INTERNET ACCT 87714002502083	201.41	45598
030-0000-32003	3001 RIDGE MAIN SQUARE 877140	91860	COMCAST CABLE	3001 RIDGE MAIN SQUARE 8771400250	144.69	45599
030-0000-32003	ACCT #510375025	91862	SPRINT	BI/FD MO WIRELESS SVC 510375025 -	101.65	45601
030-0000-32003	MO INTERNET SVC 8771400250188	91885	COMCAST CABLE	TOWN HALL ACCT 8771400250188267	235.72	45606
030-0000-32003	MONTHLY CELL PHONE 642004646-	91888	VERIZON WIRELESS	PD CELL PHONE USE PD- 642004646-0	1,404.47	45609
030-0000-32003	642004646-00002 BROADBAND-J K	91972	VERIZON WIRELESS	642004646-00002 D/S BROADBAND-J K	30.03	45617
030-0000-32003	SIP TRUNKING CHARGES @ \$.020	91959	CBL CONSULTING, INC	SIP TRUNKING CHARGES 4/21	367.92	
030-0000-33811	BRIVO CLOUD HOSTED MONTHLY SI	91854	PHIL & SON, INC	BRIVO CLOUD HOSTED MONTHLY SITE/A	100.95	
030-0000-38006	JUSTFOIA SUBSCRIPTIONS RENEWA	91863	MCCI, LLC	JUSTFOIA SUBSCRIPTIONS RENEWALS R	5,198.00	
030-0000-39007	EMAIL ARCHIVING SERVICES 4/21	91960	CBL CONSULTING, INC	EMAIL ARCHIVING SERVICES 3/4/1-54/	646.92	
				Total For Dept 0000	12,754.14	

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 030	ICT FUND					
Fund 033	DONATION					
Dept 0000						
033-0000-39993	2 GAS DETECTORS AND ACCESSORI	91901		SENSIT GOLD GAS DETECTORS AND ACC	10,000.00	
					10,000.00	
					10,000.00	
					12,754.14	
Fund 036	SPECIAL EVENTS					
Dept 0000						
036-0000-34017	EVENT INSURANCE FOR 4TH FESTI	91861		EVENT INS FOR 4TH FESTIVAL 2021	2,122.00	45600
					2,122.00	
					2,122.00	
Fund 055	MCCD					
Dept 0000						
055-0000-43004	2 NEW CHAIRS FOR RECORDSQ	91956		PULSE TECHNOLOGY OF INDIANA 2 NEW CHAIRS FOR RECORDS DEPT	709.98	
					709.98	
					709.98	
Fund 085	TRAFFIC VIOLATIONS					
Dept 0001	TOWN COUNCIL					
085-0001-00400	CASH BOND FEES	91852		CASH BOND FEES	2,500.00	45595
					2,500.00	
					2,500.00	
Fund 249	PUBLIC SAFETY INCOME TAX FUND					
Dept 0000						
249-0000-29000	CASES - DISINF WIPES (COVID A	91865		PERFORMANCE CHEM & SUPPLY I ADD'L COVID SPENDING	236.70	
249-0000-43008	NEW GPS UNIT FOR OPTICOM MART	91957		MICHIANA CONTRACTING, INC NEW 3100 SERIES GPS UNIT FOR MART	3,500.00	
					3,736.70	
					3,736.70	

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
				Fund 001 GENERAL	339,416.36	
				Fund 002 MVH	31,953.46	
				Fund 018 LAW ENFORCE CON'T ED	765.17	
				Fund 027 INSURANCE PREMIUM	222,930.84	
				Fund 028 GASOLINE FUND	19,619.20	
				Fund 030 ICT FUND	12,754.14	
				Fund 033 DONATION	10,000.00	
				Fund 036 SPECIAL EVENTS	2,122.00	
				Fund 055 MCCD	709.98	
				Fund 085 TRAFFIC VIOLATIONS	2,500.00	
				Fund 249 PUBLIC SAFETY INCOME TAX	3,736.70	
				Fund Totals:	646,507.85	

Payroll Docket

			Delta		
\$	316,328.87	\$	316,328.87	\$	-
Council, Boards and Commissions		\$	8,485.27		
Office of Clerk-Treasurer		\$	16,890.81		
Regular Staff	\$ 16,890.81				
Field Service Rep	\$ -				
Building & Inspection		\$	8,952.29		
Metropolitan Police		\$	117,853.98		
Crossing	\$ 1,092.29				
Full-Time Police	\$ 94,706.62				
Full-Time Non-sworn	\$ 22,055.07				
Public Works Department		\$	63,378.79		
Fire Department		\$	32,401.55		
Component One	\$ 32,401.55				
Component Two	\$ -				
Police 1925 Pensions		\$	68,366.18		

Payday: 1-Jan-2021