

**Enrolled Minutes of the Eighty-Seventh Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, May 11, 2015**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, May 11, 2015 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Steve Wagner, and Konnie Kuiper were present. Councilor Dan Vassar was absent owing to a work commitment. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Town Council, the Town Attorney, the Town Clerk-Treasurer and the Metropolitan Police Chief discussed the publication requirements for disposing of surplus or unneeded personal property of the municipality when employing sale by internet.

The study session ended at 6:59 O'clock p.m.

Regular meeting. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, May 11, 2015 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Mark A. Herak, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Steve Wagner 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, Steve Wagner, and Konnie Kuiper. Councilor Dan Vassar was absent owing to a work commitment. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; Kenneth Mika, Building Commissioner; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Superintendent of Parks and Recreation; and Cecile Petro, Redevelopment Director were present.

Also present: Steve Mileusnich and Susan Murovic of the Advisory Board of Zoning Appeals; Ed Dabrowski IT Director (Contract); and Randy Bowman, Assistant Inspector for Electrical were also present.

Minutes of the Previous Meetings:

The minutes of the regular meeting of April 27, 2015 were approved by general consent.

Special Orders:

1. Public Hearing: Proposed Additional Appropriations in Excess of the 2015 Budget for the Public Safety Income Tax Fund, General Improvement Fund, and the Municipal Cumulative Street Fund.

(a) Attorney verification of Proofs of Publication: The TIMES 30 April 2015. The Town Attorney indicated that the proofs were in compliance with IC 5-3-1.

(b) **Public Hearing.** The Town Council President called the hearing to order. The following comment was received:

1. Tom Black, 3515 Garfield Avenue, Highland, asked for clarification regarding the proposed additional appropriations.

There were no further comments. The Town Council President closed the public hearing.

(c) Action on **Appropriation Enactment No. 2015-20:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Public Safety Income Tax Fund, General Improvement Fund, and the Municipal Cumulative Street Fund, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Zemen introduced and moved the consideration of Enactment No. 2015-20 at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Zemen moved the passage and adoption of Enactment No. 2015-20 at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

**Town of Highland
Appropriation Enactment
Enactment No. 2015-20**

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET for the PUBLIC SAFETY INCOME TAX FUND, THE GENERAL IMPROVEMENT FUND, AND THE MUNICIPAL CUMULATIVE STREET 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 **Public Safety Income Tax Fund, the General Improvement Fund, and the Municipal Cumulative Street 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 **Public Safety Income Tax Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

PUBLIC SAFETY INCOME TAX FUND

Acct. No. 4XX.XX Firefighter Turnout/Bunker gear: \$ 40,000.00
Acct. No. 4XX.XX Traffic Control Devise for

45 th Fire Station Ingress & Egress:	\$ 90,000.00
Total Series:	\$ 130,000.00
Fund Total:	\$ 130,000.00

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 **General Improvement Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

GENERAL IMPROVEMENT FUND	
Acct. No. 3XX.XX Record/Releasing Liens:	\$ 5,000.00
Total Series:	\$ 5,000.00
Fund Total:	\$ 5,000.00

Section 3. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Municipal Cumulative Street Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

MUNICIPAL CUMULATIVE STREET FUND	
Acct. No. 4XX.XX Sidewalks:	\$25,000.00
Total Series:	\$25,000.00
Fund Total:	\$25,000.00

Section 4. 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 5. 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 11th Day of May 2015. Consideration on the same day or at same meeting of introduction sustained a vote of 4 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 11th Day of May 2015, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

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

Mark A. Herak, President (IC 36-5-2-10)

ATTEST:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

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

• **Building & Inspection Report for April 2015**

Permit Type	Numb	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	9	0	9	\$207,196.00	\$3,713.50
Signs:	4	0	4	\$44,046.00	\$1,190.50
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	2	2	0	\$224,410.00	\$2,866.00
Residential Remodeling:	81	81	0	\$417,681.00	\$8,135.50
Garages:	1	1	0	\$30,000.00	\$525.50
Sheds:	1	1	0	\$500.00	\$73.00
Decks & Porches:	6	6	0	\$17,665.00	\$907.00

