


**Agenda**  
**Fortieth Regular or Special Meeting**  
**of the Twenty-Ninth Town Council of Highland**  
**Regular Meeting of Monday, May 24, 2021 at 6:30 p.m.**  
 Agenda organized pursuant to Section 2.05.090 (D) of the Highland Municipal Code  
 This meeting will be convened as an electronic meeting, pursuant to Governor  
 Holcomb's Executive Orders, 20-04, 20-09, 20-25 and extended by Executive  
 Order 21-11, 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/92839384578?pwd=b2JKTFNmM2FZV3F0UUdXc2FtRGlyZz09>  
 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 928 3938 4578, password (code): 617935.

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

**Minutes of Previous Session:** Minutes of the Regular Meeting of 10 May 2021 and the Special Meeting of 17 May 2021.

- Special Orders:**
1. **Consideration of Proposed Additional Appropriations:** (*non-controlled funds*) Proposed Additional Appropriations in Excess of the 2021 Budget for the Community Crossings Fund in the amount of \$1,000,000 and in the Park Non Reverting Capital Fund in the amount of \$315,000.
    - (a) Attorney verification of Proofs of Publication: The TIMES 13 May 2021.
    - (b) **Public Hearing.**
    - (c) Action on **Appropriation Enactment No. 2021-24:** An Enactment Appropriating Additional Moneys in Excess of the 2021 Budget for the Community Crossings Fund in the amount of \$1,000,000 and in the Park Non Reverting Capital Fund in the amount of \$315,000, 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

*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.*

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Budget for the Works Board Department of the General Fund in the amount of \$416,584, partially funded by reduction of \$278,637, leaving a net increase of \$137,947.

- (a) Attorney verification of Proofs of Publication: The TIMES 13 May 2021.
- (b) **Public Hearing.**
- (c) Action on **Appropriation Enactment No. 2021-25:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Works Board Department of the Corporation General Fund, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

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**COMMENTS FROM  
THE PUBLIC or  
VISITORS**

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

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**Appointments:**

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

*Executive Appointments*

- 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 (2) appointments to be made by the Town Council. Term: Two years ending 1 Jan 2023. *There is currently 15 of the 17 in place and serving.*
- 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:* (1) appointment to be made by the Town Council.  
**Term: 1 year.**

- One position the term expiring on 1 January 2022

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**Unfinished  
Business &  
General Orders:**

- 1. **Introduced 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. *(Councilor Herak introduced and filed Enactment No. 2021-20 at the Town Council meeting of May 10, 2021. There was no further action on enactment .)*
- 2. **Application for ERA Abatement filed by Reardon Consulting Services. for Webb Hyundai.**
  - (a) Action on the initial request seeking a ten-year term.
  - (b) **Resolution No. 2021-27:** A Resolution Of The Town Council Of The Town Of Highland, Indiana Granting Indiana Land Trust Company

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Tr #120086 (Db: Webb Hyundai, L.L.C.) An Assessed Valuation Deduction (Tax Abatement) For Tangible Real Property Under Indiana Code 6-1.1-12.1, For Property Located At 9236 Indianapolis Boulevard.

*(If passed, then a meeting of the Economic Development Commission will be convened to establish an EDTA, to further perfect the action.)*

3. **Proposed Ordinance No. 1733.1726-A:** An Ordinance To Amend The Compensation, Benefits And Personnel Program Of The Municipality, To Be Known As The Compensation And Benefits Ordinance Commonly Known as the Employees Handbook, to Make Certain Modifications to Comply with Affordable Care and Patient Protection Act, Pursuant To IC 36-1-3 And Other Relevant Statutes. *Councilor Herak introduced and filed Ordinance No. 1615, at the Town Council meeting of April 25 2016.*
4. **Proposed Ordinance No. 1734:** An Ordinance Amending Chapters 2.05 and 2.10 of the Highland Municipal Code Concerning Term Limits among Members of the Town Council and Town Clerk-Treasurer.
5. **Works Board Order No. 2021-15:** An Order Finding and Determining Certain Personal Property of the Municipality as no Longer Needed for the Purposes for which Originally Acquired or Have Been Left in the Custody of an Officer or Employee of the Town of Highland and Have remained unclaimed for more than one (1) year or have been deemed worthless and of no market value, and further authorizing and approving disposal or transfer of said property to a municipality, the Town of Winfield.
6. **Works Board Order No. 2021-16:** An Order Finding and Determining Certain Personal Property of the Municipality as no Longer Needed for the Purposes for which Originally Acquired or Have Been Left in the Custody of an Officer or Employee of the Town of Highland and Have remained unclaimed for more than one (1) year or have been deemed worthless and of no market value, and further authorizing and approving disposal or transfer of said property to a municipality, the City of Gary.
7. **Consideration of a Special Event with Alcohol Permit (SEAP):** The permit was approved by the Park and Recreation Board at its meeting May 20, 2021, pursuant to Section 11.10.225 of the Highland Municipal Code. *(The Community Events Commission required the permit to support the beer garden as part of the Independence Day Festival. This being the first regular meeting of the Town Council following the receipt of the action of the Park and Recreation Board, the Town Council must consider the permit, pursuant to HMC Section 11.10.225(F)(4))*
8. **Resolution No. 2021-26:** A Resolution Authorizing An Agreement With North Township Through The North Township Trustee For Security Services And Designating Wicker Memorial Park In North Township As A Special Patrol Zone Pursuant Sections §§ 9.10.250 Through 9.10.280 Of The Highland Municipal Code
9. **Action to approve pay for employee who is temporarily replacing another employee at a higher grade level, after thirty full days in the position, pursuant to Section § 4.11 of the Compensation and Benefits Ordinance.** Public Works Director is reporting he has assigned Streets Supervisor Brian Bell to *acting Operations Director*, during an expected protracted absence of the current Operations Director.

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*The Public Works Director made the assignment effective May 10 and Brian Bell has held the position from that date and is expected to hold this position until August or September, when the incumbent Operations Director is expected to return. Brian Bell will be eligible for the pay of the Operations Director, effective June 9, 2021, provided it is approved.*

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**NEW BUSINESS:**

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**Comments or  
Remarks from the  
Town Council:  
(Good of the Order)**

**Councilor Bernie Zemen**  
**Councilor Mark Herak**  
**Councilor Mark Schocke**  
**Councilor Thomas Black**  
**Councilor Roger Sheeman**

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**COMMENTS FROM  
THE PUBLIC or  
VISITORS**

This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council. 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.

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**ACTION TO PAY  
Accounts Payable  
Vouchers**

Accounts payable vouchers May 11, 2021 to May 24, 2021 in the amount of **\$348,781.14.**

Payroll Docket for the payday of May 07, 2021 in the amount of **\$233,776.98.**

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**ADJOURNMENT**

The Town Council may meet in study session immediately following the Regular Meeting.  
*Posted pursuant to IC 5-14-1.5-4(a)*

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**Enrolled Minutes of the Thirty-ninth Regular or Special Meeting  
Special Meeting  
Twenty-Ninth Town Council of Highland  
Monday, May 17, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met *electronically* in a special meeting Monday, May 17, 2021 at 6:30 O'clock P.M., in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.\*

This meeting was convened as an electronic meeting, pursuant to Governor Holcomb's Executive Order 20-04 and 20-09 allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 public health emergency, extended by Executive Order No. 21-11. Some persons were participating remotely on a Zoom platform that allowed for real time interaction between and among all the Town Council and supported the public's ability to observe and record the proceedings. People were able to participate in person and remotely. When the agenda item provided for public comment, this was supported as well. All councilors participated on the Zoom platform. The Town Council President Roger Sheeman and Councilor Mark Herak were also present.

***Silent Roll Call:*** Councilors Tom Black, Mark Herak, Bernie Zemen, Mark Schocke and Roger Sheeman (electronically), were present as indicated The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings (electronically). A quorum was attained. The Town Council President Roger Sheeman and Councilor Mark Herak also participated on the electronic platform and in person.

***Officials Present:*** John P. Reed, Town Attorney; Peter T. Hojnicky, Police Chief; Mark Knesek, Public Works Director; William Timmer, Kenneth J. Mika, the Building Commissioner, and Kathy DeGuilio-Fox, Redevelopment Director, were also present, participating electronically. Kenneth J. Mika, Building Commissioner and Kathy DeGuilio-Fox, Redevelopment Director, also participated in person.

***Additional Officials Present:*** Ed Dabrowski, IT Consultant (Contract) and Board of Waterworks Directors, (electronically); was present. (electronically).

***Guests:*** Dan Botich, Associated Regional Practice Leader & Senior economic Development Professional, Short Elliot and Hendrickson, in person; Theresa Badovich of the Idea Factory was also present (electronically).

**Special Orders:**

1. **Seeking Public Comments:** Proposed Uses of Community Development Block Grant Allocation for Fiscal Year 2021, approximately set for **\$102,130.00**.
  - (a) **Verification of the Proof of Publication.** TIMES: 06 May 2021. The Town Attorney verified the proof of publication complied with IC 5-3-1 et seq.
  - (b) **Public Hearing and Comment.**

The Town Council President read aloud the prepared narrative provided by the Lake County Community Development Department. He recognized the Public Works Director, Mark Knesek, who presented what he hoped would be the use for the CDBG money for the fiscal year 2021.

The Public Works Director offered his hope for a joint works board and waterworks board project to make improvements, including new driveway aprons, sidewalks, plus a replacement of existing 4-inch water lines with 8-inch water lines, in the 2400 -2500 block of River Drive. The Public Works Director noted that in the survey of affected 26 households, 58.6% of the affected residents qualified as low to moderate income under

the federal metric. The Public Works Director noted that the program only requires a 42% threshold.

The Town Council President called the public hearing to order. There were no comments made. The hearing was closed.

- (c) **Resolution No. 2021-23:** A Resolution Authorizing and Directing the Town Council President of the Town of Highland to Submit a project Proposal for Urban County Community Development Block Grant Fund for Federal Fiscal Year 2021.

Councilor Herak moved the passage and adoption of Resolution No. 2021-23. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND  
TOWN COUNCIL RESOLUTION NO. 2021-23

A RESOLUTION AUTHORIZING and DIRECTING the TOWN COUNCIL PRESIDENT of the TOWN OF HIGHLAND TO SUBMIT A PROJECT PROPOSAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS for FEDERAL FISCAL YEAR 2021

**Whereas,** Under the provisions of Title I of the Housing and Community Development Act of 1974, as amended to date, Lake County, Indiana, is authorized to provide financial assistance to units of general local government for undertaking and carrying out community development activities; and,

**Whereas,** It is provided in such act that the unit of general local government shall provided a satisfactory assurance prior to submission of its application, that it has held one public hearing to obtain the views of citizens on community development needs; and,

**Whereas,** It is desirable and in the public interest that Highland, Indiana, hereinafter called "Town", undertake and carry out community development activities; and,

**Whereas,** The Town is proposing a project for assistance, under the Housing and Community Development Act of 1974, as amended to date, and proposes to undertake and make available a total project cost of *One hundred two thousand, one hundred thirty dollars (\$102,130.00)*; and,

**Whereas,** The Town has held one formal public hearing on the proposed program and has made available to the general public, through the mass media and other sources, information concerning the program; and,

**Whereas,** The Town has general knowledge of the proposed uses of such funds and is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities and undertaking with federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, sex, or national origin;

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

**Section 1.** That the President of the Highland Town Council is hereby authorized to file a Project Proposal for Funds under Title I of the Housing and Community Development Act of 1974, as amended to date, with Lake County, Indiana and provide all information and assurances as may be necessary under the Act;

**Section 2.** That the Affirmative Action Program associated with this application is hereby approved and the Town Council President is authorized to execute by his signature such documents as may be necessary to support and implement this application;

PASSED AND ADOPTED by the Town Council of the Town of Highland, Lake County, Indiana, this 17<sup>th</sup> Day of May 2021. Having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

/s/ Roger Sheeman, President

Attest:

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

**Section 3 Understanding**

The U.S. Department of Housing and Urban Development (HUD) issued regulations that provide the directive to creative job opportunities for low-income persons when HUD funds are expended on a construction project. These regulations

are known as Section 3 policy. The purpose of the Section 3 policy is to ensure that the employment and other economic opportunities generated by Federal financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed toward low and very low-income persons.

Section 3 covered projects are construction, reconstruction, conversion, or rehabilitation of housing, including reduction and abatement of lead based paint hazards, or other public construction which includes building and improvements assisted with HUD housing and community development assistance. Section 3 covered contracts do not include contracts for purchase of supplies and materials. However, whenever a contract for materials includes the installation of the materials, the contract constitutes a Section 3 covered event.

Fund recipients and contractors must show compliance with the numerical goals set forth by the regulations. The numerical goals for new hires apply only to the number of new hires generated because of the financial assistance for the HUD programs. The numerical goals are not absolute numerical requirements. They are goals that each recipient and contractor should try to reach. The goals, if not met, do not trigger sanctions against the recipient or contractor. However, if challenged on the issue of compliance with Section 3, the recipient or contractor should be ready to demonstrate that they tried to reach these goals. The goals are as follows:

30% of all covered new hires for the year FY 2021

In addition, recipients and contractors are required to show compliance with the goal that at least 10% of any building trade activity, which is subcontracted, and 3% of non-building trade activity (construction management, etc.) is awarded to eligible Section 3 business concerns.

Further information regarding these requirements may be found in the Federal Regulations at 24 CFR 135 and the Lake County Section 3 Plan.

*I certify that I have read the information above and understand the Section 3. requirements and numerical goals.*

Date: 17 May 2021

/s/ Roger Sheeman

Title: Town Council President

**AFFIRMATIVE ACTION PROGRAM  
IMPLEMENTING SECTION 3 OF THE  
HOUSING AND URBAN DEVELOPMENT ACT OF 1968**

**SPECIFIC AFFIRMATIVE ACTION STEPS**

TOWN OF HIGHLAND agrees to implement the following specific affirmative action steps directed at increasing the utilization of lower income residents and project area businesses.

- A. To ascertain from the HUD Area Office Director the exact boundaries of the Section 3 covered project area and where advantageous, seek the assistance of the local officials of the department in preparing and implementing the affirmative action plan.
- B. To attempt to recruit from the appropriate areas the necessary number of lower income residents through: local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area such as Service Employment and Redevelopment (SER), Opportunities Industrialization Center (OIC), Urban League, Concentrated Employment Program, Hometown Plan or the U.S. Employment Service.
- C. To maintain a list of all lower income area residents who have applied either on their own or on referral from any source and to employ such persons, if otherwise eligible and if a vacancy exists.
- D. To insert this affirmative action plan in all bid documents, and to require all bidders to submit a Section 3 affirmative action plan including utilization goals and the specific steps planned to accomplish the goals.
- E. To insure that contracts which are typically let on a negotiated rather than a bid basis in areas other than Section 3 covered project area, are also let on a negotiated basis, wherever feasible when let in a Section 3 covered project area.
- F. To formally contact unions, subcontractors and trade associations, to secure their cooperation for this program.
- G. To insure that all appropriate project area business concerns are notified of pending contractual opportunities.
- H. To maintain records including copies of correspondence, memoranda, etc., which document that all of the above affirmative action steps have been taken.

- I. To appoint or recruit an executive official of the company or agency as Equal Opportunity Officer to coordinate the implementation of this Section 3 affirmative action plan.

/s/ Roger Sheeman  
Town Council President

There being no further interviews or business to come before the Town Council, the special meeting of the Town Council, of Monday, May 17, 2021 was adjourned at 6:43 o'clock p.m. The regular study session then immediately was convened.

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/CPFIM/CMO  
Clerk-Treasurer

**Enrolled Minutes of the Thirty-eighth Regular or Special Meeting  
For the Twenty-Ninth Highland Town Council  
Regular Plenary Meeting (Electronic/Hybrid)  
Monday, May 10, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, May 10, 2021 at 6:30 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

This meeting was convened as an *electronic meeting*, pursuant to Governor Holcomb's Executive Order 20-04 and 20-09 allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 public health emergency, extended by Executive Order No. 21-11. Some persons were participating remotely on a Zoom platform that allowed for real time interaction between and among all the Town Council and supported the public's ability to observe and record the proceedings. People were able to participate in person and remotely. When the agenda item provided for public comment, this was supported as well. All councilors participated on the Zoom platform. The Town Council President Roger Sheeman and Councilor Mark Herak were also present in person.

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

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

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

*Also present:* Ed Dabrowski IT Director (Contract) and Board of Waterworks Directors; and Robert Tweedle, Utility Boards Attorney were also present..

Guests: Theresa Badovich and Robin Carlascio of the Idea Factory were present.

**Minutes of the Previous Meeting:**

With leave from the Town Council, Councilor Schocke moved to modify the enrolled minutes under comments from residents and visitors at the end of the meeting, as to the remarks made by resident Terry Steagall to reference the American Jobs Act rather than the American Rescue Plan. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The minutes were amended.

The minutes of the regular meeting of April 26, 2021 as amended, were approved by general consent.

**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. The Town Attorney noted that the proof complied with IC 5-3-1 et seq.
- (b) *Public Hearing*. The Town Council President called the hearing to order.
  - 1. Larry Kondrat, Highland, commented on what he characterized as “vagueness” in the account descriptions in the proposed appropriation enactment, which were also in the legal notice for the hearing.

It was noted that these descriptions were the same as those used for the additional appropriations when first made for the project in 2020.

There being no further public comment, the hearing was closed.

- (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.

Councilor Herak introduced and filed Enactment No. 2021-20.

*Audio electronic issue and request to consider Enactment 2021-20.* While the matter regarding the enactment was the subject of the public hearing, an audio issue barred the Redevelopment Director’s ability to respond to the comments made by Mr. Kondrat. Later the audio function was restored, and the Redevelopment Director reported that the proposed additional appropriation was solely based upon the remaining amount in the contract that was previously awarded plus contingency, that was unexpended and lapsed at year end in 2020. She revealed that it was likely when completed, the project would come in under the bid amount. Informed by this, the Redevelopment Director asked if the matter could be still taken up.

The Town Council President placed the matter before the membership under general consent.

Councilor Black objected. A colloquy ensued regarding what information may be needed to address Councilor Black’s concerns. There was no further action on the enactment. The matter may be taken up on the plenary meeting of May 24, 2021.

- 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 Attorney indicated that the proof of publication is in order.
  - (b) **Public Hearing**. The Town Council President called the hearing to order.
    - 1. Larry Kondrat, Highland, commented on what he characterized as “vagueness” in the account descriptions in the proposed appropriation enactment, which were also in the legal notice for the hearing.

The Redevelopment Director explained that the appropriation was sought to support the development of a promotional brochure for the downtown.

The hearing was closed.

- (c) Action on **Appropriation Enactment No. 2021-21**: 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.

Councilor Herak introduced Enactment No. 2021-21 and moved for its consideration at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of introduction.

Councilor Herak, moved for the passage and adoption of Enactment No. 2021-21 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 adopted at the same meeting of introduction.

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 10<sup>th</sup> Day of May 2021. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 10<sup>th</sup> Day of May 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. **Presentation from Dan Botich, M.P.A. of Short, Elliott, Hendrickson of Indiana, Incorporated.** Mr. Botich has been invited by the Redevelopment Department to present scenario's regarding Economic Revitalization Areas and the schedule of deductions available. He presented remotely via the Zoom platform. He was simultaneously visible and audible to the Town Council and those watching remotely.

It was noted that Webb Hyundai of Highland through its representative Reardon Consulting, filed a petition seeking an ERA abatement for a retrofit and improvement at the Highland dealership. The request sought a 100% deferral of the new assessed valuation for ten years.

Mr. Botich reviewed his estimate of the valuation of the new construction proposed by Webb Hyundai and then reviewed the following possible ERA abatement scenarios and their comparative values.

TOWN OF HIGHLAND, INDIANA  
DEPARTMENT OF REDEVELOPMENT

Project Webb  
Summary of Schedules

Scenario	ESTIMATED (10-Year Period)				
	Real Property Taxes Due	Real Property Taxes AFTER AV Deduction	AV Deduction Tax Savings	15% Imposed Fee	Net Tax Savings
10-Year Traditional	\$ 718,776	\$ 593,002	\$ 125,773	\$ 18,866	\$ 106,907
7-Year Traditional	\$ 718,776	\$ 617,285	\$ 101,381	\$ 15,207	\$ 86,174
5-Year Traditional	\$ 718,776	\$ 642,550	\$ 76,226	\$ 11,434	\$ 64,792
5-Year (100%)	\$ 718,776	\$ 591,732	\$ 127,044	\$ 19,055	\$ 107,989
5-Year Alternative (to Match 10-Year Traditional)	\$ 718,776	\$ 593,002	\$ 125,773	\$ 18,865	\$ 106,908
Current Taxes of the Project Site (Annual)	\$ 494,856				
Current Taxes of the Project Site (Annual)	\$ 46,487				
Estimated Increase in Taxes (2021 Investment)	\$ 253,920				
Estimated Annual Increase in Taxes (2021 Investment)	\$ 25,392				

The Town Council posed questions to better its understanding of the value of each of the five scenarios. The colloquy included concerns about whether there was sufficient interest among the Town Council to approve any ERA abatement.

Mr. Botich reviewed the process for assessing property generally, which is part of the consideration in any petition filed for an abatement.

Mr. Botich left the electronic meeting following his presentation.

**Comments from Visitors**

1. Larry Kondrat, Highland, inquired about the limiting right turns amendments proposed in Proposed Ordinance No. 1731.

Mr. Kondrat express his reservations about the amendment to the Compensation and Benefits Ordinance that affected the Special Administrative Leave under COVIDs.

Mr. Kondrat also expressed concerns about the Works Board Order No. 2021-12 authorizing a contract with Dave's Tree Service, and its owner who was alleged to have been involved with a bribe scheme with a Hammond City Councilor.



It was noted that the owner of the tree service was convicted of bribery charge and did serve his time. There was an explanation by the Public Works Director of his seeking of bids and having this be the respondent. He noted that when he has used the services before, there was no issue, and he was timely and able to perform the services needed by the Town. These services it was noted were used especially following a heavy storm, where there is tree and limb damage.

2. Terry Steagall, Highland, clarified his remarks previously made to the Town Council regarding the American Jobs Plan and its possible funding to remove lead water pipes connecting water users to the main.

The Public Works Director indicated that an inventory of the lead lines in town exists, and sampling takes place to assure that the water quality still attains. The Public Works Director indicated that results are communicated to the residents. He noted that the section of the service line from the main connection to the house is currently the responsibility of the homeowner.

The comment period was closed.

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

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

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	5	0	5	\$161,220.00	\$3,361.50
Signs:	3	0	3	\$11,500.00	\$1,278.00
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	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
Swimming Pools:	2	2	0	\$0.00	\$216.00
DrainTile/ Waterproofing:	6	6	0	\$54,411.00	\$1,489.50
Miscellaneous	35	35	0	197,072.00	\$7,591.50
<b>TOTAL:</b>	<b>154</b>	<b>145</b>	<b>9</b>	<b>\$1,206,927.00</b>	<b>\$36,601.50</b>
<b>Electrical Permits</b>	18	17	1		\$2,466.00
<b>Mechanical Permits</b>	17	11	6		\$2,081.00
<b>Plumbing Permits</b>	10	2	8		\$1,206.40
<b>Water Meters</b>	1	1	0		\$375.00
<b>Water Taps</b>	0	0	0		\$0.00
<b>Sewer/Storm Taps</b>	1	1	0		\$300.00
<b>TOTAL Plumbing:</b>	12	4	8		\$1,881.40

**April Code Enforcement:**

Investigations: 075  
Citations: 006  
Warnings: 000

**April Inspections:**

Building: 24      Electrical: 16      Plumbing: 13      HVAC: 08  
 Electrical Exams: 2

• **Fire Department Report for April 2021**

<u>Type of Call</u>	<u>Month</u>	<u>YTD</u>
General Alarms	05	47
Paid Still Alarms	21	73
Still Alarms	01	08
<b>Total Alarms:</b>	<b>27</b>	<b>Calls YTD: 128</b>

• **Workplace Safety Report for April 2021**

There were no workplace incidents to report in April. The following report was filed.

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

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

**Appointments:**

***Legislative Appointments***

**Home Rule Commissions**

- 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 Youkovich.*

Councilor Herak moved seconded by Councilor Black to appoint the following persons to the Main Street Bureau Board for terms ending on January 1, 2023. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The following persons were appointed.

- |                                       |                                |
|---------------------------------------|--------------------------------|
| 1. Elijah Aurand<br>9315 Farmer Drive | 2. Rhonda Bloch<br>2815 Jewett |
|---------------------------------------|--------------------------------|

- |   |  |
|---|--|
| 3. Mary Ellis<br>2813 Jewett Street                   | 4. Evi Lovin<br>2815 Jewett                      |
| 5. Madison Kristina Owens<br>2734 Lincoln Street      | 6. Liz Popovich<br>2845 Highway                  |
| 7. Renee Reinhart<br>3626 38 <sup>th</sup> Street     | 8. Alex Robertson<br>9343 Wildwood               |
| 9. Alec Rosario<br>2942 Highway                       | 10. Renee Rosignol<br>2932 Highway               |
| 11. Diane Barr Roumbos<br>2723-39 <sup>th</sup> Place | 12. James Roumbos<br>2723-39 <sup>th</sup> Place |
| 13. Karyn Vaught<br>2936 Strong                       | 14. Aaron Vaught<br>2936 Strong                  |

2. **Community Events Commission** *Multi-year positions:* (2) appointments to be made by the Town Council.

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

Councilor Schocke moved to appoint *Linda Carter*, 2047 44<sup>th</sup> Street, Highland, to the Community Events Commission, with a term expiring on January 1, 2022. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Ms. Carter was appointed to the Community Events Commission.

#### **Unfinished Business and 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.

Councilor Herak introduced and moved the consideration of Ordinance No. 1731 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 ordinance was able to be considered at the meeting of its introduction.

Councilor moved the passage and adoption of Ordinance No. 1731 at the same meeting of its introduction. Councilor Black 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 adopted at the same meeting of its introduction.

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 <sup>th</sup> 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 10<sup>th</sup> Day of May 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 10<sup>th</sup> Day of May 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:

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

- 2. Proposed Ordinance No. 1732:** 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.

Councilor Herak introduced and moved the consideration of Ordinance No. 1732 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 was able to be considered at the meeting of its introduction.

Councilor moved the passage and adoption of Ordinance No. 1732 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and one negative. With Councilors Zemen, Herak, Schocke and Sheeman voting in the affirmative and Councilor Black voting in the negative, the motion passed. The ordinance was adopted at the same meeting of its introduction.

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 10<sup>th</sup> Day of May 2021. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 1 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 10<sup>th</sup> Day of May 2021, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 1 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)

3. **Enactment N0. 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.

Councilor Herak introduced and moved the consideration of Enactment No. 2021-22 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 ordinance was able to be considered at the meeting of its introduction.

Councilor moved the passage and adoption of Enactment No. 2021-22 at the same meeting of its introduction. Councilor Black 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 adopted at the same meeting of its introduction.

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 10<sup>th</sup> day of May 2021. Consideration on same evening of introduction attained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 10<sup>th</sup> day of May 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)

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.

Councilor Herak moved the passage and adoption of Resolution No. 2021-19. 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. 2021-19

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		\$ 35,000.00
	<i>Total 300 Series Decreases:</i>	<u>\$ 35,000.00</u>

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>	<u>\$ 35,000.00</u>



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

DULY RESOLVED and ADOPTED this 10<sup>th</sup> Day of May 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. **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).*

Councilor Herak moved the passage and adoption of Works Board No. 2021-12. Councilor Zemen 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 order was adopted.

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 10<sup>th</sup> day of May, 2021 having passed by a vote of 4 in favor and 1 opposed.

Works Board of the Town  
 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. 2021-13:** 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.

Councilor Herak moved the passage and adoption of Works Board No. 2021-13. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

TOWN OF HIGHLAND  
 BOARD OF WORKS  
 ORDER OF THE WORKS BOARD 2021-13

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 10<sup>th</sup> day of May, 2021, having passed by a vote of 5 in favor and 0 opposed.

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

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

Attest:

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

This section intentionally blank

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 (IDO). A determination by IDO 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](mailto: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.

**REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK**

**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)

Curis 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

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 3725 - Local Programs  
Indianapolis, Indiana 46204

PHONE: (317) 229-3600  
FAX: (317) 234-6356

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
<b>TOTAL</b>	<b>\$500,000.00</b>	

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 Blansen, (317) 325-7564 or mblansen@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,

*Kathy Eaton McCalip*

Director of Local Programs  
Indiana Department of Transportation

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.

Councilor Herak moved the passage and adoption of Works Board No. 2021-14. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

THE TOWN of HIGHLAND  
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 10<sup>th</sup> day of May 2021 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

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

**Attest:**

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





April 30, 2021

Mr. Mark Knesek, Public Works Director  
Town of Highland, Indiana  
3333 Ridge Road  
Highland, IN 46322

RE: Proposal for Professional Design Engineering Services  
2021 Community Crossings Matching Grant (CCMG) Street Resurfacing Projects

Dear Mr. Knesek:

Thank you for the opportunity to present this proposal for professional design engineering services for Highland's 2021 CCMG Street Resurfacing Project. Since INDOT has preliminarily awarded the full \$500,000.00 amount requested in Highland's 2021 CCMG Application #10655, the proposed design work will encompass all 26 road segments included in the application, as listed in attached Table 1.

Our proposal is based on providing engineering services including field survey work for intersection sidewalk ramps, preparation of basic street resurfacing plans and specifications suitable for competitive bidding and assistance during the bid process. We propose to provide design engineering services for a not-to-exceed fee of \$39,500.00. Billings will not exceed the budget without your prior authorization. We propose to provide engineering services based on the hourly billing rates presented in Table 2. Direct expenses such as reproduction and similar items will be billed at actual cost. Mileage will be billed at the current IRS approved rate. The attached "Standard Conditions for Professional Engineering Services" is included by reference.

Again, thank you for the opportunity to present this proposal. Your signature below and return of one copy of this proposal to our office will constitute your acceptance and our notice to proceed.

Yours very truly,  
NIES Engineering, Inc.

Derek R. Snyder, P.E.  
Principal

TOWN OF HIGHLAND, INDIANA

Accepted By: \_\_\_\_\_

Date: \_\_\_\_\_

cc: Highland Town Council  
Mr. Michael Griffin

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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	5th St to Ellen Dr	\$ 71,833.00	\$ 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	\$ 66,613.00	\$ 33,307.50
Cottage Grove Pl	Wirth Rd to Lincoln Av	\$ 42,215.00	\$ 22,607.50
Johnson St	41st St to Martha St	\$ 20,752.00	\$ 10,376.00
Boulevard Dr	44th St to 44th St	\$ 61,163.00	\$ 30,582.50
Ohio Pl	Wirth Rd to Dead End	\$ 39,324.00	\$ 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 5th St	\$ 72,811.00	\$ 36,405.50
Grand Blvd	Kennedy Av to 5th St	\$ 58,291.00	\$ 29,145.50
Eder Av	Duluth Av to Parrish Av	\$ 43,790.00	\$ 21,873.00
Eder Ct	Dead End to Eder Av	\$ 3,620.00	\$ 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	\$ 66,294.00	\$ 33,147.00
37th Pl	Wildwood Dr to Idlewild Av	\$ 13,098.00	\$ 6,549.00
38th Pl	Wildwood Dr to Idlewild Av	\$ 13,098.00	\$ 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 45th St	\$ 40,831.00	\$ 20,423.50
Waymond Av	43th St to Dead End	\$ 8,893.00	\$ 4,446.50
<b>TOTAL COST:</b>		<b>\$ 1,000,000.00</b>	<b>\$ 500,000.00</b>

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 173<sup>rd</sup> 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

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.

Councilor Herak moved to authorize a special meeting as indicated. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The meeting was authorized.

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**.

Councilor Herak moved to authorize the proper officer to publish legal notice for a public hearing for proposed additional appropriations as indicated. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The proper officer 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 Parks Director Alex Brown who reported on various park matter noting that summer help had already been engaged the rest would be in place by the end of May.

- **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 asked that a request from the American Legion Post 180 regarding the parking lot, which is part of unimproved, dedicated Jewett Street, and having it vacated be placed at the Study Session for discussion.

Councilor Herak acknowledged the Building Commissioner who offered a survey of matters before the Advisory Board of Zoning Appeals.

Councilor Herak acknowledged the Public Works Director who reported on activities of the department and that Spring clean-up would be May 11.

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

Councilor Schocke commended the Parks and Recreation Department for the recent Daddy Daughter date night.

Councilor Schocke reported on matters relating to the Council of Community Events meeting. He stated that plans to include a beer garden attraction as part of the annual Independence Day festival at Main Square were moving forward. The Independence Day festival is slated for June 30 through July 4, 2021, at the Main Square Park.

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

Councilor Black reported that the Traffic Safety Commission is continuing to review the proposed Hawk Signal for the crossing of the bike path at Kennedy Avenue near Jewett Street.

- **Council 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 further reported on the School Town Special orchestra performing in the downtown community garden.

Also, the Main Street Bureau would be meeting this Wednesday, May 12.

Council President Sheeman reported on the public opening of the FuzzyLine Brewpub and restaurant on 2712 Condit, Highland.

**Comments from Visitors or Residents**

1. Larry Kondrat, Highland, inquired about the descriptions on the agenda and how it is does not fully describe matters to be considered by the Town Council in a way that make the matters understandable.

Mr. Kondrat further expressed concerns about the beer garden planned for the Independence Day Festival at Main Square for this summer.

**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 27, 2021, through May 10, 2021, and the payroll dockets for payday of April 23, 2021. Councilor Black seconded. Upon a roll call vote, there were five affirmatives, no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

**Vendors Accounts Payable Docket:**

**General Fund, \$339,416.36; Motor Vehicle Highway and Street (MVH) Fund, \$31,953.46; Law Enforcement Continuing Education and Training and Supply Fund, \$765.17; Insurance Premium Agency Fund, \$222,930.84; Gasoline Agency Fund, \$19,619.20; Information Communications Technology Fund, \$12,754.14; Civil Donation Fund, \$10,000.00; Special Events Non Reverting Fund, \$2,122.00; Municipal Cumulative Capital Development Fund, \$709.98; Traffic Violations and Law Enforcement Agency Fund, \$2,500.00; Public Safety Local Income Tax Fund, \$3,736.70; Total: \$646,507.85.**

**Payroll Docket for payday of April 23, 2021:**

**Council, Boards and Commissions, \$8,485.27; Office of Clerk-Treasurer, \$16,890.81 Building and Inspection Department, \$8,952.29; Metropolitan Police Department, \$117,853.98; Public Works Department (Agency), \$63,378.79; Fire Department, \$32,401.55; and 1925 Police Pension Plan Pension Fund, \$68,366.18; Total Payroll: \$316,328.87.**

**Adjournment of Plenary Meeting.** There being no further business on the agenda, the Town Council President declared the regular plenary meeting of the Town Council of Monday, May 10, 2021, adjourned at 9:04 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

**Enrolled Minutes of the Thirty-ninth Regular or Special Meeting  
Special Meeting  
Twenty-Ninth Town Council of Highland  
Monday, May 17, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met *electronically* in a special meeting Monday, May 17, 2021 at 6:30 O'clock P.M., in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.\*

This meeting was convened as an electronic meeting, pursuant to Governor Holcomb's Executive Order 20-04 and 20-09 allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 public health emergency, extended by Executive Order No. 21-11. Some persons were participating remotely on a Zoom platform that allowed for real time interaction between and among all the Town Council and supported the public's ability to observe and record the proceedings. People were able to participate in person and remotely. When the agenda item provided for public comment, this was supported as well. All councilors participated on the Zoom platform. The Town Council President Roger Sheeman and Councilor Mark Herak were also present.

***Silent Roll Call:*** Councilors Tom Black, Mark Herak, Bernie Zemen, Mark Schocke and Roger Sheeman (electronically), were present as indicated The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings (electronically). A quorum was attained. The Town Council President Roger Sheeman and Councilor Mark Herak also participated on the electronic platform and in person.

***Officials Present:*** John P. Reed, Town Attorney; Peter T. Hojnicky, Police Chief; Mark Knesek, Public Works Director; William Timmer, Kenneth J. Mika, the Building Commissioner, and Kathy DeGuilio-Fox, Redevelopment Director, were also present, participating electronically. Kenneth J. Mika, Building Commissioner and Kathy DeGuilio-Fox, Redevelopment Director, also participated in person.

***Additional Officials Present:*** Ed Dabrowski, IT Consultant (Contract) and Board of Waterworks Directors, (electronically); was present. (electronically).

***Guests:*** Dan Botich, Associated Regional Practice Leader & Senior economic Development Professional, Short Elliot and Hendrickson, in person; Theresa Badovich of the Idea Factory was also present (electronically).

**Special Orders:**

1. **Seeking Public Comments:** Proposed Uses of Community Development Block Grant Allocation for Fiscal Year 2021, approximately set for **\$102,130.00**.

(a) **Verification of the Proof of Publication.** TIMES: 06 May 2021. The Town Attorney verified the proof of publication complied with IC 5-3-1 et seq.

(b) **Public Hearing and Comment.**

The Town Council President read aloud the prepared narrative provided by the Lake County Community Development Department. He recognized the Public Works Director, Mark Knesek, who presented what he hoped would be the use for the CDBG money for the fiscal year 2021.