Fences	16	16	0	\$34,418.00	\$1,454.00
Swimming Pools	4	4	0	\$0.00	\$146.00
DrainTile/ Waterproofing	1	1	0	\$4,300.00	\$117.00
Miscellaneous	5	5	0	\$62,759.00	\$1,123.75
TOTAL:	130	117	13	\$1,042,975.00	\$20,251.75
Electrical Permits	30	26	4		\$2,889.50
Mechanical Permits	7	5	2		\$544.50
Plumbing Permits	13	9	4		\$1,916.55
Water Meters	5	4	1		\$3,528.00
Water Taps	2	1	1		\$530.00
Sewer/Storm Taps	1	0	1		\$1,000.00
TOTAL Plumbing:	21	14	7		\$6,974.55

April Code Enforcement:

Investigations: 113
Citations: 06

April Inspections:

Building: 41 Electrical: 29 Plumbing: 16 HVAC 10
Electrical Exams: 3

• Fire Department Report for April 2015

	Month	1st half of year
General Alarms	11	32
Still Alarms	4	21
Paid still alarms	12	27
Total:	27	

• Workplace Safety Report for April 2015

There was no incidents to report for April. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2015	Total in 2014	Restricted Days 2015	Lost Workdays This Year (2015)	Restricted Days Last Year (2014)	Lost Workdays Last Year (2014)
Parks	0	0	1	0	0	0	0
Fire	0	0	0	0	0	0	0
Police	0	0	2	0	0	0	1
Street	0	2	2	0	0	0	0
Water & Sewer	0	0	7	0	0	170	56
Maint.	0	0	3	0	0	35	47
Other	0	0	1	0	0	0	0
TOTALS	0	2	16	0	0	205	104

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

Unfinished Business and General Orders:

- 1. Works Board Order No. 2015-13:** An Order Finding and Determining Certain Personal Property of the Municipality as No longer Needed for the Purposes for

which Originally acquired and Further Authorizing and Approving Disposal or Transfer of said property.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2015-13. Councilor Wagner seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The order was adopted.

THE TOWN of HIGHLAND
BOARD of WORKS ORDER NO. 2015-13

AN ORDER FINDING and DETERMINING CERTAIN PERSONAL PROPERTY of the MUNICIPALITY as NO LONGER NEEDED for the PURPOSES for WHICH ORIGINALLY ACQUIRED and FURTHER AUTHORIZING and APPROVING DISPOSAL OR TRANSFER of said PROPERTY

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 particularly, several computers whose warranties have expired, all owned by the municipality are no longer needed for the purposes for which it was originally acquired, pursuant to IC 5-22-22; and

WHEREAS, The Metropolitan 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 using an internet site, all pursuant to the provisions of IC 5-22-22-4.5; and

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 owned by the municipality, particularly, twenty-five computers, a printer, and three cameras, that are no longer needed, unfit for the purposes for which they were acquired and may be deemed worthless, pursuant to IC 5-22-22-8;

(B) That they these items of personal property are more particularly described in **an exhibit** attached to and incorporated in this works board order;

(C) That the value of any single item of personal property is less than one thousand dollars (\$1,000), **but** that all the items of personal property together may be worth \$5,000, all pursuant to IC 5-22-22;

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 internet sale pursuant to IC 5-22-22-4.5 including the following:

(A) **The internet site used is approved by the office of technology established by IC 4-13.1-2-1; and**

(B) **The internet site used is linked to the electronic gateway administered under IC 4-13.1-2-2(a)(5) by the office of technology; and**

(C) **There be included a detailed description of the surplus property to be sold;**

Section 3. That in addition to the notice provided by the internet site, notice of the sale be given by publication of the time, place, and terms of the sale as provided in IC 5-3-1 at least 15 days before the date of the sale, all pursuant to IC 5-22-22-11;

Section 4. That 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 ADOPTED and ORDERED BY the Town Council of the Town of Highland, Lake County, Indiana, acting as the Board of Works, this 11th day of May 2015 having passed by a vote of 4 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
 HIGHLAND, INDIANA

/s/Mark A. Herak, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
 Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