The Public Works Director offered his hope for a joint works board and waterworks board project to make improvements, including new driveway aprons, sidewalks, plus a replacement of existing 4-inch water lines with 8-inch water lines, in the 2400 -2500 block of River Drive. The Public Works Director noted that in the survey of affected 26 households, 58.6% of the affected residents qualified as low to moderate income under



the federal metric. The Public Works Director noted that the program only requires a 42% threshold.

The Town Council President called the public hearing to order. There were no comments made. The hearing was closed.

(c) **Resolution No. 2021-23:** A Resolution Authorizing and Directing the Town Council President of the Town of Highland to Submit a project Proposal for Urban County Community Development Block Grant Fund for Federal Fiscal Year 2021.

Councilor Herak moved the passage and adoption of Resolution No. 2021-23. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND  
TOWN COUNCIL RESOLUTION NO. 2021-23

**A RESOLUTION AUTHORIZING and DIRECTING the TOWN COUNCIL PRESIDENT of the TOWN OF HIGHLAND TO SUBMIT A PROJECT PROPOSAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS for FEDERAL FISCAL YEAR 2021**

**Whereas**, Under the provisions of Title I of the Housing and Community Development Act of 1974, as amended to date, Lake County, Indiana, is authorized to provide financial assistance to units of general local government for undertaking and carrying out community development activities; and,

**Whereas**, It is provided in such act that the unit of general local government shall provided a satisfactory assurance prior to submission of its application, that it has held one public hearing to obtain the views of citizens on community development needs; and,

**Whereas**, It is desirable and in the public interest that Highland, Indiana, hereinafter called "Town", undertake and carry out community development activities; and,

**Whereas**, The Town is proposing a project for assistance, under the Housing and Community Development Act of 1974, as amended to date, and proposes to undertake and make available a total project cost of *One hundred two thousand, one hundred thirty dollars (\$102,130.00)*; and,

**Whereas**, The Town has held one formal public hearing on the proposed program and has made available to the general public, through the mass media and other sources, information concerning the program; and,

**Whereas**, The Town has general knowledge of the proposed uses of such funds and is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities and undertaking with federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, sex, or national origin;

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

**Section 1.** That the President of the Highland Town Council is hereby authorized to file a Project Proposal for Funds under Title I of the Housing and Community Development Act of 1974, as amended to date, with Lake County, Indiana and provide all information and assurances as may be necessary under the Act;

**Section 2.** That the Affirmative Action Program associated with this application is hereby approved and the Town Council President is authorized to execute by his signature such documents as may be necessary to support and implement this application;

**PASSED AND ADOPTED** by the Town Council of the Town of Highland, Lake County, Indiana, this 17<sup>th</sup> Day of May 2021. Having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

/s/ Roger Sheeman ,President

Attest:

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

**Section 3 Understanding**

The U.S. Department of Housing and Urban Development (HUD) issued regulations that provide the directive to creative job opportunities for low-income persons when HUD funds are expended on a construction project. These regulations are known as Section 3 policy. The purpose of the Section 3 policy is to ensure that the employment and other economic

opportunities generated by Federal financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed toward low and very low-income persons.

Section 3 covered projects are construction, reconstruction, conversion, or rehabilitation of housing, including reduction and abatement of lead based paint hazards, or other public construction which includes building and improvements assisted with HUD housing and community development assistance. Section 3 covered contracts do not include contracts for purchase of supplies and materials. However, whenever a contract for materials includes the installation of the materials, the contract constitutes a Section 3 covered event.

Fund recipients and contractors must show compliance with the numerical goals set forth by the regulations. The numerical goals for new hires apply only to the number of new hires generated because of the financial assistance for the HUD programs. The numerical goals are not absolute numerical requirements. They are goals that each recipient and contractor should try to reach. The goals, if not met, do not trigger sanctions against the recipient or contractor. However, if challenged on the issue of compliance with Section 3, the recipient or contractor should be ready to demonstrate that they tried to reach these goals. The goals are as follows:

30% of all covered new hires for the year FY 2021

In addition, recipients and contractors are required to show compliance with the goal that at least 10% of any building trade activity, which is subcontracted, and 3% of non-building trade activity (construction management, etc.) is awarded to eligible Section 3 business concerns.

Further information regarding these requirements may be found in the Federal Regulations at 24 CFR 135 and the Lake County Section 3 Plan.

*I certify that I have read the information above and understand the Section 3. requirements and numerical goals.*

Date: 17 May 2021

/s/ Roger Sheeman

Title: Town Council President

**AFFIRMATIVE ACTION PROGRAM  
IMPLEMENTING SECTION 3 OF THE  
HOUSING AND URBAN DEVELOPMENT ACT OF 1968**

**SPECIFIC AFFIRMATIVE ACTION STEPS**

TOWN OF HIGHLAND agrees to implement the following specific affirmative action steps directed at increasing the utilization of lower income residents and project area businesses.

- A. To ascertain from the HUD Area Office Director the exact boundaries of the Section 3 covered project area and where advantageous, seek the assistance of the local officials of the department in preparing and implementing the affirmative action plan.
- B. To attempt to recruit from the appropriate areas the necessary number of lower income residents through: local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area such as Service Employment and Redevelopment (SER), Opportunities Industrialization Center (OIC), Urban League, Concentrated Employment Program, Hometown Plan or the U.S. Employment Service.
- C. To maintain a list of all lower income area residents who have applied either on their own or on referral from any source and to employ such persons, if otherwise eligible and if a vacancy exists.
- D. To insert this affirmative action plan in all bid documents, and to require all bidders to submit a Section 3 affirmative action plan including utilization goals and the specific steps planned to accomplish the goals.
- E. To insure that contracts which are typically let on a negotiated rather than a bid basis in areas other than Section 3 covered project area, are also let on a negotiated basis, wherever feasible when let in a Section 3 covered project area.
- F. To formally contact unions, subcontractors and trade associations, to secure their cooperation for this program.
- G. To insure that all appropriate project area business concerns are notified of pending contractual opportunities.
- H. To maintain records including copies of correspondence, memoranda, etc., which document that all of the above affirmative action steps have been taken.
- I. To appoint or recruit an executive official of the company or agency as Equal Opportunity Officer to coordinate the implementation of this Section 3 affirmative action plan.

/s/ Roger Sheeman  
Town Council President

There being no further interviews or business to come before the Town Council, the special meeting of the Town Council, of Monday, May 17, 2021 was adjourned at 6:43 o'clock p.m. The regular study session then immediately was convened.

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/CPFIM/CMO  
Clerk-Treasurer

\*\*\* Proof of Publication \*\*\*

State of Indiana )  
 ) ss:  
Lake County )

Personally appeared before me, a notary public in and for said county and state, the undersigned NICOLE MUSCARI who, being duly sworn, says that She/he is Legal Clerk of the Northwest Indiana Times newspaper of general circulation printed and published in the English language in the Town of Munster in state and county afore-said, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the date(s) of publication being as follows:  
MAY 13 2021

TOWN OF HIGHLAND, CLERK TREASURER - LEGALS  
DENISE BECK, ACCTS PAYABLE  
3333 RIDGE ROAD  
HIGHLAND IN 46322

ORDER NUMBER 69711

The undersigned further states that the Northwest Indiana Times newspaper maintains an Internet website, which is located at www.nwi.com website and that a copy of the above referenced printed matter was posted on such website on the date(s) of publication set forth above.

Nicole Muscari, Legal Clerk

By: [Signature]

Subscribed and sworn to before me this 13 day of MAY, 2021.

[Signature]  
Notary Public

My commission expires:

Section: Legals

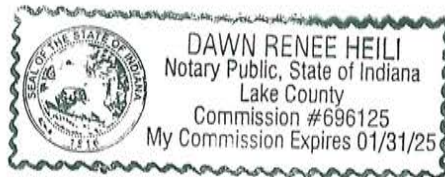
Category: 198 Legal - Lake County

PUBLISHED ON: 05/13/2021

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: \$1,000,000.00  
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  
5/13-69711-hspaxlp



TOTAL AD COST: 29.12

FILED ON: 5/13/2021

ATTACH COPY OF ADVERTISEMENT HERE

Town of Highland, Clerk Treasurer  
(Governmental Unit)

To: The Times Media Company

Lake County, Indiana

601-45th Avenue, Munster, IN 46321

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines .....

Head -- number of lines -----

Body -- number of lines -----

Tail -- number of lines -----

Total number of lines in notice -----

COMPUTATION OF CHARGES

62 lines, 1 column wide equals 62 equivalent lines at .4773 <sup>1 LINE</sup> cents per line \$ 29.12

Additional charges for notices containing rule or tabular work (50 per cent of above amount) -----

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) -----

TOTAL AMOUNT OF CLAIM \$ 29.12

DATA FOR COMPUTING COST

Width of single column in picas 9p4 Size of type 7.0 point.

Number of insertions 1

69711

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper (1) times. The dates of publication being as follows:

MAY 13 2021

Additionally, the statement checked below is true and correct:

- ..... Newspaper does not have a Web site.
- ..X.. Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- ..... Newspaper has a Web site, but due to technical problem or error, public notice was posted on .....
- ..... Newspaper has a Web site but refuses to post the public notice.

Date 5/13/2021

Nicole L. Mascari  
Title: Legal Clerk

By: [Signature]



\*\*\* Proof of Publication \*\*\*

State of Indiana )  
 ) ss:  
Lake County )

Personally appeared before me, a notary public in and for said county and state, the undersigned NICOLE MUSCARI who, being duly sworn, says that She/he is Legal Clerk of the Northwest Indiana Times newspaper of general circulation printed and published in the English language in the Town of Munster in state and county afore-said, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the date(s) of publication being as follows:  
MAY 13 2021

TOWN OF HIGHLAND, CLERK TREASURER - LEGALS  
DENISE BECK, ACCTS PAYABLE  
3333 RIDGE ROAD  
HIGHLAND IN 46322

ORDER NUMBER 69712

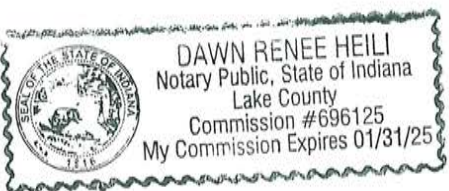
The undersigned further states that the Northwest Indiana Times newspaper maintains an Internet website, which is located at www.nwi.com website and that a copy of the above referenced printed matter was posted on such website on the date(s) of publication set forth above.

Nicole Muscari, Legal Clerk  
By: [Signature]

Subscribed and sworn to before me this 13 day of MAY, 2021.

[Signature]  
Notary Public

My commission expires:



Section: Legals  
Category: 198 Legal - Lake County  
PUBLISHED ON: 05/13/2021

**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: \$150,000.00  
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  
5/13-69712-hspaxlp

TOTAL AD COST: 28.64  
FILED ON: 5/13/2021

ATTACH COPY OF ADVERTISEMENT HERE

TOWN OF HIGHLAND, CLERK TREASURER  
(Governmental Unit)

To: The Times Media Company

Lake County, Indiana

601-45th Avenue, Munster, IN 46321

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines .....

Head -- number of lines .....

Body -- number of lines .....

Tail -- number of lines .....

Total number of lines in notice .....

COMPUTATION OF CHARGES

6.1 lines, 1 columns wide equals 6.1 equivalent lines at .4773 cents per line ..... \$ 28.64

Additional charges for notices containing rule or tabular work (50 per cent of above amount) .....

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) .....

TOTAL AMOUNT OF CLAIM ..... \$ 28.64

DATA FOR COMPUTING COST

Width of single column in picas 9p4 ..... Size of type 7.0 point.

Number of insertions 1

69712

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

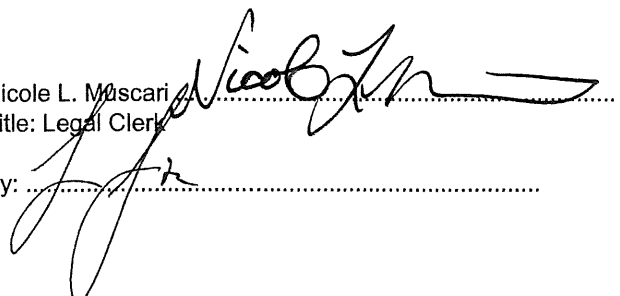
I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper (1) times. The dates of publication being as follows:

MAY 13 2021

Additionally, the statement checked below is true and correct:

- ..... Newspaper does not have a Web site.
- ..X.. Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- ..... Newspaper has a Web site, but due to technical problem or error, public notice was posted on .....
- ..... Newspaper has a Web site but refuses to post the public notice.

Date 5/13/2021

Nicole L. Mascari  
Title: Legal Clerk  
By: 

**Town of Highland  
Appropriation Enactment  
Enactment No. 2021-24**

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET for the COMMUNITY CROSSINGS GRANT FUND AND THE PARK NON REVERTING CAPITAL 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 **Community Crossings Grant Fund** and the **Park Non Reverting Capital 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 **Community Crossings Grant Fund**, herein named and for the purposes herein specified, subject to the laws governing the same:

COMMUNITY CROSSINGS GRANT FUND

Increase:

Acct. 104-0000-44081 CCMG Projects 2021:	<u>\$ 1,000,000.00</u>
Total 400 Series:	\$ 1,000,000.00
<b>Total for Fund:</b>	<b>\$ 1,000,000.00</b>

**Section 2.** That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Park Non Reverting Capital Fund**, herein named and for the purposes herein specified, subject to the laws governing the same:

PARKS NON REVERTING CAPITAL FUND

Increase:

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



**Section 3.** 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 4.** 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 24<sup>th</sup> 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)

\*\*\* Proof of Publication \*\*\*

State of Indiana )  
 ) ss:  
Lake County )

Personally appeared before me, a notary public in and for said county and state, the undersigned NICOLE MUSCARI who, being duly sworn, says that She/he is Legal Clerk of the Northwest Indiana Times newspaper of general circulation printed and published in the English language in the Town of Munster in state and county afore-said, and that the printed matter attached hereto is a true copy, which was duly published in said paper for \_\_\_\_\_ time(s), the date(s) of publication being as follows:  
MAY 13 2021

TOWN OF HIGHLAND, CLERK TREASURER - LEGALS  
DENISE BECK, ACCTS PAYABLE  
3333 RIDGE ROAD  
HIGHLAND IN 46322

ORDER NUMBER 69710

The undersigned further states that the Northwest Indiana Times newspaper maintains an Internet website, which is located at www.nwi.com website and that a copy of the above referenced printed matter was posted on such website on the date(s) of publication set forth above.

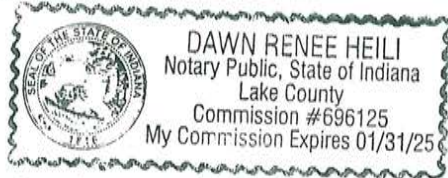
Nicole Muscari, Legal Clerk

By: [Signature]

Subscribed and sworn to before me this 13 day of MAY 2021

[Signature]  
Notary Public

My commission expires:



Section: Legals

Category: 198 Legal - Lake County

PUBLISHED ON: 05/13/2021

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 \$28,637.00  
Total for Series: \$278,637.00

Increase:  
Acct. 001-0011-39999 Transfer to Community Crossings:

\$274,686.00  
Total for Series: \$274,686.00

Increase:  
Acct. 001-0011-4XXXX Intersection signals upgrade: \$141,898.00  
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  
5/13-69710-hspaxlp

TOTAL AD COST: 36.27

FILED ON: 5/13/2021

ATTACH COPY OF ADVERTISEMENT HERE

TOWN OF HIGHLAND CLERY TREASURER  
(Governmental Unit)

To: The Times Media Company

Lake County, Indiana

601-45th Avenue, Munster, IN 46321

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines .....  
Head -- number of lines .....  
Body -- number of lines .....  
Tail -- number of lines .....  
Total number of lines in notice .....

COMPUTATION OF CHARGES

77 lines, 1 column wide equals 77 equivalent lines at .4773 cents per line \$ 36.27  
Additional charges for notices containing rule or tabular work (50 per cent of above amount) .....  
Charge for extra proofs of publication (\$1.00 for each proof in excess of two) .....  
TOTAL AMOUNT OF CLAIM \$ 36.27

DATA FOR COMPUTING COST

Width of single column in picas 9p4 Size of type 7.0 point. 697.10  
Number of insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper (1) times. The dates of publication being as follows:

MAY 13 2021

Additionally, the statement checked below is true and correct:

- ..... Newspaper does not have a Web site.
- ..X.. Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- ..... Newspaper has a Web site, but due to technical problem or error, public notice was posted on .....
- ..... Newspaper has a Web site but refuses to post the public notice.

Date 5/13/2021

Nicole L. Mascari  
Title: Legal Clerk  
By: [Signature]

**TOWN OF HIGHLAND  
APPROPRIATION ENACTMENT  
ENACTMENT NO. 2021-25**

**An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Works Board Department of the Corporation 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 **Works Board Department of the Corporation 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 appropriations of money are hereby reduced and ordered returned and reverted to the **Corporation General Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

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>
<b>Total for Reduction for Series:</b>	<b>\$ 278,637.00</b>

**Total Reduction for Dept.        \$ 278,637.00**

**Section 2.** That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Works Board Department in the Corporation General Fund** and for the purposes herein specified, subject to the laws governing the same:

**Works Board Department**

Increase:

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

Increase:

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

**Total for the increases for Department:        \$ 416,584.00**

TOTAL DECREASE FOR DEPARTMENT and FUND: \$278,637.00  
TOTAL INCREASE FOR DEPARTMENT and FUND: \$416,584.00

TOTAL for the (NET) INCREASE FOR DEPT AND FUND: \$ 137,947.00

**Section 3.** 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 4.** 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 24<sup>th</sup> 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)**

## Memorandum and Background Enactment No. 2020-29

June 22, 2020 the Town Council passed Enactment No. 2020-29 approving an additional appropriation to the Downtown Allocation Area Fund *booked* in the amounts shown below:

### Downtown Allocation Area Fund

Project construction	\$ 751,366.04
Contingency	\$ <u>82,633.96</u>
Total for the Fund:	\$ 834,000.00

The Redevelopment Department requested this for the downtown parking area project. The department spent solely on the downtown parking lot project. During the year the project had expended \$607,609.73.

At December 31, 2020 the balance remaining in the funds unexpended were:

<b>Increase:</b>		<b>Rounded:</b>
Account No. 098-0000-44066 Project Construction:	\$ 143,675.31	\$ 143,676.00
Account No. 098-0000-44067 Project Contingency:	\$ <u>82,633.96</u>	\$ <u>82,634.00</u>
<b>Total Series:</b>	\$ 226,309.027	\$ 226,310.00

As you know, all appropriations lapse (expire) at year end pursuant to IC 36-1-8-6(a). The permission to spend that is being sought is just restoring what remained in the appropriation unexpended at December 31, 2020.