Exhibit of Personal Property for Disposal

Description of Item	Estimated Value of Item	Direction for Deposit of Proceeds			
		Police Pension Fund	Corporation General Fund	Federal Forfeiture and Seized Assets Fund	Local Forfeiture and Seized Assets Fund
1 Sony MVC FD200 Camera			X		
1 Dell Optiplex Tower Computer GX280 Serial 8KMWS61			X		
2 Dell Optiplex Tower Computer GX280 Serial 4KMWS61			X		
3 Dell Optiplex Tower Computer GX280 Serial JHLLM51			X		
4 Dell Optiplex Tower Computer GX280 Serial 6KMWS61			X		
5 Dell Optiplex Tower Computer GX280 Serial BJWLS61			X		
6 Dell Optiplex Tower Computer 745 Serial 68VDPC1			X		

7	Dell Optiplex Tower Computer 745 Serial 59VDPC1			X		
8	Dell Optiplex Tower Computer 745 Serial DM4DPC1			X		
9	Dell Optiplex Tower Computer 745 Serial D8VDPC1			X		
10	Dell Optiplex Tower Computer 745 Serial 8K2FPC1			X		
11	Dell Optiplex Tower Computer 745 Serial GK2FPC1			X		
12	Dell Optiplex Tower Computer 745 Serial 1L2FPC1			X		
13	Dell Optiplex Tower Computer 745 Serial J8VDPC1			X		
1	Panasonic Toughbook Laptop Serial 3KKYA05019			X		
2	Panasonic Toughbook Laptop Serial 3KKYA04613			X		
3	Panasonic Toughbook Laptop Serial 1LKYB07308			X		
4	Panasonic Toughbook Laptop Serial 3KKYA04794			X		
5	Panasonic Toughbook Laptop Serial 3KKYA04608			X		
6	Panasonic Toughbook Laptop Serial 3KKYA04510			X		

7	Panasonic Toughbook Laptop Serial 4KKSA71463			X		
8	Panasonic Toughbook Laptop Serial 4KKSA71465			X		
9	Panasonic Toughbook Laptop Serial 4KKSA71063			X		
10	Panasonic Toughbook Laptop Serial 4KKSA71223			X		
11	Toshiba 6100 Laptop Serial 33120632P			X		
1	HP Tower M7000 Serial MXF70200D1			X		
1	HP LASER JET 6L MOD C3990A Serial JPHL085263			X		
1	POLAROID One STOP CAMERA			X		
2	POLAROID One STOP CAMERA			X		
	(14) Keyboards for TOWER computers			X		

END of EXHIBIT

2. **Works Board Order No. 2015-14:** An Order Approving and Authorizing An agreement between HR Unlimited Resources, Inc., and the Town of Highland to perform Professional Human Resources, Training, and Consulting Services.

Councilor Wagner moved the passage and adoption of Works Board Order No. 2015-14. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The order was adopted.

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2015-14**

**AN ORDER APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN HR UNLIMITED
RESOURCES, INC., AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL HUMAN
RESOURCES, TRAINING, AND CONSULTING SERVICES**

Whereas, The Town Council has heretofore determined that a need exists to obtain certain management training for supervisory personnel of the Town as well as to procure human resource consulting services; and

Whereas, Mitchael Ripley, President of HR Unlimited Resources(Consultant) has offered and presented a professional services agreement to provide and furnish professional human resources consultation services as well as certain human resource training or coaching in consideration for fees to be charged and billed periodically, at stated hourly rates and terms; and

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

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

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

Section 1. That the professional human resource consultation, training and coaching services agreement, (incorporated by reference and made a part of this Order) between **HR Unlimited Resources, Incorporated** and the Town of Highland to provide human resource and leadership consultation, coaching and training as set forth more particularly in the referenced agreement, is hereby approved, adopted and ratified in each and every respect;

Section 2. That the following terms, stipulated hourly rates and charges under the agreement for professional services are found to be reasonable and fair, such rates and charges being \$125 per hour for training, \$100 per hour for one on one coaching or interviews, \$100 per hour for human resources consulting and reasonable mileage at the rate of forty cents per mile, with all such fees and charges to be billed monthly;

Section 3. That the Town of Highland, through its Town Council, believes that **HR Unlimited Resources, Incorporated** has demonstrated professional competence and qualifications to perform the particular professional services called for in the Agreement;

Section 4. That the Town Council President be authorized to execute the Agreement with his signature.

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 11th day of May 2015 having passed by a vote of 4 in favor and 0 opposed.

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

/s/Mark A. Herak, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

Agreement on File

- Proposed Ordinance No. 1592:** An Ordinance To Amend Chapter 3.10 of the Code Of Ordinances For The Town Of Highland, State Of Indiana, Regarding Payments in Advance of Board or Commission Allowance, All Pursuant To IC 36-1-5 Et Seq.

Councilor Kuiper introduced and moved the consideration of Ordinance No. 1592 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Kuiper moved the passage and adoption of Ordinance No. 1592 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

**ORDINANCE No. 1592
of the**

TOWN of HIGHLAND, INDIANA

AN ORDINANCE TO AMEND CHAPTER 3.10 OF THE CODE OF ORDINANCES FOR THE TOWN OF HIGHLAND, STATE OF INDIANA, ALL PURSUANT TO IC 36-1-5 ET SEQ.

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

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

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

Whereas, The Town Council is reliably advised that Chapter 3.10 of the Municipal Code Styled as Accounts Payable Payments in Advance of Formal Allowance, is in need of some changes to reflect emerging needs encountered since its initial adoption and to make other changes to allow for certain administrative efficiencies;

WHEREAS, The Town Council, is persuaded that it is necessary and desirable to adopt the several modifications to Chapter 3.10 to further improve and perfect the Code,

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

Section 1. That Section 3.10.010 (A) of the Highland Municipal Code be hereby repealed in its entirety and amended to include a successor section to be styled Section 3.10.010 (A), which shall read as follows:

3.10.010 Authorized payments by the Town Clerk-Treasurer.

(A) Authorized Expenses. The Town Council approves and authorizes payments to be made by the Clerk-Treasurer in advance of formal allowance by the Town Council or other board or commission of jurisdiction for the following types of expenses:

Section 2. That Section 3.10.010 (A)(12) of the Highland Municipal Code be hereby amended to include a new subdivision, to be styled Section 3.10.010 (A)(12)(k), which shall read as follows:

3.10.010 Authorized payments by the Town Clerk-Treasurer.

(A) Authorized Expenses. The Town Council approves and authorizes payments to be made by the Clerk-Treasurer in advance of formal allowance by the Town Council or other board or commission of jurisdiction for the following types of expenses:

(12) The following additional expenses outlined in this section:

(k) Payments made in consequence of or associated with a fund development project or a promotional program related to economic development or redevelopment, provided the project or program has been properly approved by the appropriate board or commission.

Section 3. That this ordinance shall be effective from and after its passage and adoption as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10 and IC 36-5-2-10.2.

Introduced and Filed on the 11th day of May 2015. Consideration on same day or at same meeting of introduction sustained a vote of 4 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 11th Day of May 2015, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Mark A. Herak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5;IC 36-5-2-10.2)

4. **Proposed Ordinance No. 1593:** An Ordinance To Amend Chapter 3.05 of the Code Of Ordinances For The Town Of Highland, State Of Indiana, Regarding Purchasing Agencies, All Pursuant To IC 36-1-5 Et Seq.

Councilor Kuiper introduced and moved the consideration of Ordinance No. 1593 at the same meeting of its introduction. Councilor Wagner seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Wagner moved the passage and adoption of Ordinance No. 1593 at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

**ORDINANCE No. 1593
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE To AMEND CHAPTER 3.05 OF THE CODE OF ORDINANCES For The TOWN Of HIGHLAND, STATE Of INDIANA, ALL PURSUANT TO IC 36-1-5 ET SEQ.