**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
<b>Total for the Fund:</b>	<b>\$ 226,310.00</b>

**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 10<sup>th</sup> Day of May 2021. Consideration on the same day or at same meeting of introduction was not considered, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this \_\_\_\_ Day of 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**

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

**ATTEST:**

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



**TOWN OF HIGHLAND, INDIANA  
RESOLUTION NO. 2021-27**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, INDIANA GRANTING INDIANA LAND TRUST COMPANY TR #120086 (DBA: WEBB HYUNDAI, L.L.C.) AN ASSESSED VALUATION DEDUCTION (TAX ABATEMENT) FOR TANGIBLE REAL PROPERTY UNDER INDIANA CODE 6-1.1-12.1, for PROPERTY LOCATED AT 9236 INDIANAPOLIS BOULEVARD**

**WHEREAS**, Indiana Code 6-1.1-12.1 *et seq.*; amended, (the "Act") allows a partial abatement of property taxes attributable to "Redevelopment" or "Rehabilitation" activities and installation of new machinery and equipment in "Economic Revitalization Areas" as those terms are defined in the Act, and

**WHEREAS**, The Act provides that such Economic Revitalization Areas are areas within the Town which have:  
*"...become undesirable for, or impossible of, normal development, and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property", and*

**WHEREAS**, Pursuant to Resolution No. 2007-10 adopted on March 26, 2007, as confirmed by Resolution No. 2007-23 adopted on May 14, 2007, the Town Council (the "Town Council") of the Town of Highland, Indiana (the "Town"), designated a certain area located within the Town as the Highland Redevelopment Area as an economic revitalization area (an "ERA") pursuant to Indiana Code 6-1.1-12.1 *et seq.* (the "Act"), under Section 2.5;

**WHEREAS**, Resolution No. 2007-10 remains in full force and effect;

**WHEREAS**, **Webb Hyundai, L.L.C.** (the "Company") has filed with the Town Council a **Statements of Benefits Real Property Improvements (FORM SB-1/Real Property)** dated **March 19, 2021** attached hereto as **EXHIBIT A** and a Highland Tax Abatement Application attached hereto as a **EXHIBIT B** proposing real property improvements, more specifically related to TO BE ADDED FROM THE FORM SB-1/REAL, INFORMATION I HAVE IS MARKED CONFIDENTIAL (the "Project"), estimated to be completed on or prior to December 31, 2021 and to be fully assessed on or prior to January 1, 2022;

**WHEREAS**, A Statements of Benefits Real Property (FORM SB-1/Real Property) was submitted to the Town Council as the designating body before and prior to the construction, renovation, redevelopment or installation of real property improvements related to the Project for which the Company desires to request an assessed valuation deduction;

**WHEREAS**, The Company's real property located at 9236 Indianapolis Boulevard in the Town (real property parcel number 45-07-29-279-036.000-026) is within the boundaries of a designated ERA, and therefore the Town Council may

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make a determination pursuant to IC 6-1.1-12.1-3(b) based upon the evidence as to whether Company shall be allowed an assessed valuation deduction or real property,

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Town Council of the Town of Highland as follows:

**Section 1.** That the actions of the Town Council of the Town of Highland, Indiana are based upon the evidence as presented by **Webb Hyundai, L.L.C.** upon review of the FORM SB-1/Real Property as well as other pertinent information provided by the Town and upon the following findings and determinations pursuant to IC 6-1.1-12.1-3(b):

- (A) The Project is reasonable for a project of its nature;
- (B) The estimated number of individuals who will be employed or whose employment will be retained can reasonably be expected to result from the construction, renovation, redevelopment or installation of real property improvements related of the Project;
- (C) The estimated annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the from the construction, renovation, redevelopment or installation of real property improvements related of the Project; and
- (D) The totality of the benefits is sufficient to justify an assessed valuation deduction on the Project;

**Section 2.** That the Town Council acknowledges that the Project is located within a designated allocation area of the Commercial Corridors Redevelopment Area, more specifically TIF Code 050-03-026 and State Code T45453, also commonly known as the Commercial Corridors Allocation Area;

**Section 3.** That assessed valuation deduction(s) (Tax Abatement) from tangible real property shall be applied only to the Company's qualified real property improvements to be located at **9236 Indianapolis Boulevard** in the Town (real property parcel number **45-07-29-279-036.000-026**);

**Section 5.** That the Town Council hereby grants an assessed valuation deduction (Tax Abatement) from tangible real property **limited to a cost of \$2,500,000 to be completed by December 31, 2021 for full assessment on the January 1, 2022, estimated to be \$1,210,000,** for an abatement period of **five (5) years** to the Company in accordance with IC 6-1.1-12.1-3(c) and IC 6-1.1-12.1-17(b) as it relates to the Project;

**Section 5.** That the Town Council hereby grants an assessed valuation deduction (Tax Abatement) of real property with an abatement schedule provided below pursuant IC 6-1.1-12.1-17(b) consistent with the above abatement period as it relates to the Project, as follows:

**Approved Abatement Period Schedule:**

*Tangible real property improvements:*

- a. *To be installed and placed into service **by December 31, 2021**;*
- b. *Construction as completed is limited to the following assessment date: **January 1, 2022**;*
- c. *Real property construction during the period under section (a) above and for the assessment dates identified under section (b) is **limited to a cost of \$2,500,000**.*

<b>Year of Abatement Period</b>	<b>Deduction Percentage</b>
Year One (1)	100%
Year Two (2)	100%
Year Three (3)	100%
Year Four (4)	100%
Year Five (5)	100%

**Section 6.** That having received as attached hereto documentation under (**EXHIBIT C**) as a condition of approval of the FORM SB-1/Real Property (FORM SB-1/RE), the Company as the property owner, including all subsequent property owner(s), during the abatement period for which an ERA assessed valuation deduction is applied, waives its rights to appeal real property improvement assessed valuations of the Project or within the Project area of the ERA associated with real property parcel number **45-07-29-279-036.000-026** unless deemed to be a clerical error of assessment application or a mathematical error, such that the Town Council as the legislative body of the Town reserves the right to waive the above condition included in this Resolution upon submission of a reasonable written request of the Property Owner, including all subsequent property owner(s);

**Section 7.** That having received as attached hereto documentation under (**EXHIBIT D**) as a condition of approval of the FORM SB-1/Real Property (FORM SB-1/RE), the town Council directs:

(A) That the Company as the property owner, including all subsequent property owner(s), during the abatement period for which an ERA assessed valuation deduction is applied, waives its rights to request or file an additional or supplementary assessed valuation deductions, credits or exemptions, on tangible property investments identified in said FORM SB-1 whether available to a property owner as of the date of this Resolution or which subsequently may be authorized by the state of Indiana Legislature to tangible real property improvements to be constructed, built related to the Project or within the Project area of the ERA;

(B) That this condition is not intended to preclude the property owner, including all subsequent property owner(s), from filing future

FORM SB-1s as a result of additional investments in tangible real property related to the Project or within the Project area of the ERA;

(C) That the Highland Town Council as the legislative body of the Town reserves the right to waive the above condition included in this Resolution upon written request of the property owner, including all subsequent property owner(s);

**Section 8.** That the Town Council may impose a fee on the tax savings realized by the Company pursuant to Section 14 of the Act as a result of the application of an ERA deduction as calculated and applied by the Office of the Lake County, Indiana Auditor;

**Section 9.** That having received the consent of the Company in accordance with Section 14(b) of the Act, a copy of which is attached hereto as **EXHIBIT E** and is made a part hereof and incorporated herein, and pursuant to Section 14(b) of the Act, for each year the Company's real property tax liability is reduced by an assessed valuation deduction related specifically to the construction and the full assessment of real property as a result of the Project, the Company shall pay to the Lake County, Indiana Treasurer a fee in the amount computed and determined by the Lake County, Indiana Auditor pursuant to the provisions of Section 14(c) of the Act (the "Imposed Fee") such that:

1. The Town Council hereby determines that **fifteen percent (15%)** shall be the percentage to be applied by the Lake County, Indiana Auditor for purposes of STEP TWO of Section 14(c) of the Act;
2. Accordingly, for each year the Imposed Fee is payable by the Company, the Imposed Fee shall be equal to the lesser of One Hundred Thousand Dollars (\$100,000) or fifteen percent (15%) of the additional amount of real property taxes that would have been paid by the Company during that year if the deductions approved in this Resolution had not been in effect, i.e., 15% of the Company's real property tax savings attributable to a deduction from the assessed valuation from the Project; and
3. Pursuant to Section 14(d) of the Act, the Imposed Fee, as collected, shall be distributed to the **Highland, Indiana Redevelopment Commission** as a tax exempt governmental (nonprofit) entity established to promote economic development within the corporate limits of the Town as determined by the Town Council as the designating body.

**Section 10.** That the Company has agreed to the following imposed reasonable conditions during the abatement period upon approval of an assessed



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valuation deduction for real property as herein specified and authorized under Section 2(i)(6) of the Act and to be included under Item D (page 2) of the approved FORM SB-1/Real Property:

Condition #1: The Company understands and agrees that the total cumulative tax savings realized **is limited to a real property improvement cost investment of \$2,500,000** during the five (5) year abatement period as a result of ERA assessed valuation deductions from real property constructed and assessed on the Assessment Date, and for which ERA assessed valuation deductions are applied. The Town, from the first year of assessment for which a real property ERA assessed valuation deduction is applied and for the duration of the five (5) year abatement period as layered shall annually cause to be prepared a schedule monitoring the annual, total, and cumulative tax savings realized; such that, once this limit of tax savings realized is attained, the Town Council will: (i) notify the Company and (ii) take action to terminate this ERA assessed valuation deduction prior to a subsequent January 1 assessment date.

**Section 11.** That the Town agrees not to exercise the discretion to impose a claw back provision as attached hereto under **EXHIBIT F** for tax savings any tax years in which the Company reasonably complies with:

1. The Statement of Benefits, the annual filings required pursuant to the Act, the conditions of this Resolution, and the reasonable and timely payment of an applicable Imposed Fee during the five (5) year abatement period for which an ERA assessed valuation deduction is applied to an assessment date.
2. The employment benchmarks and targets identified in the Statement of Benefits.

**Section 12.** That the Town's Clerk-Treasurer is hereby directed to cause the filing of all appropriate approval documents related to this Resolution with the **Office of the Assessor for Lake County**, Indiana as it applies to this Resolution and the approval of the Company's assessed valuation deduction, more specifically the following documents or information:

1. The Statement of Benefits, as approved, properly completed consistent with this Resolution and as signed and attested by the appropriate Town officials;
2. A certified copy of this Resolution; and
3. An approved and signed copy of the minutes of the meeting at which the Town Council approved this Resolution and the Statement of Benefits.

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**Section 13.** That the final determination of the amount of assessed valuation deduction as applied to the Project for real property improvements shall be made by the appropriate Lake County or State of Indiana agency;

**Section 14.** That along with the application, an Application Fee shall be paid, hereby fixed in the amount of \$250.00 to defray actual processing and administrative costs, pursuant to Section 14.20.220 of the Highland Municipal Code;

**Section 15.** That the forgoing approval of the Economic Revitalization Area (ERA) is subject to and contingent upon the favorable recommendation by the Economic Development Commission and then approval by ordinance of the Town Council of an Economic Development Target Area (EDTA) for this property, all pursuant to IC 6-1.1-12.1-7(a)(1);

**Section 16.** That if any part, clause, or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any other part, clause, or portion of this Resolution.

**DULY RESOLVED and ADOPTED** this \_\_\_\_ Day of \_\_\_\_ 2021, by the Town Council of the Town of Highland, Lake County, Indiana, acting as the designating body, having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

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

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

**Attest:**

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Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO

Clerk-Treasurer (IC 33-42-4-1; IC; 1-1-4-1(5);IC 36-5-6; IC 36-5-6-7)

**EXHIBIT A**

**Statements of Benefits Real Property Improvements  
INDIANA LAND TRUST COMPANY TR #120086  
(DBA: WEBB HYUNDAI, L.L.C.)**

**Keily Webb Roberts**  
President  
Name of applicant  
Title

**March 18, 2021**  
Date of filing (month day year)

I hereby certify that the representations in this statement are true.

**SECTION 6 TAXPAYER CERTIFICATION**

Other benefits

Estimated value of other benefits \$ **0'00** Estimated value of assessed benefits (bonus) \$ **0'00**

**SECTION 5 WASTE COLLECTED AND OTHER BENEFITS PROVIDED BY THE TAXPAYER**

Waste collected value upon completion of project	\$ 4,000,000.00	\$ 880,000.00
Gas value to tax property being improved	0.00	0.00
Waste collection value of proposed project	\$ 4,000,000.00	\$ 880,000.00
Current value	\$ 4,000,000.00	\$ 880,000.00

**SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT**

Original number	38'00	Value	\$20,000'00	Number returned	38'00	Value	\$20,000'00	Number returned	12'00	Value	\$20,000'00
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**SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT**

These are attached:  
Description of new proposed improvements, improvements, or rehabilitation (use additional sheets if necessary)  
**0338 Indianapolis Boulevard**  
Location of proposed  
**Town of Highland**

**SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT**

Name of contact person	<b>Keily Webb Roberts</b>	Telephone number	<b>(812) 530-8108</b>	E-mail address	<b>keily@webbpcars.com</b>
Address of property (number and street city state and zip code)	<b>0338 Indianapolis Boulevard, Highland, IN 46355</b>				
Name of taxpayer	<b>Indiana Land Trust Company TR # 120086</b>				

**SECTION 1 TAXPAYER INFORMATION**

1. This statement must be submitted to the Board of Commissioners of the Economic Development Area before the initiation of construction of the proposed project and the Board of Commissioners of the Economic Development Area shall have the right to request the Board of Commissioners of the Economic Development Area to suspend or delay the project if the Board of Commissioners of the Economic Development Area determines that the project is not in the public interest.

2. For a Form 28-127 that is approved after June 30, 2013, the designated responsible party is required to submit a statement to the Board of Commissioners of the Economic Development Area for each IC 8-1-1-15-1-2 (1) (a) project owner who files for the deduction with the county auditor and designated party with a Form CD-1275. The Form CD-1275 must be filed with the assessment notice in writing to the proposed owner if it was mailed after July 10 of a subsequent year.

3. To obtain a deduction a Form CD-1275 must be filed with the county auditor before May 10 of the year in which the assessed value of the improvement or rehabilitation is to be reported to the designated party and the designated party must be notified to claim a deduction.

4. The statement of benefits must be submitted to the designated party and the designated party must be notified to claim a deduction.

5. The statement of benefits must be submitted to the designated party and the designated party must be notified to claim a deduction.

6. The statement of benefits must be submitted to the designated party and the designated party must be notified to claim a deduction.

**INSTRUCTIONS:**

Residentially distressed area (IC 8-1-1-15-1-2 (1))

Rehabilitation or improvement of real property (IC 8-1-1-15-1-2 (1))

This statement is filed and certified true and correct under the following Indiana Code (check one box):

Prescribed by the Department of Local Government Finance  
State Form 28-127

**REAL ESTATE IMPROVEMENT STATEMENT OF BENEFIT**

**BIPLACI NOTICE**

**FORM 28-127 PROPERTY IMPROVEMENT STATEMENT**

**03 05 20 21**

## EXHIBIT B

### Town of Highland Tax Abatement Application

5. Telephone Number: 219.384.7056
6. Fax Number: N/A
7. Email Address: Sean@ReardonConsultingServices.com
8. Website Address: ReardonConsultingServices.com
9. Brief description of business including SIC code and/or principal business activity:  
  
Please see attached documentation entitled "Introduction to Webb Automotive Group LLC FINAL" and additional attachment relating to Project Pallsade.
10. Legal description and address of project property (attach additional sheets, if necessary):  
  
Please see attached legal description for the project property.
11. Current uses and conditions of property:  
  
Please see attached documentation entitled "Project Pallsade Presentation FINAL"
12. Is the project new construction or a renovation? Please explain:  
  
Please see attached documentation entitled "Project Pallsade Presentation FINAL."



13. Is the project an expansion or relocation? Please explain:

Please see attached documentation entitled "Project Palisade Presentation FINAL."

14. If the project is a relocation, please identify the State, County and local jurisdiction that you are relocating from and why:

N/A

15. What is the estimated start and completion date of the project?

April 30<sup>th</sup> 2021 – January 1<sup>st</sup>, 2022

16. Type and amount of new investment:

Please see attached documentation entitled "Project Palisade Pro Forma FINAL."

17. Estimated tax benefits to the Town of Highland:

Please see attached documentation entitled "Project Palisade Pro Forma FINAL."

18. Current number of employees in the Town: 38 Full-Time Employees (FTE's)

19. Current number of employees in the State of Indiana: 100+ in total Full-Time Employees (FTE's)

20. Estimated number of construction jobs (if applicable): 20 Temporary Construction Job

21. Number of estimated new full and part-time jobs as a result of the project: 15 New Full-Time Employees (FTE's)

22. Estimated number of trucks per day (if applicable): N/A

23. Number of years that the applicant is requesting tax abatement: 10 Year Tax Abatement on newly generated Real and Personal Property from Project Palisade.

24. Other incentives requested from the Town of Highland or State of Indiana: Pending on the outcome of this application, we might request access to offsetting TIF Funds in the "Commercial Corridors TIF" should it be warranted.

25. Attach the following:

Exhibit A: Plats or maps of project area

Exhibit B: Drawings and photos

Exhibit D: Job descriptions and wage ranges:

Exhibit E: Letter of financial commitment:

Upon a favorable review and adoption by the Town Council and before permits are issued, the successful applicant will be required to submit a fee as authorized under Section 14.20.220 of the Highland Municipal Code. Further, applicant may be required to contribute an amount up to 15% of the total tax savings as provided through IC 6-1.1-12.1-1(l)(6) to the Town of Highland Economic Development Fund. The Highland Town Council will determine the specific dollar amount at the time of final approval for tax abatement.

Contributions to this fund shall be used for community and economic development purposes, and other public benefit as directed by the Town Council.

I, Kelly Webb Roberts (Name of Applicant) affirm under penalties of perjury that the above statement and information is true and correct.