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

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

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

Whereas, The Town Council is reliably advised that Chapter 3.05 of the Municipal Code Styled as the Purchasing Code, is in need of some changes to reflect some desired modifications since its initial adoption and to make other changes to allow for certain administrative efficiencies;

WHEREAS, The Town Council is persuaded that it is necessary and desirable to adopt the several modifications to Chapter 3.05 to further improve and perfect the Code,

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

Section 1. That Section 3.05.030 (A) of the Highland Municipal Code be hereby repealed in its entirety and amended to include a successor section, to be styled Section 3.05.030 (A), which shall read as follows:

3.05.030 Purchasing agencies.

(A) ~~The purchasing agencies for the municipality are as follows:~~

~~(1) The town council, as the works board of the municipality, shall serve as the purchasing agency for the municipality and its executive departments except for those executive departments, which are expressly subject to the purchasing authority of a relevant governing board of jurisdiction. The departments subject to the jurisdiction of the works board include any department which that is not otherwise subject to another board of jurisdiction and the following:~~

- ~~(a) (1) Public works department (agency);~~
- ~~(b) (2) Metropolitan police department;~~
- ~~(c) Building and Inspection department;~~
- ~~(d) (3) Fire department;~~
- ~~(e) (4) Office of the town council;~~
- ~~(f) (5) Office of the clerk-treasurer;~~

Section 2. That Section 3.05.030 of the Highland Municipal Code be hereby amended to include a new, additional subdivision, to be styled Section 3.05.030 (G), which shall read as follows:

3.05.030 Purchasing agencies.

(G) The plan commission shall serve as the purchasing agency for the building and inspection department.

Section 3. That this ordinance shall be effective from and after its passage and adoption as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10 and IC 36-5-2-10.2.

Introduced and Filed on the 11th day of May 2015. Consideration on same day or at same meeting of introduction sustained a vote of 4 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 11th Day of May 2015, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

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

/s/Mark A. Herak, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5;IC 36-5-2-10.2)

- 5. Proposed Enactment No. 2015-21:** An Enactment Authorizing and Approving a Special Patrol Zone and an Agreement providing for the Regulation of Traffic on Private Property at the Highland Grove Shopping Center, Pursuant to IC 36-1-3, IC 9-21-18 and Article III of Chapter 9.10 of the Highland Municipal Code.

Councilor Zemen introduced and filed Enactment No. 2015-21. There was no further action.

- 6. Proposed Enactment No. 2015-22:** An Enactment Authorizing and Approving a Special Patrol Zone and an Agreement providing for the Regulation of Traffic on Private Property at the Ultra Food Store Shopping Center, Pursuant to IC 36-1-3, IC 9-21-18 and Article III of Chapter 9.10 of the Highland Municipal Code.

Councilor Zemen introduced and filed Enactment No. 2015-21. There was no further action.

- 7.** 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 § 4.01 of the Compensation and Benefits Ordinance. The Assistant Public Works Director did temporarily assign an employee, holding the position of Utility Worker A, to the position of Dispatch Clerk, for the period beginning March 3 running until April 25, 2015. Beginning April 3, the worker was eligible to receive the pay for the higher paid position, with the approval of the Town Council. The Assistant Public Works Director seeks this approval.

Councilor Zemen moved to approve the pay rate at the higher level as requested by the assistant public works director for **Dennis Pizzuto**. Councilor Wagner seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The pay was approved.

- 8. Ratification of the Executive Session called for Monday, May 4 2015 at 7:45 p.m., pursuant to Section 2.05.130 (E) of the Highland Municipal Code.**

Councilor Wagner moved that the properly published executive session of the Town Council called for Monday, May 4, 2015 scheduled to begin at 7:45 p.m., called by the Town Council President, to discuss the job performance evaluation of individual employees, which is authorized pursuant to IC 5-14-1.5-6.1(b)(9), be hereby authorized and ratified. Councilor Kuiper seconded. Upon a roll call vote, there were

four affirmatives and no negatives. The motion passed. The executive session was ratified.

9. Rescheduling of Plenary Business Meetings and Study Sessions for the Month of June, and cancelling the plenary business meeting of May 25 owing to the Memorial Day Holiday, pursuant to Section 2.05.130 (D).

Councilor Zemen moved, seconded by Councilor Kuiper that the Town Council Plenary business meeting of Monday, May 25, 2015 be cancelled; he further moved that the meetings in the month of June be rescheduled as follows:

Monday, June 1, 2015 and Monday June 15, 2015 shall become Plenary business meetings, each with a study session at 6:30 with the formal meetings to begin at 7:00 p.m.