Printed Name: Kelly Webb Roberts

Signed Name: Kelly Webb Roberts

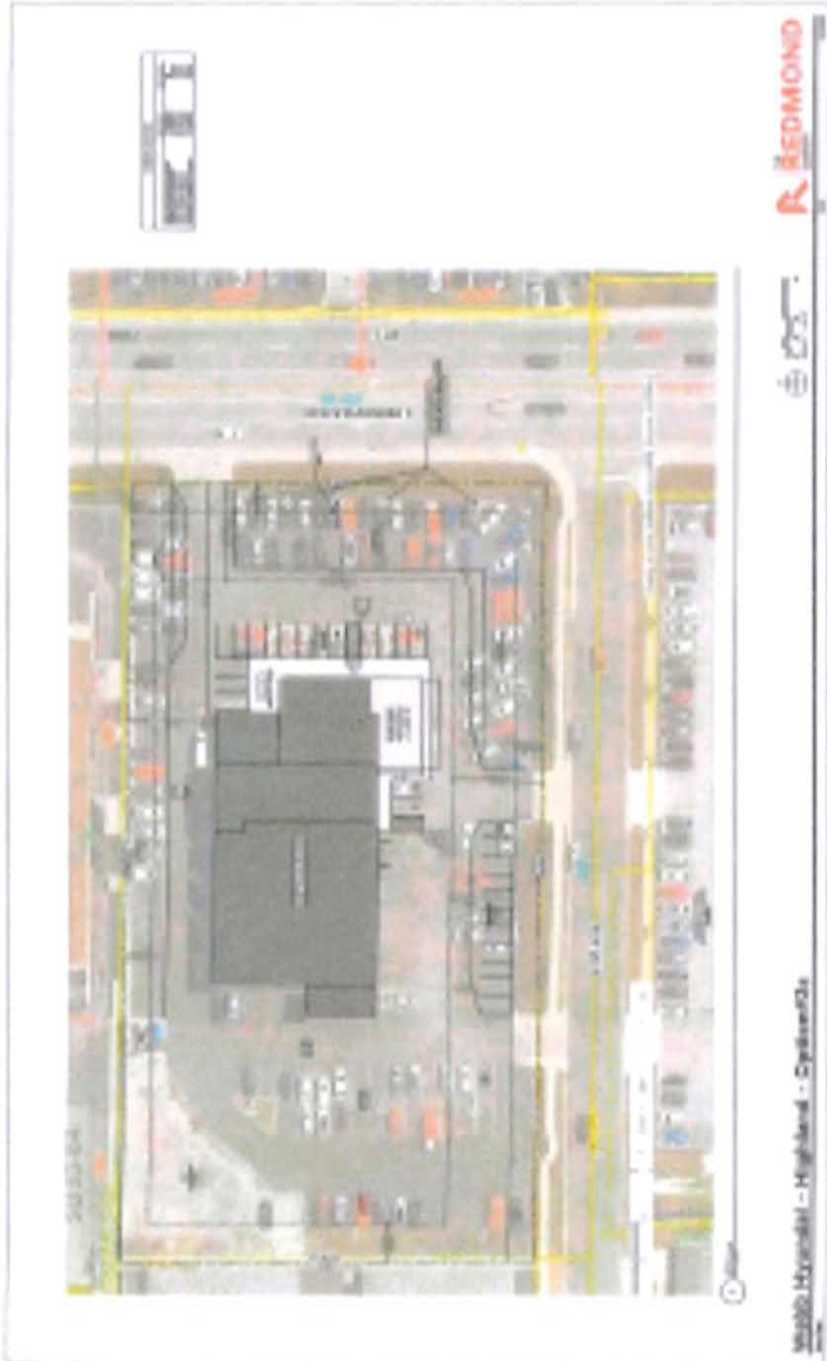
Title: President of Webb Automotive Group LLC

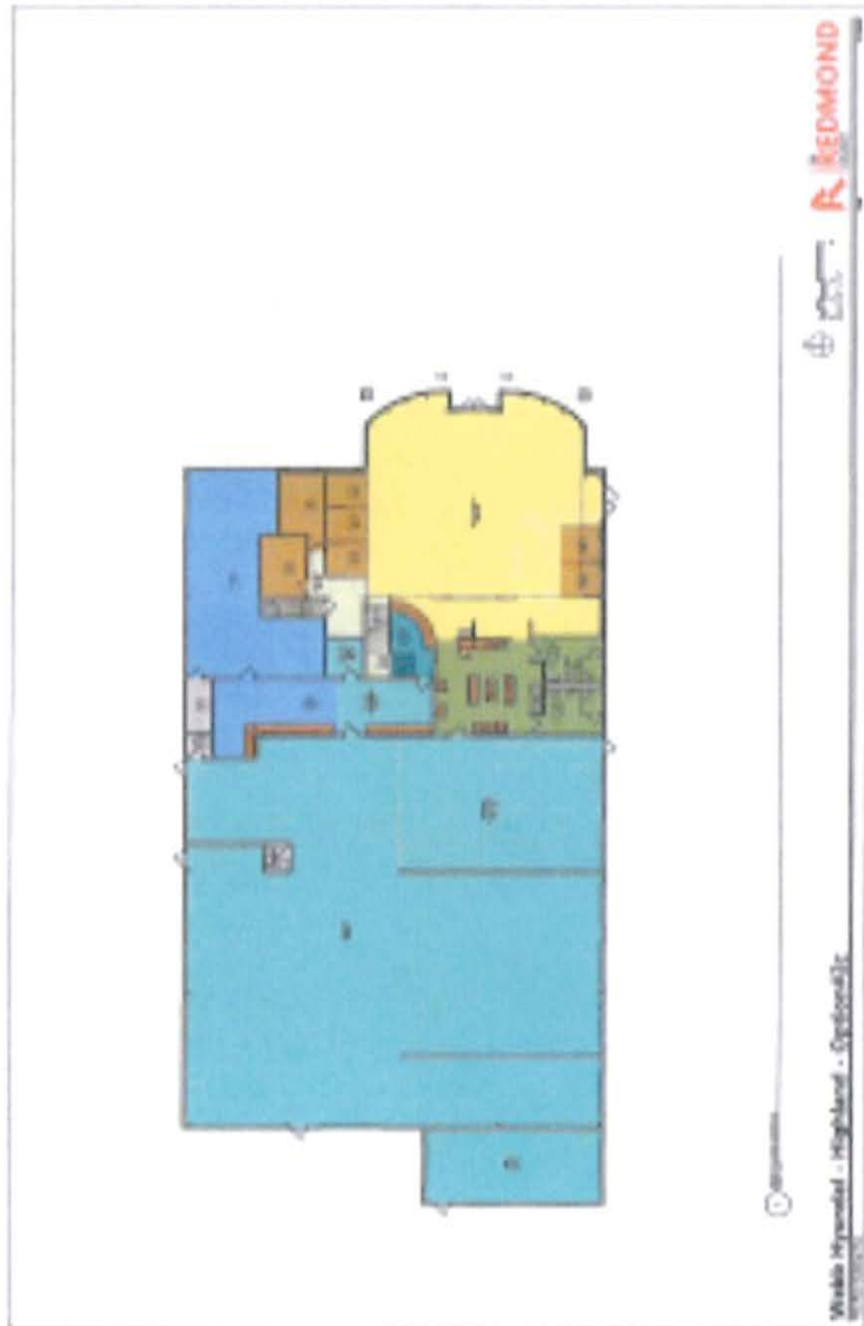
Date: March 12, 2021

### LEGAL DESCRIPTION

Deed Into Trust  
Indiana Land Trust Company  
Instrument No. 2014-068316

LOT 1, RUDOLPH ADDITION TO THE TOWN OF HIGHLAND, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 94 PAGE 5 IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

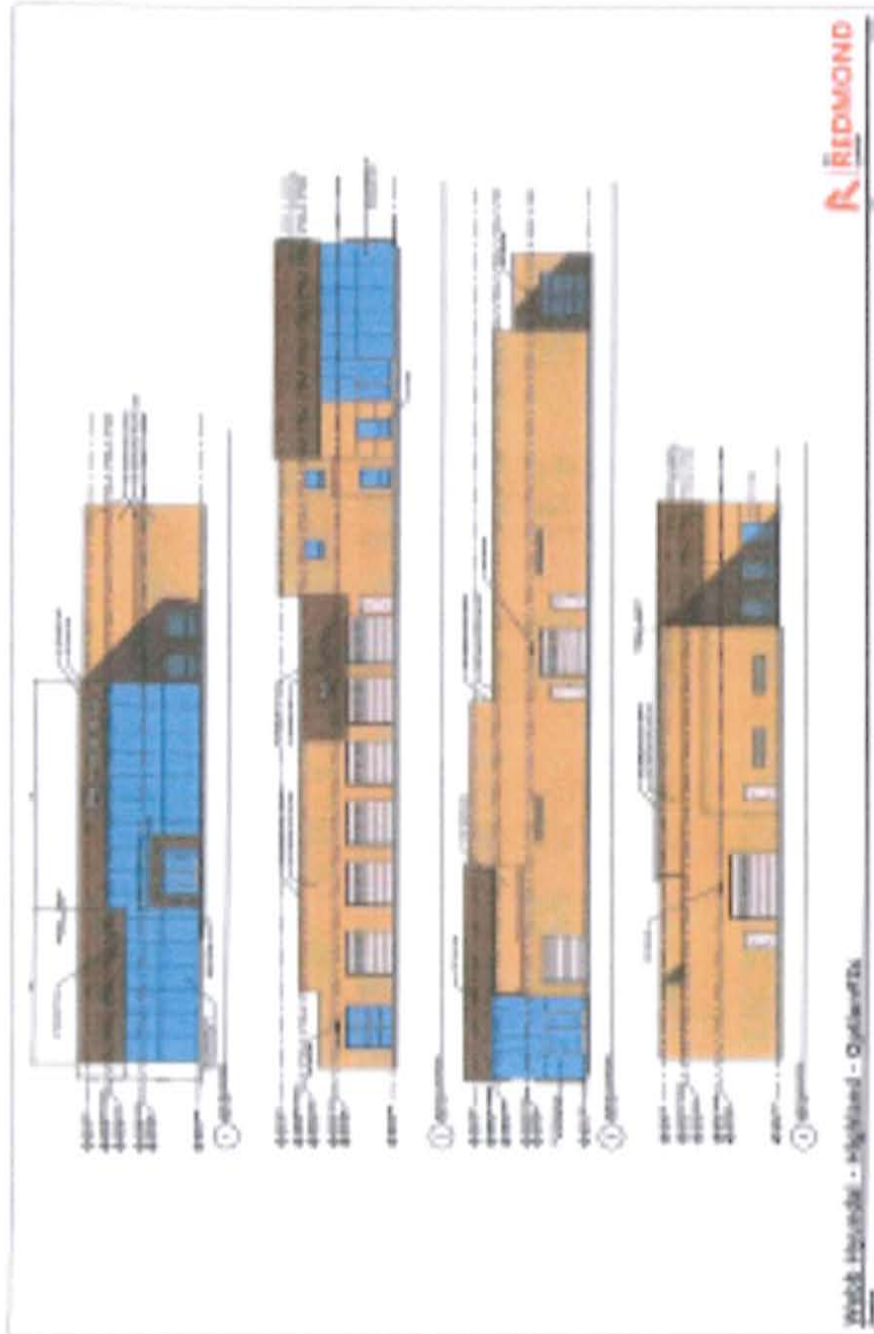




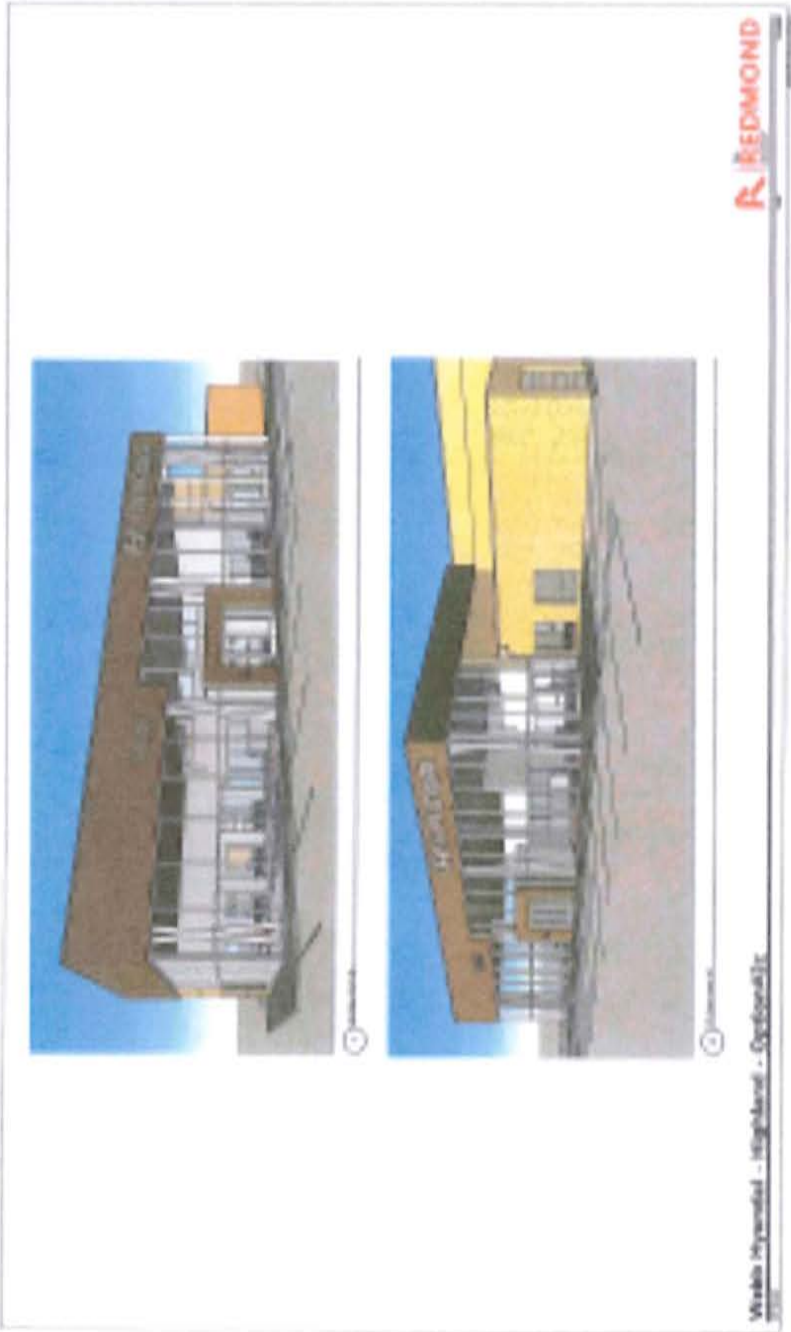












**EXHIBIT C**

**Company as the Property Owner:  
Waiver of Its Rights to  
Appeal Real Property Improvement Assessed Valuations of The Project or within  
the Project area of the ERA**

EXHIBIT C

March 24, 2021

Roger Sheeman, President  
Common Council of the Town of Highland  
Office of the Clerk Treasurer  
3333 Ridge Road  
Highland, Indiana 46322

RE: Company as the Property Owner – Waiver of Its Rights to  
Appeal Real Property Improvement Assessed Valuations

Dear Councilman Sheeman,


Webb Hyundai, LLC as the property owner of real property located at 9236 Indianapolis Boulevard (45-07-29-279-036.000-026) has submitted a Form SB-1/Real Property (Statement of Benefits) signed and dated March 19, 2021 to the Town of Highland, Indiana (the "Town") for consideration by the Town's Common Council, as the designating body, for approval of an assessed valued deduction ("Tax Abatement") consents to and understands the following as a condition(s) of approval of an economic revitalization area assessed valuation deduction ("Tax Abatement") which will be included in a resolution for consideration by the Town's Common Council for approval of a FORM SB-1:

**Waiver of Tangible Real Property Appeals**

As a condition of approval of the FORM SB-1/Real Property (FORM SB-1/RE), the property owner, including all subsequent property owner(s), during the abatement period for which an ERA assessed valuation deduction is applied, waives its right to appeal real property improvement assessed valuations for the Project or within the Project area of the ERA unless deemed to be a clerical error of assessment application or a mathematical error.

The Town's Common Council as the legislative body reserves the right to waive the above condition included in an approving resolution upon submission of a reasonable written request of the Property Owner, including all subsequent property owner(s).

Sincerely,

  
Kelly Webb Roberts, President  
Webb Hyundai, LLC

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**EXHIBIT D**

Company as the Property Owner:

**Waiver of Its Rights to Request or File an Additional or Supplementary Assessed Valuation Deductions, Credits or Exemptions Related to The Project or within the Project area of the ERA**

EXIHIBIT D

March 24, 2021

Roger Sheeman, President  
Common Council of the Town of Highland  
Office of the Clerk Treasurer  
3333 Ridge Road  
Highland, Indiana 46322

RE: Company as the Property Owner – Waiver of Its Rights to Request or File an Additional or Supplementary Assessed Valuation Deductions, Credits or Exemptions

Dear Councilman Sheeman,

Webb Hyundai, LLC as the property owner of real property located at 9236 Indianapolis Boulevard (45-07-29-279-036.000-026) has submitted a Form SB-1/Real Property (Statement of Benefits) signed and dated March 19, 2021 to the Town of Highland, Indiana (the "Town") for consideration by the Town's Common Council, as the designating body, for approval of an assessed valued deduction ("Tax Abatement") consents to and understands the following as a condition(s) of approval of an economic revitalization area assessed valuation deduction ("Tax Abatement") which will be included in a resolution for consideration by the Town's Common Council for approval of a FORM SB-1:

**Waiver of Assessed Valuation Deductions, Credits or Exemptions**

As a condition of approval of the FORM SB-1/Personal Property (FORM SB-1/PP), the property owner, including all subsequent property owner(s) during the abatement period for which an ERA assessed valuation deduction is applied waives its right to request or file and additional or supplementary assessed valuation deductions, credits or exemptions, on tangible property investments identified in said FORM SB-1 whether available to the property owner as of the date of an approving resolution or which subsequently may be authorized by the State of Indiana legislature to tangible real property improvements to be constructed, built or developed within the Project area of the ERA.

The condition is not intended to preclude the property owner, including all subsequent property owner(s), from filing future SB-1s as a result of additional investments in tangible real and/or personal property.

The Town's Common Council as the legislative body reserves the right to waive the above

**EXHIBIT E**  
**Company as the Property Owner:**  
**Consent of an Imposed Fee by the Company**

EXHIBIT E

March 24, 2021

Roger Sheeman, President  
Common Council of the Town of Highland  
Office of the Clerk Treasurer  
3333 Ridge Road  
Highland, Indiana 46322

RE: Company as the Property Owner – Waiver of Its Rights to  
Appeal Real Property Improvement Assessed Valuations

Dear Councilman Sheeman,

Webb Hyundai, LLC as the property owner of real property located at 9236 Indianapolis Boulevard (45-07-29-279-036.000-026) has submitted a Form SB-1/PP (Statement of Benefits Personal Property) signed and dated March 19, 2021 to the Town of Highland, Indiana (the "Town") for consideration by the Town's Common Council, as the designating body, for approval of an assessed valued deduction ("Tax Abatement") consents to and understands the following as a condition(s) of approval of an economic revitalization area assessed valuation deduction ("Tax Abatement") which will be included in a resolution for consideration by the Town's Common Council for approval of a FORM SB-1:

**Waiver of Tangible Personal Property Appeals**

As a condition of approval of the FORM SB-1/Personal Property (FORM SB-1/PP), the property owner, including all subsequent property owner(s), during the abatement period for which an ERA assessed valuation deduction is applied, waives its right to appeal personal property assessed valuations for the Project or within the Project area of the ERA unless deemed to be a clerical error of assessment application or a mathematical error.

The Town's Common Council as the legislative body reserves the right to waive the above condition included in an approving resolution upon submission of a reasonable written request of the Property Owner, including all subsequent property owner(s).

Sincerely,



Kelly Webb Roberts, President  
Webb Hyundai, LLC

## EXHIBIT F

### **Tax Abatement Termination and Claw Back Provisions**

**Section 1.** If, after reviewing the information required to be filed by each Tax Abatement recipient by subsections 5.1, 5.3, and 5.6 of IC 6-1.1-12.1, the Town Council finds that an assessed valuation deduction recipient has not made reasonable efforts to substantially comply with the Statement of Benefits within the time frame(s) in the Statement of Benefits and its failure to comply was not caused by factors beyond its control, and the recipient does not:

- a. Meet and retain at least ninety percent (90%) of the private investment;
- b. Obtain at least ninety percent (90%) of the level of wages and/or number of employees; or
- c. Fulfill all of the requirements and conditions imposed upon approval of a FORM SB-1,

as set forth in its approved Statement of Benefits within the time frame(s) in the same Statement of Benefits, the Town Council of the Town of Highland, Lake County, Indiana (the "Town Council"), as the designating body following the procedures of IC 6-1.1-12.1-5.9, shall adopt a resolution terminating the recipient's assessed valuation deduction and the Town Council may impose this claw back provision requiring the recipient to pay back all tax savings realized as a result of an assessed valuation deduction proportional to the extent of the deficiency in levels of wages and/or number of employees. A determination by resolution to impose the claw back provision is the sole discretion of the Town Council as the designating body and may be dependent upon various factors and variables uniquely applicable to each approved Statement of Benefits.

**Section 2.** If, after the hearing provided for by IC 6-1.1-12.1-5.9(b) and (c) and after considering all relevant information presented at the hearing, the Town Council adopts a resolution terminating the Tax Abatement recipient's assessed valuation deduction, the Town Council shall immediately mail a certified copy of the resolution to the Tax Abatement recipient, the Office of the Lake County Auditor, and Office of the Lake County Assessor.

**Section 3.** The claw back provision may be imposed by the Town Council as the designating body for a period of one year after and subsequent to the final assessment date applicable to the approved abatement period of an assessed valuation deduction recipient as documented in the resolution approving the Statement of Benefits.

**Section 4.** Upon determination by resolution to impose the claw back provision, the Town Council shall have an independent advisor: (i) calculate the tax savings realized as a result of an assessed valuation deduction proportional to the extent of the deficiency in levels of wages and/or number of employees as determined by the FORM SB-1 as approved by the Common Council and (ii) calculate the distribution of the claw back payment to the Town proportional to each overlapping taxing unit for which the tax payable year the claw back provision is applied, as based upon the percentage of the overlapping taxing unit's tax rate

to the gross tax rate for the appropriate tax unit, being State Taxing Districts for Lake County, Indiana 026 (Town of Highland – North Township).

**Section 5.** Prior to notification to the recipient of Tax Abatement of an assessed valuation deduction for which this claw back provision is imposed, the Town Council shall notify the Office of the Lake County Auditor and/or the Office of the Lake County Assessor as to the imposition of the claw back provision. The Town Council shall also submit the calculation of the claw back payment and its distribution to the overlapping taxing units pursuant to Section 3 for confirmation and verification prior to final imposition and notification of the claw back provision to the approved applicant of an assessed valuation deduction.

**Section 6.** The Office of the Lake County Auditor shall provide written confirmation and verification as to the amount of the claw back payment and the proportional distribution of the claw back payments to the overlapping taxing units as calculated for the Town Council pursuant to Section 3.

**Section 7.** Upon notice from the Office of the Lake County Auditor that the claw back payment and the distribution of the claw back payment to the overlapping taxing units is confirmed and verified, the Town Council shall notify the approved applicant of an assessed valuation deduction via USPS certified mail-return receipt that the claw back provision is imposed. Said notice shall include the calculation of the claw back payment, its distribution to the overlapping taxing units, and a statement that the calculations have been confirmed and verified by the Office of the Lake County Auditor prior to notification.

**Section 8.** Prior to the distribution to the overlapping taxing units of claw back payment made to the Town, the Town Council shall notify the Office of the Lake County Auditor and/or the Office of the Lake County Assessor as to the receipt of a claw back payment for its files pertaining to the assessed valuation deduction.

**Section 9.** The Town shall distribute the claw back payment to all overlapping taxing units via USPS certified mail-return receipt no later than 30 days from the date of the receipt for the claw back payment.

**Section 10.** Upon return of all USPS certified mail-return receipts from the overlapping taxing units, the Town Council shall provide copies of the return receipts to the Office of the Lake County Auditor and, if applicable, to the Office of the Lake County Assessor, as documentation that the imposed claw back payment was distributed to overlapping taxing units pursuant to this claw back provision.

**ORDINANCE No. 1733.1726-A**  
**of the**  
**TOWN of HIGHLAND, INDIANA**

**AN ORDINANCE to AMEND ORDINANCE No. to ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA PARTICULARLY AMENDING TO AUTHORIZE COMPENSATION ASSOCIATED WITH A NEW POSITION in the OFFICE of the CLERK-TREASURER and MAKING RELATED AMENDMENTS TO THE COMPENSATION AND BENEFITS ORDINANCE**

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

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

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

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

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

**WHEREAS**, The Town Council of the Town of Highland, as the town legislative body, now desires to amend the ordinance that was adopted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year 2021 and thereafter as amended;

**WHEREAS**, The Town Council of the Town of Highland, as the town legislative body, has been advised that it is desirable to establish a new position and fix rate for the position based upon the needs of the Office of the Clerk-Treasurer; and,

**WHEREAS**, The Town Council of the Town of Highland, as the town legislative body, now desires to establish a new position and fix rate for the position based upon the needs of the Office of the Clerk-Treasurer,

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

**Section 1.** That Section 7 subdivision (C) of Ordinance No. 1726 be amended by repealing it in its entirety and replacing with a successor subdivision, to be styled as Section 7 subdivision (C) which shall read as follows:

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

**(C) Associate Employees and Staff**

(1) **Fiscal Analyst** (1)  
 That the person selected for this position must possess at least a baccalaureate level degree in a relevant field granted from an accredited University or Colleg. Subject to subdivision (D), the base compensation for a fiscal analyst is hereby fixed as a biweekly salary as follows:

<b>Starting Rate</b>	<b>Incumbent Rate</b>
\$ 2,106.78	\$ 2,160.00

		<b>Starting Rate</b>	<b>Incumbent Rate</b>
<del>(1)</del> (2) Encumbering Officer	( 1 )	\$19.78	\$19.78 hr.
<del>(2)</del> (3) Associate Clerk, Payroll & Personnel	( 1 )	\$19.78	\$19.78 hr.
<del>(3)</del> (4) Chancery / Bursar Clerk, Senior	( 1 )	\$19.04	\$19.04 hr.
<del>(4)</del> (5) Chancery / Bursar Clerk	( 2 )	\$18.72	\$18.72 hr.
<del>(5)</del> (6) Lead Utility Clerk	( 1 )	\$19.78	\$19.78 hr.
<del>(6)</del> (7) Utility Systems Clerk	( 2 ) <sup>xx</sup>	\$18.72	\$18.72 hr.
<del>(7)</del> (8) Chamberlain Clerk (part-time)	( X )	\$15.13	\$15.13-\$15.58
<del>(8)</del> (9) Chancery & Bursar Aide (part-time)	( X )		<b>\$ 9.00</b> -15.58 hr.

<sup>xx</sup>If a worker is assigned the **Lead Utility Clerk** position, the authorization for this position is reduced to one (1).

~~(9) Information Technology Coordinator (part-time) \$16.48 hr. ————— \$16.48 hr.~~

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

**Section 2.** That Section 2.01 styled as Exempt Employees in the Compensation and Benefits Ordinance commonly called the municipal employee handbook, be further amended to read as follows:

**§ 2.01 Exempt Employees**

Exempt employees refers to workers who are exempt from certain provisions of the Fair Labor Standards Act pertaining to overtime. It also means that you are in a supervisory or professional position as further defined in 29 CFR 541.200 et seq., and not eligible for overtime payments for work in excess of 40 hours per week, **except as provided by this handbook.**



Director of Public Works  
Water & Sewer Supervisor  
Maintenance Supervisor  
Building Commissioner/Chief Inspector  
Superintendent of Parks & Recreation  
Director of Recreation  
Metropolitan Police Division Commander(s)  
Metropolitan Police Ass't. Div. Commander(s)  
Metropolitan Police Administration Officer(s)  
Redevelopment Director

Street Supervisor  
Facilities Supervisor  
Deputy Clerk-Treasurer  
**Fiscal Analyst**  
Park Director  
Recreation Supervisor(s)  
Chief of Police  
Assistant Chief of Police  
Fire Chief  
Operations Director

**Section 3.** That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

**Section 4.** (A) That an emergency exists for the immediate taking effect of this Ordinance, which, subject to the provisions of this ordinance, shall become effective and shall remain in full force and **from** after its passage and adoption, pursuant to any effective dates herein described and until its repeal or amendment by subsequent enactment;

(B) That the job description outlining this position on file, is affirmed and approved, but not in derogation of the authority conferred. If the person that is selected for the position established by this ordinance has been serving as a leased employee for the unit six or more months, notwithstanding any provision in the wage and salary ordinance, that person will be treated as an incumbent;

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

Introduced and Filed on the 24<sup>th</sup> 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. 1734  
of the  
TOWN of HIGHLAND, INDIANA**

**AN ORDINANCE AMENDING CHAPTERS 2.05 and 2.10 OF THE  
HIGHLAND MUNICIPAL CODE CONCERNING TERM LIMITS AMONG  
MEMBERS OF THE TOWN COUNCIL AND TOWN CLERK-TREASURER**

**WHEREAS**, The Town of Highland wishes to enact term limits for various Town offices;

**WHEREAS**, Under its broad Home Rule powers, the Highland Town Council may adopt ordinances and resolutions to the extent not inconsistent with general or special law; and

**WHEREAS**, The Highland Town Council finds that instituting term limits on certain Town offices is in the best interests of the Town and its residents and promotes the health, safety, welfare of the public,

**NOW, THEREFORE, BE IT ORDAINED** by the Highland Town Council as follows:

**Section 1. Addition Chapter 2.05 of the Code.** That Chapter 2.05 of the Highland Municipal Code shall be amended with the addition of a new section to be styled 2.05.015 as follows:

**2.05.015 Term limits.**

Effective with the terms of the Town Council members that commenced in January 2020, an individual shall not be eligible for election as a Council member for more than two consecutive four year terms. Service as a Council member prior to the terms that commenced in January 2020 shall not be considered in applying the term limitations of this section.

**Section 2. Addition to Chapter 2.10 of the Code.** That Chapter 2.10 of the Highland Municipal Code shall be amended with the addition of a new section, styled as 2.10.025 to read as follows:

**2.10.025 Term limits.**

Effective with the term of the Clerk-Treasurer that commenced in January 2020, an individual shall not be eligible for election as Clerk-Treasurer for more than two consecutive four year terms. Service as Clerk-Treasurer prior to the terms that commenced in January 2020 shall not be considered in applying the term limitations of this section.

**Section 3. Conflict and severability.** In the event this ordinance conflicts with any other ordinance of the Town of Highland or other applicable law, the more restrictive shall apply. If any phrase or portion of this ordinance is held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

**Section 4.** Effective Date. This ordinance shall be in full force and effect on the day of its final passage and adoption.

Introduced and Filed on the 24<sup>th</sup> Day of May 2021. Consideration on same day or at same meeting of introduction sustained a vote of \_\_\_\_ in favor an \_\_\_\_ 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)

**The Town of Highland  
Board of Works Order No. 2021-15**

AN ORDER FINDING AND DETERMINING CERTAIN PERSONAL PROPERTY OF THE MUNICIPALITY AS NO LONGER NEEDED FOR THE PURPOSES FOR WHICH ORIGINALLY ACQUIRED OR HAVE BEEN LEFT IN THE CUSTODY OF AN OFFICER OR EMPLOYEE OF THE TOWN OF HIGHLAND AND HAVE REMAINED UNCLAIMED FOR MORE THAN ONE (1) YEAR OR HAVE BEEN DEEMED WORTHLESS AND OF NO MARKET VALUE, AND FURTHER AUTHORIZING AND APPROVING DISPOSAL OR TRANSFER OF SAID PROPERTY TO A MUNICIPALITY.

**Whereas**, The Town Council for the Town of Highland is the Works Board of the Municipality pursuant to IC 36-1-2-24(3) and

**Whereas**, The Town Council has been advised by the Metropolitan Police Department that several items of personal property, and which all owned by the municipality are no longer needed for the purposes of which it was originally acquired, pursuant to IC 5-22-22; and

**Whereas**, The Metropolitan Police Chief in consultation with the Winfield Police Chief has recommended that disposal of the personal property be authorized, all pursuant to the provisions of IC 5-22-22 et seq.;

**Whereas**, The Metropolitan Police Chief has further recommended that disposal of the personal property be executed by the purchasing agent and authorize the transfer to the Winfield Police Department, by way of private sale, all pursuant to the provisions of IC5-22-22, sections 3,6 and 10;

**Whereas**, The Town Council now desires to favor the recommendation and take those steps necessary to authorize and approve a disposal of personal property of the municipality pursuant to the applicable law,

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

**Section 1.** That the Town Council of the Town of Highland acting as the works board, hereby finds and determines the following:

- (A) That there are certain articles of personal property possessed or owned by the municipality that are no longer needed, unfit for the purposes for which they were acquired, pursuant to IC 5-22-22-3; or,
- (B) That these same articles of personal property possessed or owned by the municipality that have been left in the custody of an officer or employee of the Town of Highland and have remained unclaimed for more than one (1) year, pursuant to IC 5-22-22-3; or,
- (C) That these same articles of personal property possessed or owned by the municipality, that may be deemed worthless or no market value as the estimated costs the sale and transaction of the property exceed the property value, pursuant to IC 5-22-22-8;

- (D) That these items of personal property are more particularly described in an exhibit attached to and incorporated in this works board order;
- (E) That the value of any single item of personal property is less than one thousand dollars (\$1,000) and that all the items of personal property together are less than \$5,000, all pursuant to IC 5-22-22; and
- (F) That the transfer by private sale without resort to notice of those items of personal property of the Highland Police Department to the Winfield Police Department be hereby found to be authorized and lawful;

**Section 2.** That the Metropolitan Police Chief is hereby authorized and instructed to cause a lawful disposal or transfer of the personal property identified in this Works Board Order by public or private sale or transfer without advertising pursuant to IC 5-22-22-6;

**Section 3.** That a transfer agreement between the Town of Highland Police Department, and the Town of Winfield Police Department, made a part of this order by incorporation as an exhibit, is hereby approved in each and every aspect, all pursuant to **IC 5-22-22-10, provided that the Town of Winfield passes a substantially identical resolution to this order**, as shown as an exhibit to this order;

**Section 4.** That no proceeds are expected but should proceeds arise, any and all proceeds yielded from the lawful disposal or transfer authorized by this order shall be deposited with the Office of the Clerk-Treasurer, where such proceeds shall be deposited to the credit of the proper fund.

**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 24<sup>th</sup> 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/ACPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

EXHIBIT OF PERSONAL PROPERTY FOR DISPOSAL

QTY	ITEM	BRAND	MODEL	SERIAL	OS	RAM	HDD	OFFICE LICENSE	PURCHASED
2	PRINTER	PENTAX	POCKETJET3						12/1/08
2	SCANNER	HANDHELD	4600R						12/1/08

**Exhibit of Transfer Resolution Agreement**  
Resolution and Agreement to Transfer Personal Property

This agreement also to be construed as a Resolution for the purpose of IC 5-22-22-10(a), approved, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the Town of Highland, Lake County, Indiana, by and through its Town Council, ("Highland"), and the Town of Winfield, Indiana Police Department ("Winfield")

**Resolution and Agreement**

**Whereas**, Highland as the owner of certain personal property specifically identified and set forth in an Exhibit attached hereto and incorporated herein by reference (hereinafter referred to as the "Property"); and

**Whereas**, Pursuant to Indiana Code 5-22-22-10 both Highland and Winfield mutually agree that it would be to the beneficial interests of Highland and Winfield and their respective users, citizens and taxpayers of Highland to transfer the personal property from the Town of Highland by its Police Department to the Town of Winfield through its Police Department for no consideration;

**Whereas**, IC 5-22-22-10(a) states that *"a purchasing agency may exchange property with another governmental body upon terms and conditions agreed upon by the governmental bodies as evidenced by adoption of a substantially identical resolution by each entity;"*

**Whereas**, The Town of Winfield Police Department agrees to further evidence this exchange by the adoption of a substantially identical resolution, which for the purposes of this transfer shall be this Resolution and Agreement,

**Now, Therefore, be it hereby resolved** and in consideration of the covenants and conditions herein contained to be observed and performed by each of the parties hereto, and for good and other valuable consideration, the receipt of which is mutually acknowledged, IT IS AGREED AND RESOLVED AS FOLLOWS:

**Section 1.** *Transfer of Personal Property.* That the subject to the provisions herein contained, Highland agrees to convey the Property by Bill of Sale to Winfield;

**Section 2.** *Consideration.* That pursuant to the provisions of IC 5-22-22-10, the transfer of property from Highland to Winfield shall be made for no consideration and shall be evidenced by the adoption of substantially identical resolution by each entity;

**Section 3.** *Authorization.* That this resolution and agreement shall not be binding upon either party until appropriate resolutions authorizing the execution of this Agreement have been fully adopted and in accordance with the law by the Town of Highland and the Town of Winfield's appropriate governing body.

**Section 4.** *Survival of Representations, Covenants, Warranties, and Agreements.* That all representations, covenants, and warranties, made herein shall survive the execution of this Agreement.

**Section 5.** *Binding Effect.* That is resolution and agreement shall be binding upon the successors and assigns of the parties.

**Section 6.** *Governing Law.* That this instrument shall be governed by the Laws of the State of Indiana.

In witness whereof, the parties have caused this resolution and agreement is approved to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

TOWN of HIGHLAND:

Town of Highland, Lake County Indiana  
By and through its Town Council

By \_\_\_\_\_  
Roger Sheeman, President

Attest:

By \_\_\_\_\_  
Michael W Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

TOWN of WINFIELD:

Town of Winfield, Lake County Indiana  
By and through its Town Council

By \_\_\_\_\_  
President

Attest:

By \_\_\_\_\_  
Clerk Treasurer

End of Exhibit of Transfer Resolution Agreement



**The Town of Highland  
Board of Works Order No. 2021-16**

AN ORDER FINDING AND DETERMINING CERTAIN PERSONAL PROPERTY OF THE MUNICIPALITY AS NO LONGER NEEDED FOR THE PURPOSES FOR WHICH ORIGINALLY ACQUIRED OR HAVE BEEN LEFT IN THE CUSTODY OF AN OFFICER OR EMPLOYEE OF THE TOWN OF HIGHLAND AND HAVE REMAINED UNCLAIMED FOR MORE THAN ONE (1) YEAR OR HAVE BEEN DEEMED WORTHLESS AND OF NO MARKET VALUE, AND FURTHER AUTHORIZING AND APPROVING DISPOSAL OR TRANSFER OF SAID PROPERTY TO A MUNICIPALITY, the CITY of GARY.