Monday, June 22, 2015 shall become a Study session to begin at 7:00 p.m. and

Monday June 8, 2015 to be cancelled.

Upon a roll call vote, a two-thirds vote being necessary to reschedule meetings, there were four affirmatives and no negatives. The motion passed. The meetings were cancelled and rescheduled as indicated.

Comments or Remarks from the Town Council:

(For the Good of the Order)

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • Liaison to the Board of Waterworks Directors; Liaison to the Park and Recreation Board; Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Zemen Acknowledged the Parks and Recreation Superintendent who reported that the department had initiated the 250 acres of grass mowing, while not having its full cohort of summer workers. He further reported on the hiring of Alice DeBoer, as a new Recreation Supervisor in April.

Councilor Zemen further commended the Metropolitan Police Chief on the execution of the Police Memorial Day service. He also acknowledged the Metropolitan Police Chief to report on matters pending before the Traffic Safety Commission.

- **Councilor Dan Vassar:** *•Redevelopment Commission Liaison.*

Councilor Vassar was absent.

- **Councilor Steve Wagner:** *• Advisory Board of Zoning Appeals Liaison; Information Technology Liaison.*

Councilor Wagner commented favorably on the Work Force Safety report and its news of no incidents or injuries for the month of April.

- **Councilor Konnie Kuiper:** *• Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief who offered a brief report regarding the Lake County PSAP consolidation efforts, including the work to ready the recently acquired radio equipment, purchased owing to its compatibility with the central E-911 dispatching.

Councilor Kuiper acknowledged the Building Commissioner who reported on Plan Commission matters.

- **Council President Mark Herak:** *Municipal Executive • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Council President Herak commended the F.O.P for its hand in the execution of the recent Police Memorial Day event.

Council President Herak acknowledged the Public Works Director, who reported on the status of several water, street and sanitary district matters.

The Council President acknowledged the Redevelopment Director, who reminded all of a dedication ceremony for the Gateway Structure at Indianapolis Boulevard and 81st Street, to occur Wednesday, May 27, 2015. She further reported that on May 30th from 3-7 the Main Street Board was sponsoring the second annual Car Cruise.

The Town Council President reminded all that on Memorial Day there would be a commemorative ceremony beginning at 10:00 a.m. at Main Square on May 25, 2015. He encouraged all to attend.

Comments from Visitors or Residents:

1. Mr. Erik Sprenne, 3118 Wirth Road, Highland, noted he was a member of the Northwest Indiana Paddling Association. He invited all to participate or attend the forthcoming Association sponsored paddling event on the Little Calumet River, launching from its west edge, from Fifth street to Grant Street.

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 28, 2015 through May 11, 2015 as well as the payroll docket for the payday of April 17, 2015. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors and payroll dockets 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, \$282,156.44; Motor Vehicle Highway and Street (MVH) Fund, \$26,999.42; Local Road and Street Fund, \$245.50; Law Enforcement Training and Supply Fund, \$1,122.80; Insurance Premium Fund, \$135,352.83; Gasoline Agency Fund, \$17,198.18; Information and Communications Technology Fund, \$5,506.25; Special Events Non-reverting Fund, \$349.18; Traffic Violations and Law Enforcement Agency Fund, \$6,828.00; Gaming Revenue Sharing Fund, \$15,309.73; Corporation Capital Fund, \$102,936.58; Total: \$594,004.91.

Payroll Docket for payday of April 17, 2015:

Council, Boards and Commissions, \$8,352.00; Office of Clerk-Treasurer, \$12,241.49; Building and Inspection Department, \$7,614.13; Metropolitan Police Department, \$130,724.25; Fire Department, \$17,966.12; Public Works Department (Agency), \$55,915.72 and 1925 Police Pension Plan Pension Fund, \$63,417.12; Total Payroll: \$296,230.83.

Adjournment. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Zemen seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, May 11, 2015 was adjourned at 7:37 O'clock p.m. No study session followed the plenary meeting.

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