**Whereas,** The Town Council for the Town of Highland is the Works Board of the Municipality pursuant to IC 36-1-2-24(3) and

**Whereas,** The Town Council has been advised by the Metropolitan Police Department that several items of personal property, and which all owned by the municipality are no longer needed for the purposes of which it was originally acquired, pursuant to IC 5-22-22; and

**Whereas,** The Metropolitan Police Chief in consultation with the Gary Police Chief has recommended that disposal of the personal property be authorized, all pursuant to the provisions of IC 5-22-22 et seq.;

**Whereas,** The Metropolitan Police Chief has further recommended that disposal of the personal property be executed by the purchasing agent and authorize the transfer to the Gary Police Department, by way of private sale or transfer, all pursuant to the provisions of IC5-22-22, sections 3,6 and 10;

**Whereas,** The Town Council now desires to favor the recommendation and take those steps necessary to authorize and approve a disposal of personal property of the municipality pursuant to the applicable law,

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

**Section 1.** That the Town Council of the Town of Highland acting as the works board, hereby finds and determines the following:

- (A) That there are certain articles of personal property possessed or owned by the municipality that are no longer needed, unfit for the purposes for which they were acquired, pursuant to IC 5-22-22-3; or,
- (B) That these same articles of personal property possessed or owned by the municipality that have been left in the custody of an officer or employee of the Town of Highland and have remained unclaimed for more than one (1) year, pursuant to IC 5-22-22-3; or,
- (C) That these same articles of personal property possessed or owned by the municipality, that may be deemed worthless or no market value as the estimated costs the sale and transaction of the property exceed the property value, pursuant to IC 5-22-22-8;

- (D) That these items of personal property are more particularly described in an exhibit attached to and incorporated in this works board order;
- (E) That the value of any single item of personal property is less than one thousand dollars (\$1,000) and that all the items of personal property together are less than \$5,000, all pursuant to IC 5-22-22; and
- (F) That the transfer by private sale without resort to notice of those items of personal property of the Highland Police Department to the Gary Police Department be hereby found to be authorized and lawful;

**Section 2.** That the Metropolitan Police Chief is hereby authorized and instructed to cause a lawful disposal or transfer of the personal property identified in this Works Board Order by public or private sale or transfer without advertising pursuant to IC 5-22-22-6;

**Section 3.** That a transfer agreement between the Town of Highland Police Department, and the City of Gary Police Department, made a part of this order by incorporation as an exhibit, is hereby approved in each and every aspect, all pursuant to **IC 5-22-22-10, provided that the City of Gary passes a substantially identical resolution to this order**, as shown as an exhibit to this order;

**Section 4.** That no proceeds are expected but should proceeds arise, any and all proceeds yielded from the lawful disposal or transfer authorized by this order shall be deposited with the Office of the Clerk-Treasurer, where such proceeds shall be deposited to the credit of the proper fund.

**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 24<sup>th</sup> 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/ACPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

## EXHIBIT OF PERSONAL PROPERTY FOR DISPOSAL

QTY	ITEM	BRAND	MODEL	SERIAL	OS	RAM	HDD	OFFICE LICENSE	PURCHASED
1	COMPUTER	DELL	OPTIPLEX 5040	F7BMSD2	WIN10 PRO	16GB	256 GB SSD	NONE	10/20/2016
1	COMPUTER	DELL	OPTIPLEX 5040	F7CGSD2	WIN10 PRO	16GB	256 GB SSD	NONE	10/20/2016
1	COMPUTER	DELL	OPTIPLEX 5040	F7BHS02	WIN10 PRO	16GB	256 GB SSD	NONE	10/20/2016
1	COMPUTER	DELL	OPTIPLEX 5040	F7CHSD2	WIN10 PRO	16GB	256 GB SSD	NONE	10/20/2016
1	COMPUTER	DELL	OPTIPLEX 5040	F7BISD2	WIN10 PRO	16GB	256 GB SSD	NONE	10/20/2016
1	COMPUTER	DELL	OPTIPLEX 5040	F7BFS02	WIN10 PRO	16GB	256 GB SSD	NONE	10/20/2016
1	COMPUTER	DELL	OPTIPLEX 5040	F7CGSD2	WIN10 PRO	16GB	256 GB SSD	NONE	10/20/2016
1	COMPUTER	DELL	OPTIPLEX 5040	F7BISD2	WIN10 PRO	16GB	256 GB SSD	NONE	10/20/2016
1	COMPUTER	DELL	OPTIPLEX 5040	F7BKS02	WIN10 PRO	16GB	256 GB SSD	NONE	10/20/2016
1	COMPUTER	DELL	OPTIPLEX 7020	4DC7R22	WIN7 PRO	16 GB	256 GB SSD	NONE	11/24/14
1	COMPUTER	DELL	OPTIPLEX 7020	4DFR22	WIN7 PRO	16 GB	256 GB SSD	NONE	11/24/14
1	COMPUTER	DELL	OPTIPLEX 7020	6F7PW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F6QW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F7IW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F8IW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F6VW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F6VW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F7NW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F8VW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F7KW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F6VW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F8LW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F7LW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F7VW52	WIN7 PRO	16 GB	256 GB SSD	NONE	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F7VW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 7020	6F8KW52	WIN7 PRO	16 GB	256 GB SSD	PRO 2013	9/30/15
1	COMPUTER	DELL	OPTIPLEX 790	9K0ZP51	WIN7 PRO	4 GB	500 GB	HOME & BUSINESS 2010	6/1/12
1	MONITOR	ACER	AL19148	ETL230221360200F6CED4D					4/21/06
1	MONITOR	DELL	1708FP	CN-0X876H-72872-975-11EU					9/1/09
1	MONITOR	DELL	1708FP	CN-0X876H-72872-975-1G6U					9/1/09
1	MONITOR	DELL	1708FP	CN-0X876H-72872-975-1G7U					9/1/09
1	MONITOR	DELL	1708FP	CN-0X876H-72872-975-1N2U					9/1/09
1	MONITOR	DELL	1907FPVt	CN-DC553H-74445-992-ABCP					1/1/13

*Stacy P*



**Exhibit of Transfer Resolution Agreement**  
Resolution and Agreement to Transfer Personal Property

This agreement also to be construed as a Resolution for the purpose of IC 5-22-22-10(a), approved, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the Town of Highland, Lake County, Indiana, by and through its Town Council, ("Highland"), and the City of Gary, Indiana Police Department ("Gary")

**Resolution and Agreement**

**Whereas**, Highland as the owner of certain personal property specifically identified and set forth in an Exhibit attached hereto and incorporated herein by reference (hereinafter referred to as the "Property"); and

**Whereas**, Pursuant to Indiana Code 5-22-22-10 both Highland and Gary mutually agree that it would be to the beneficial interests of Highland and Gary and their respective users, citizens and taxpayers of Highland to transfer the personal property from the Town of Highland by its Police Department to the City of Gary through its Police Department for no consideration;

**Whereas**, IC 5-22-22-10(a) states that "*a purchasing agency may exchange property with another governmental body upon terms and conditions agreed upon by the governmental bodies as evidenced by adoption of a substantially identical resolution by each entity;*"

**Whereas**, The City of Gary Police Department agrees to further evidence this exchange by the adoption of a substantially identical resolution, which for the purposes of this transfer shall be this Resolution and Agreement,

**Now, Therefore, be it hereby resolved** and in consideration of the covenants and conditions herein contained to be observed and performed by each of the parties hereto, and for good and other valuable consideration, the receipt of which is mutually acknowledged, IT IS AGREED AND RESOLVED AS FOLLOWS:

**Section 1.** *Transfer of Personal Property.* That the subject to the provisions herein contained, Highland agrees to convey the Property by Bill of Sale to Gary;

**Section 2.** *Consideration.* That pursuant to the provisions of IC 5-22-22-10, the transfer of property from Highland to Gary shall be made for no consideration and shall be evidenced by the adoption of substantially identical resolution by each entity;

**Section 3.** *Authorization.* That this resolution and agreement shall not be binding upon either party until appropriate resolutions authorizing the execution of this Agreement have been fully adopted and in accordance with the law by the Town of Highland and the City of Gary's appropriate governing body.

**Section 4.** *Survival of Representations, Covenants, Warranties, and Agreements.* That all representations, covenants, and warranties, made herein shall survive the execution of this Agreement.

**Section 5.** *Binding Effect.* That is resolution and agreement shall be binding upon the successors and assigns of the parties.

**Section 6.** *Governing Law.* That this instrument shall be governed by the Laws of the State of Indiana.

In witness whereof, the parties have caused this resolution and agreement is approved to be executed this \_\_\_\_ day of \_\_\_\_\_, 2021.

TOWN of HIGHLAND:

Town of Highland, Lake County Indiana  
By and through its Town Council

By \_\_\_\_\_  
Roger Sheeman, President

Attest:

By \_\_\_\_\_  
Michael W Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

CITY of GARY:

City of Gary, Lake County Indiana  
By and through its City Council or Board of Works and Safety

By \_\_\_\_\_  
President

Attest:

By \_\_\_\_\_  
Clerk

Approved:

\_\_\_\_\_  
Jerome Prince, Mayor

End of Exhibit of Transfer Resolution Agreement



# TOWN OF HIGHLAND

Highland Municipal Building • 3333 Ridge Road

Highland, Indiana 46322

219-838-1080 • Fax 219-972-5097



Population 23,696

Incorporated in 1910

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## Parks and Recreation Department

Friday, May 21, 2021

Michael W. Griffin  
Office of the Clerk-Treasurer  
Town of Highland  
3333 Ridge Road  
Highland, Indiana 46322

**Re: Report of approval by Park and Recreation Board of Special Event  
with Alcohol Permit (SEAP)**

Michael:

At last evening's Park Board meeting, the Park Board unanimously approved the request from the Council Events Commission to have a beer garden at this year's 4<sup>th</sup> of July Festival, June 30 – July 4.

According to HMC 11.10.225, the matter should now go to the Town Council for their consideration.

Please let me know if you need anything else.

Sincerely,

Alex M. Brown  
Superintendent of Parks & Recreation  
2450 Lincoln St.  
Highland, IN 46322  
219-838-0114

*(Extracted from electronic mail)*

**TOWN OF HIGHLAND, INDIANA  
RESOLUTION NO. 2021-26**

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH NORTH TOWNSHIP through the NORTH TOWNSHIP TRUSTEE FOR SECURITY SERVICES and DESIGNATING WICKER MEMORIAL PARK in NORTH TOWNSHIP AS A SPECIAL PATROL ZONE PURSUANT SECTIONS §§ 9.10.250 through 9.10.280 of the HIGHLAND MUNICIPAL CODE**

**WHEREAS**, The North Township through its Township Trustee, has requested that certain patrol services be provided in Wicker Memorial Park, provided that security services be provided by a uniformed, police officer in a marked vehicle during such periods as the site is open and certain events are conducted;and

**WHEREAS**, The Highland Police Department desires to provide these special patrol services and establish special patrol zone, subject to revised terms of a written agreement between the parties,

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA** as follows:

**Section 1.** The Highland Town Council, pursuant to Section 9.10.260 of the Highland Municipal Code, hereby finds and determines the following:

(A) That Wicker Memorial Park generates significant traffic or other identifiable public safety concerns that ordinary and regular law enforcement resources may not fully address, so it would be of a public good to commit, augment or dedicate certain law enforcement resources in such location for which user fees may be charged, through the establishment of a *Special Patrol Zone*;

(B) That the establishment of a Special Patrol Zone at Wicker Memorial Park will not unduly reduce or dilute regular resources or capacity of the Highland Police Department because police officers assigned to the Zone will work outside of the officer's normal working hours;

(C) That the establishment of a Special Patrol Zone at Wicker Memorial Park serves the public safety interests of the whole town, by marshaling public safety resources to deter property crime and foster a more robust commercial economy in the Town of Highland;

(D) That North Township through its Township Trustee, is owner of real estate known as Wicker Memorial Park, the location of a new special patrol zone, do desire to establish this designation and the services



described in the agreement approved by this resolution, willing to pay the user fees associated with the special patrol zone;

**Section 2.** That the agreement or memorandum of understanding between the Town of Highland and North Township through its Township Trustee, owner of real estate known as Wicker Memorial Park for the establishment of and the services associated with a Special Patrol Zone incorporated by reference and made a part of this resolution is hereby approved in each and every respect;

**Section 3.** That the Town Council President and Clerk-Treasurer are hereby authorized to sign the agreement herein described.

**DULY RESOLVED and ADOPTED** this 24<sup>th</sup> 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)

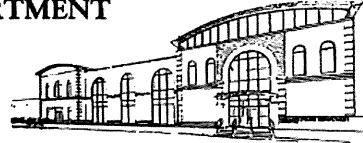
EXHIBIT



**HIGHLAND POLICE DEPARTMENT**

3315 RIDGE ROAD  
HIGHLAND, IN 46322-2097  
(219) 838-3184

PETER T. HOJNICKI, CHIEF OF POLICE



May 11, 2021

Mr. Adrian A. Santos/Trustee  
North Township Trustee Office  
5947 Hohman Ave.  
Hammond, IN 46320

Re: Letter of Agreement for services at  
Wicker Memorial Park  
8554 Indianapolis Blvd.  
Highland, IN 46322

Dear Mr. Santos,

The purpose of this letter is to establish a Special Patrol Zone, whereas the Highland Police Department may provide off duty uniformed police security services for the listed location (Wicker Memorial Park) utilizing a marked Highland Police Department patrol unit.

For the year 2021, the fees for this service will be \$30.00 per hour per uniformed police officer (paid on a weekly basis individually to each working officer) and \$2.75 per hour per marked police patrol vehicle (paid on a monthly basis via a check made out to "Highland Police Department").

This letter will serve as an agreement for the hourly rate to be paid individually to each police officer and to authorize the Highland Police Department to charge the above fees for the use of police department vehicles at any time in the year 2021 and to deposit and receipt any checks/payments for said services.

Please call or write if you have any questions. If you find these terms acceptable, please have you or your representative sign below and return a signed copy to my attention at the Highland Police Department. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter T. Hojnicky".

Peter T. Hojnicky, Chief of Police  
Highland Police Department



Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

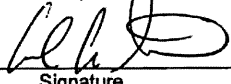
\_\_\_\_\_  
Roger Sheeman, Council President  
Town of Highland, Lake County, Indiana

Attest:

\_\_\_\_\_  
Michael W. Griffin, Clerk Treasurer

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2021

North Township Trustees Office

By:   
Signature

Adriaan A Santos  
Printed Name

Trustee  
Title

5/17/2021  
Date

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 20<sup>th</sup> DAY OF May 2021  FISCAL OFFICER

ALLOWANCE OF VOUCHERS

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 5 pages and except for accounts payables not allowed as shown on the Register such accounts payables are hereby allowed in the total amount of \$ 348,781.14.

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						
001-0000-45200	GEN FUND TRANSFERS GROSS	92206	PAYROLL ACCOUNT	5/21, PRL D/S TRANSFER GENERAL	173,251.22	45688
			Total For Dept 0000		173,251.22	
Dept 0001 TOWN COUNCIL						
001-0001-33001	CDBG HEARING 5/17/21	69140	92109	CDBG HEARING 5/17/21	22.43	
001-0001-38004	ORDINANCE 1729,1730-NEW PARGE	92143	92143	CODE PUBLISHING COMPANY INC HIGHLAND MUNICIPAL CODE WEB UPDAT	506.25	
001-0001-39004	INSERTING GAZEBO INTO BILLS	92146	92146	LITHOGRAPHIC COMMUNICATIONS APRIL 2021GAZEBO EXPRESS INSERT-8	979.76	
			Total For Dept 0001 TOWN COUNCIL		1,508.44	
Dept 0003 VIPS						
001-0003-39007	VIPS CAR WASHES FOR APRIL	92155	92155	EASY CLEAN CAR WASH, INC D/S VIPS CAR WASHES FOR APRIL	6.00	
			Total For Dept 0003 VIPS		6.00	
Dept 0007 FIRE DEPARTMENT						
001-0007-22001	BATT IMP FM R LI ION 2300M 23	89771	92171	COMMUNICATIONS DIRECT, INC. WALKIE BATTERIES	786.68	45687
001-0007-32005	FIRE ALARM MONITORING - CENTR	92139	92139	STANLEY CONVERGENT SECURITY FIRE ALARM MONITORING BOTH STATIO	186.63	
001-0007-35005	HYDRANT - CENTRAL STATION	92140	92140	TOWN OF HIGHLAND UTILITIES CENTRAL STATION WATER & SEWER	104.16	
001-0007-35005	HYDRANT - SOUTH STATION	92141	92141	TOWN OF HIGHLAND UTILITIES SOUTH STATION WATER & SEWER	100.94	
001-0007-35007	STORM - CENTRAL STATION	92140	92140	TOWN OF HIGHLAND UTILITIES CENTRAL STATION WATER & SEWER	107.07	
001-0007-35007	STORM - SOUTH STATION	92141	92141	TOWN OF HIGHLAND UTILITIES SOUTH STATION WATER & SEWER	97.37	
			Total For Dept 0007 FIRE DEPARTMENT		1,382.85	
Dept 0008 PLAN COMMISSION						
001-0008-31002	PLAN COMMISSION INV5071200228	92142	92142	NIES ENGINEERING, INC. PLAN COMMISSION INV5071200228 04-	2,484.72	
			Total For Dept 0008 PLAN COMMISSION		2,484.72	
Dept 0009 POLICE DEPARTMENT						
001-0009-11204	PRE EMPLOYMENT POLY TEST	92150	92150	ALERT PROFESSIONAL INVEST,I PRE EMPLOYMENT POLYGRAPH TEST FOR	175.00	
001-0009-11204	2 PYSCH TESTS FOR 2 APPLICANT	92153	92153	CLINICAL PSYCHOLOGY CENTER, PSYCH TESTING FOR 2 APPLICANTS	400.00	
001-0009-21001	1266.2 GAL OF GAS	92162	92162	WARREN OIL COMPANY 1266.2 GAL OF GAS DELV ON 5/3	3,330.61	
001-0009-22004	MOTOR ASMBY FOR CAR 228	92163	92163	MOTOR ASMBLY FOR CAR 228	28.91	
001-0009-23004	BATTERY SUPPLY- A,AA,AAA,C,D,	92151	92151	AA, AAA,C,D,9 VOLT BATTERIES	55.59	
001-0009-23004	LIGHTING FOR UPSTRS FOYER	92158	92158	LIGHTING FOR UPSTRS FOYER/OSI QUA	112.92	
001-0009-32003	IDACS NETWORK ACCESS FOR APR	92156	92156	IDACS NETWORK ACCESS FOR APRIL	118.41	
001-0009-32003	SPILLMAN CIRCUIT USER FEE FOR	92157	92157	SPILLMAN CIRCUIT USER FEE FOR MAY	308.30	
001-0009-32004	CID INTERNET SEARCHES FOR APR	92159	92159	CID INTERNET SEARCHES FOR APRIL	75.00	
001-0009-34003	PREM DUE FOR POLICY CORRECTIO	92154	92154	CROWEL AGENCY INC.	372.00	
001-0009-35005	WATER SERVICE 3/26-4/26	92160	92160	TOWN OF HIGHLAND UTILITIES WATER SERVICE FOR 3315 RIDGE 3/26	615.89	
001-0009-36001	LABOR FOR MNTC REPAIR TO CAR	92164	92164	WEBB FORD INC LABOR FOR MNTC REPAIR TO CAR 93	144.95	
001-0009-36003	4 NEW CAMERAS FOR INSIDE PD	92161	92161	VERMILLION SYSTEMS, INC 4 NEW CAMERAS FOR INSIDE PD BUILD	1,350.44	
001-0009-38006	MAT CHANGE AT PD ON 5/4	92152	92152	CINTAS CORPORATION #319 MAT CHANGE AT PD ON 5/4	37.10	
001-0009-43062	NEW DRONE & EQUIPMENT	92149	92149	AERIAL INFLUENCE, LLC NEW DRONE AND EQUIPMENT	7,158.00	
			Total For Dept 0009 POLICE DEPARTMENT		14,283.12	
Dept 0011 SERVICES & WORKS						
001-0011-21005	YDS 3/4" STONE	92105	92105	KROOSWYK MATERIALS, INC LC PLANTER BOX MATERIALS	38.25	
001-0011-21005	260848 - LC DISINF WIPES	91990	91990	PERFORMANCE CHEM & SUPPLY I LC/PARK(S) SUPPLIES	2,441.45	
001-0011-32008	ACCT. SERVICE FEES	92107	92107	APRIL ACCOUNT SERVICE FEES 2021	291.90	999413
001-0011-35005	TOWN GARAGE WATER/HYDRANT	91995	91995	#0382013660 TOWN GARAGE WATER/SE	210.28	45679
001-0011-35005	WATER/HYDRANT	91998	91998	#0542303600 TOWN HALL WATER/SEWER	112.21	45679
001-0011-35005	2724 HIGHWAY ACCT #0101123300	91999	91999	TOWN SPRINKLERS TOWN GARAGE WATER/SE	612.08	45679
001-0011-35007	TOWN GARAGE SEWER/STORM	91995	91995	#0382013660 TOWN GARAGE WATER/SE	436.90	45679
001-0011-35007	STORM	91996	91996	0901207112- 2819 LINCOLN -STORM-	15.22	45679

05/20/2021 12:05 PM INVOICE GL DISTRIBUTION REPORT FOR TOWN OF HIGHLAND  
 User: CRK EXP CHECK RUN DATES 05/12/2021 - 05/25/2021  
 DB: Highland BOTH JOURNALIZED AND UNJOURNALIZED  
 BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 001 GENERAL						
Dept 0011 SERVICES & WORKS						
001-0011-35007	VIPS WATER/HYDRANT	91997	TOWN OF HIGHLAND UTILITIES	0643112591 VIPS WATER/SEWER	31.32	45679
001-0011-35007	STORM/SEWER	91998	TOWN OF HIGHLAND UTILITIES	#0542303600 TOWN HALL WATER/SEWER	177.13	45679
001-0011-38005	BANK RECS	92000	BAKER TILLY MUNICIPAL ADVIS	BANK RECONCILIATION	94.70	
001-0011-38005	D/S CT FOR BANK RECS	92014	BAKER TILLY MUNICIPAL ADVIS	D/S CT BANK RECONCILIATION	2,991.83	
001-0011-38005	EXT CONTRACT FOR TEMP DEPUTY	91988	GOVHR USA, LLC	EXTENDED CONTRACT (2) FOR TEMP D	1,522.50	
001-0011-38005	EXT CONTRACT FOR TEMP DEPUTY	92144	GOVHR USA, LLC	EXTENDED CONTRACT (2) FOR TEMP D	1,680.00	
001-0011-39016	SR TAXI SUBSID 4/20-28/2021	91987	TRIPLE A EXPRESS	SR TAXI SUBS 4/20-28/2021	15.00	
			Total For Dept 0011 SERVICES & WORKS		10,670.77	
Dept 0012 TOWN HALL						
001-0012-20003	FLOODLIGHT FOR TOWN HALL	92187	GRAINGER	FLOODLIGHT FOR TOWN HALL	229.47	
001-0012-36003	ANNUAL FIRE EXTINGUISHER SERV	92186	AAA VALLEY FIRE EQUIPMENT, I	ANNUAL FIRE EXT.-SERVICE AT TOWN	505.20	
001-0012-36003	TOWN HALL MATS 5/11/2021	92104	CINTAS CORPORATION #319	TOWN HALL MATS ACT 16459440 5/1	57.91	
			Total For Dept 0012 TOWN HALL		792.58	
			Total For Fund 001 GENERAL		204,379.70	
Fund 002 MVH						
Dept 0000						
002-0000-45200	MVH TRANSFERS GROSS	92207	PAYROLL ACCOUNT	5/21 PRL D/S TRANSFER MVH	17,595.56	45689
			Total For Dept 0000		17,595.56	
Dept 0016 MVH ADMIN						
002-0016-36009	ANNUAL FIRE EXT SERVICE D/S	92189	AAA VALLEY FIRE EQUIPMENT, I	ANNUAL FIRE EXT SERVICE D/S	478.41	
			Total For Dept 0016 MVH ADMIN		478.41	
Dept 0017 MVH RECONSTRUCTION/MAINTENANCE						
002-0017-22004	TIRES FOR PAINT TRAILER	92196	LEVIN TIRE CENTER INC	TIRES FOR PAINT TRAILER	128.50	
002-0017-22004	SKAG MOWER	92199	TERPSTRA'S SALES & SERVICE,	SKAG MOWER W/TRADE IN	4,690.00	
002-0017-22004	CARBURETOR/AUTOCUT HEAD - ST	92200	TERPSTRA'S SALES & SERVICE,	CARBURETOR/AUTOCUT HEAD - STREET	69.58	
002-0017-22005	BLACK DIRT FOR RESTORATION-ST	92193	KROOSWYK MATERIALS, INC	BLACK DIRT FOR RESTORATION-STREET	24.00	
002-0017-22005	161607-BLACK DIRT	92194	KROOSWYK MATERIALS, INC	BLACK DIRT/SEED/STRAW FOR STREET	1,417.96	
002-0017-22005	161845-BLACK DIRT	92195	KROOSWYK MATERIALS, INC	BLACK DIRT/LANDSCAPING FOR STREET	96.00	
002-0017-23001	203591 - STREET DEPT	92198	MILESTONE CONTRACTORS NORTH	9.5 MM SURFACE RESTORATION - STRE	611.52	
002-0017-23003	FLAG POLES-STREET DEPT	92191	HOME DEPOT CORPORATION	FLAG POLES-STREET DEPT	129.61	
002-0017-23003	SIGN MATERIAL-STREET DEPT	92192	HOME DEPOT CORPORATION	SIGN MATERIAL-STREET DEPT	38.66	
002-0017-23006	US FLAG-STREET DEPT	92197	MENARDS CORP - SCHERERVILLE	US FLAG-STREET DEPT	341.10	
002-0017-39005	2021 LANDSCAPE SERVICES DOWNT	92190	DEAN'S LAWN & LANDSCAPING I	2021 DOWNTOWN HIGHLAND LANDSCAPE	10,680.00	
			Total For Dept 0017 MVH RECONSTRUCTION/MAINTENANCE		18,226.93	
			Total For Fund 002 MVH		36,300.90	
Fund 004 LR&S						
Dept 0000						
004-0000-31002	GENERAL CONSULTING	92204	NIES ENGINEERING, INC.	GENERAL CONSULTING THRU 4/23/21	1,794.52	
			Total For Dept 0000		1,794.52	
			Total For Fund 004 LR&S		1,794.52	
Fund 018 LAW ENFORCE CON'T ED						
Dept 0000						
018-0000-21401	PARTIAL ORDER OF AMMO	92174	KIESLER'S POLICE SUPPLY INC	PARTIAL ORDER OF AMMO	1,158.90	
018-0000-23006	E CITATION PAPER FOR SQUAD PR	92165	ATLANTIS DISTRIBUTION & LOG	E CITATION PAPER FOR SQUADS PRINT	350.90	
018-0000-23006	MEMORY CARDS FOR DRONE	92177	OFFICE DEPOT, INC	MEMORY CARDS FOR DRONE	79.98	

Invoice Description

Vendor

Ref #

Invoice Line Desc

GL Number

Amount

Check #

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
<b>Fund 018 LAW ENFORCE CON'T ED</b>						
Dept 0000	TOLLS	92166	BRANDON JAMES NORRIS (R)	REIMBURSE MEALS LODGING TOLLS FOR	441.92	
018-0000-31004	LOGGING 5/3-5/5	92167	BRIAN C STANLEY (R)	REIMBURSE MEALS LODGING FOR TRAIN	415.20	
018-0000-31004	TAXABLE MEALS 5/4	92168	DAVID DANIEL BYERS (R)	REIMBURSE MEALS FOR TRAINING 5/5-	72.71	
018-0000-31004	LOGGING 5/3-5/5	92170	GLENN E COX (R)	REIMBURSE LODGING FOR TRAINING 5/	346.91	
018-0000-31004	INSROA ANNUAL CONF REGIS FEE	92171	INDIANA SCHOOL RESOURCE OFF	REGISTRATION FEE FOR ANNUAL CONF	100.00	
018-0000-31004	BREATH RECERT FOR OFFICER	92172	INDIANA STATE BUDGET AGENCY	BREATH RECERTIFICATION FOR OFFICE	40.00	
018-0000-31004	LOGGING 5/3-5/5	92173	JASON E HILDENBRAND (R)	REIMBURSE MEALS LODGING FOR 1ST L	382.31	
018-0000-31004	REGISTRATION FEE FOR ONLINE C	92178	PRI MANAGEMENT GROUP	REGISTR FEE FOR 2 RECORDS CLERKS	500.00	
018-0000-31004	LOGGING 5/3-5/4	92179	RANDALL W STEWART (R)	REIMBURSE TRAINING MEALS AND LODG	256.23	
018-0000-31004	TOLLS	92180	SHAWN M ANDERSON (R)	REIMBURSE TOLLS, LODGING,MEALS FO	441.74	
018-0000-39005	PD CAR WASHES FOR APRIL	92169	EASY CLEAN CAR WASH,INC	D/S PD CAR WASHES FOR APRIL	141.00	
018-0000-42014	K9 EQUIP -COLLR- LEASHES-HARN	92175	NWI EMERGENCY OUTFITTERS,LL	K9 EQUIP- COLLAR HARNESS LEASHES	2,192.00	
018-0000-42014	K9 TRANSPORT EQUIPMENT	92176	NWI EMERGENCY OUTFITTERS,LL	K9 TRANSPORT EQUIPMENT FOR VEH	4,411.89	
			Total For Dept 0000		11,331.69	
			Total For Fund 018 LAW ENFORCE CON'T ED		11,331.69	
<b>Fund 030 ICT FUND</b>						
Dept 0000	ELEVATOR PHONE-5/1-5/31/21	92102	AT&T	219923-2320 260 1 ELEVATOR PHONE	197.82	45676
030-0000-32003	PHONE/INTERNET FD CENTRAL	92100	COMCAST CABLE	FD CENTRAL/2901 HIGHWAY-PHONE/INT	215.72	45677
030-0000-32003	FD SOUTH 2647 45TH ST	92101	COMCAST CABLE	FD S STATION PHONE/INTERNET SVC 1	120.62	45678
030-0000-32003	PW/B&I/PARK/ED WIRELESS 78032	92103	VERIZON WIRELESS	PW/B&I/PARK/ED WIRELESS 780324475	1,212.13	45681
030-0000-32003	PW INTNET # 8771400250212877	92201	COMCAST CABLE	8771400250212877 PW 8001 KENNEDY	301.09	45682
030-0000-32003	MEADOWS PKINTERNET ACT 877140	92202	COMCAST CABLE	MEADOWS PK MO INTERNET 5/12-6/11/	115.61	45683
030-0000-32003	INTERNET SVC PS BLDG 8771400	92203	COMCAST CABLE	INTERNET FOR PUBLIC SAFETY BLDG	238.40	45684
030-0000-32003	MONTHLY TELEPHONE FEE- PD	92106	WINDSTREAM HOLDINGS INC	MONTHLY TELEPHONE FEE- PD MAY 202	784.83	
030-0000-38006	APRIL 2021 COPIER AGREEMENT	91989	RICOH USA, INC	APRIL 2021 COPIER AGREEMENT	368.65	
			Total For Dept 0000		3,554.87	
			Total For Fund 030 ICT FUND		3,554.87	
<b>Fund 033 DONATION</b>						
Dept 0000	REFLECTIVE TRAFFIC CONES	92181	ULINE	REFLECTIVE TRAFFIC CONES	2,193.72	
033-0000-39992			Total For Dept 0000		2,193.72	
			Total For Fund 033 DONATION		2,193.72	
<b>Fund 036 SPECIAL EVENTS</b>						
Dept 0000	TOWN WIDE GARAGE SALES BANNER	92215	A C GRAPHIX HOUSE INC	TOWN WIDE GARAGE SALES BANNERS	425.60	
036-0000-33003	COMMUNITY GARAGE SALE AD	92214	JACQUELINE HERRERA (R)	COMMUNITY GARAGE SALE AD	45.00	
036-0000-33003	MINISTRY OF MISSION PARKING L	92147	FIRST PRESBYTERIAN CHURCH	MINISTRY OF MISSION PARKING LOT F	400.00	
036-0000-34701	SALES TAX - CEC RENTALS	92017	INDIANA DEPT OF REVENUE	APRIL 2021 CEC SALES TAX	125.33	999412
036-0000-38601			Total For Dept 0000		995.93	
			Total For Fund 036 SPECIAL EVENTS		995.93	
<b>Fund 050 POLICE PENSION</b>						
Dept 0000	POLICE PENSION TRANSFERS GROS	92212	PAYROLL ACCOUNT	5/21 PRL D/S TRANSFER POLICE PE	68,473.83	33816
050-0000-45200			Total For Dept 0000		68,473.83	

INVOICE GL DISTRIBUTION REPORT FOR TOWN OF HIGHLAND  
 EXP CHECK RUN DATES 05/12/2021 - 05/25/2021  
 BOTH JOURNALIZED AND UNJOURNALIZED  
 BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
<b>Fund 050 POLICE PENSION</b>						
	Total For Fund 050 POLICE PENSION				68,473.83	
<b>Fund 055 MCCD</b>						
Dept 0000	BUFFALO TERASTATION DESKTOP 1	92145	CBL CONSULTING, INC	BUFFALO TERASTATION DESKTOP 16TB	1,600.00	
055-0000-43009			Total For Dept 0000		1,600.00	
	Total For Fund 055 MCCD				1,600.00	
<b>Fund 085 TRAFFIC VIOLATIONS</b>						
Dept 0001 TOWN COUNCIL	CASH BOND FEES	91994	LAKE COUNTY CLERK	CASH BOND FEES	4,000.00	45675
085-0001-00400	CASH BOND FEES	92205	LAKE COUNTY CLERK	CASH BOND FEES	2,500.00	45685
	Total For Dept 0001 TOWN COUNCIL				6,500.00	
	Total For Fund 085 TRAFFIC VIOLATIONS				6,500.00	
<b>Fund 091 GAMING REVENUE</b>						
Dept 0000	2020 COMMUNITY CROSSING CONST	92188	NIES ENGINEERING, INC.	PROFESSIONAL ENGINEERING SERVICES	359.66	
091-0000-31002			Total For Dept 0000		359.66	
	Total For Fund 091 GAMING REVENUE				359.66	
<b>Fund 093 SPECIAL PUBLIC SAFETY FUND</b>						
Dept 0000	DRONE FAA TEST/LICENSE	92182	FRANCIS PECKLER (R)	REIMBURSE FOR FAA DRONE LICENSE T	173.00	
093-0000-31112	DRONE TESTING AND LICENSE	92183	THOMAS MICHAEL MANYEK (R)	REIMBURSE FOR FAA DRONE TEST AND	173.00	
	Total For Dept 0000				346.00	
	Total For Fund 093 SPECIAL PUBLIC SAFETY FUND				346.00	
<b>Fund 249 PUBLIC SAFETY INCOME TAX FUND</b>						
Dept 0000	NEW RADIO BATTERIES	92184	COMMUNICATIONS DIRECT, INC.	NEW RADIO BATTERIES FOR OFFICERS/	5,530.32	
249-0000-43008	NEW CAR CAMERA AND SCREEN	92185	WATCHGUARD VIDEO	NW CAR CAMERA AND SCREEN	5,420.00	
	Total For Dept 0000				10,950.32	
	Total For Fund 249 PUBLIC SAFETY INCOME TAX FUND				10,950.32	



BOTH OPEN AND PAID

GL Number	Invoice_Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
				Fund Totals:		
				Fund 001 GENERAL	204,379.70	
				Fund 002 MVH	36,300.90	
				Fund 004 LR&S	1,794.52	
				Fund 018 LAW ENFORCE CON'T ED	11,331.69	
				Fund 030 ICT FUND	3,554.87	
				Fund 033 DONATION	2,193.72	
				Fund 036 SPECIAL EVENTS	995.93	
				Fund 050 POLICE PENSION	68,473.83	
				Fund 055 MCCD	1,600.00	
				Fund 085 TRAFFIC VIOLATIONS	6,500.00	
				Fund 091 GAMING REVENUE	359.66	
				Fund 093 SPECIAL PUBLIC SAFETY FU	346.00	
				Fund 249 PUBLIC SAFETY INCOME TAX	10,950.32	

348,781.14

**Payroll Docket**

\$ 233,776.96

\$ 223,776.96

Delta

\$ 10,000.00

**Council, Boards and Commissions**

\$ -

**Office of Clerk-Treasurer**

\$ 16,792.35

Regular Staff \$ 16,792.35

Field Service Rep \$ -

**Building & Inspection**

\$ 8,402.28

**Metropolitan Police**

\$ 130,676.01

Crossing \$ 1,262.90

Full-Time Police \$ 107,824.13

Full-Time Non-sworn \$ 21,588.98

**Public Works Department**

\$ 64,158.50

**Fire Department**

\$ 3,747.82

Component One \$ 3,747.82

Component Two \$ -

**Police 1925 Pensions**

\$ -

Payday: 1-Jan-2021