

**Enrolled Minutes of the Forty-second Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Meeting (Electronic/hybrid in person)
Monday, July 26, 2021.**

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

**Special note:* This meeting was convened allowing members of the Town Council to participate electronically without being physically present, to be counted in the quorum and able to simultaneously listen and respond to matters taken up in the meeting, all pursuant to Governor Holcomb's Executive Orders 20-04 and 20-09, extended by Executive Order No. 21-16 allowing meetings to be convened pursuant to IC 5-14-1.5-3.7 for the duration of the Corona Virus COVID 19 Emergency. All members of the Town Council participated in person in the plenary meeting room of the municipal building. The Clerk-Treasurer participated using the Zoom platform as his vacation had started. The electronic platform Zoom allowed the public to observe and participate from on-line access. The meeting was streamed as well in real time on Facebook, which allowed the public to observe the meeting, all pursuant to IC 5-14-1.5-3.7. (Under the order)

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 leading in the Pledge of Allegiance to the Flag of the United States of America.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Mark J. Schocke, Thomas Black and Roger Sheeman. The Clerk-Treasurer, Michael W. Griffin was on task remotely via Zoom to memorialize the proceedings. All members of the Town Council were present in the meeting room. A quorum was attained.

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

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

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

Minutes of the Previous Meeting: The minutes of the regular meeting of July 12, 2021 and the Special meeting of July 19, 2021, were submitted for consideration. The minutes of the regular meeting of July 12, 2021 and the Special Meeting of July 19, 2021 were approved by general consent.

Comments from the Public or Visitors:

1. Larry Kondrat, Highland, renewed his inquiry further about the purposes of the introduced appropriation enactment 2021-31 involving authorizing permission to spend \$38,186 if needed for redevelopment purposes.

The Redevelopment Director explained the purposes for the funds if needed, the grant reimbursement that would support the expenses related to the charging station for electric vehicles in the downtown reconstruction of Highway Avenue and Kennedy Avenue parking lot.

Mr. Kondrat, further asked about the resolution that set forth a plan for use of the Fiscal Recovery Act funds. It was noted that it would formally dedicate those funds for the use of the sanitary sewers overflows remediation as part of sewage infrastructure an authorized purpose in the law and according to the purposes adopted in establishing the local fund.

Appointments:

1. **Main Street Bureau Board:** Up to (17) appointments to be made by the Town Council. Term: Two years ending 1 Jan 2023. *There are currently 12 of the 17 in place and serving.*

Councilor Schocke moved to appoint **Benjamin Reinhart**, 3626 38th Street, Highland to the Main Street Bureau Board. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives, and no negatives. The motion passed. Benjamin Reinhart was appointed to a vacancy on the Board.

Unfinished Business and General Orders:

1. **Introduced Appropriation Enactment No. 2021-31:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Special Economic Development Fund, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq. *(Introduced by Councilor Herak at the Town Council meeting of July 12, 2021. On the motion to consider at the same meeting of introduction, there were four affirmatives and one negative. The motion required a unanimous vote. A vote on the introduced enactment only requires a majority of the Town Council.)*

Councilor Herak moved the passage and adoption of Enactment No. 2021-31. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The enactment was adopted.

TOWN OF HIGHLAND
APPROPRIATION ENACTMENT
ENACTMENT NO. 2021-33

An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Special Events Non Reverting 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 **Special Events Non Reverting 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 **Special Events Non Reverting Fund** and for the purposes herein specified, subject to the laws governing the same:

SPECIAL EVENTS NON REVERTING FUND

Increase	
Acct. No. 036-0000-38611 Beverage Services:	\$ 37,000.00
<i>Total 300 Series:</i>	\$ 37,000.00
Fund Total:	\$ 37,000.00

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these 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 19th Day of July 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 19th Day of July 2021, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

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

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

ATTEST:

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

2. Resolution No. 2021-34: A Resolution Providing for Further Guidance Regarding its Plan for the Use of the American Rescue Plan Act Proceeds.

After a motion to adopt the resolution was made by Councilor Herak and second by Councilor Black, Councilor Schocke moved to amend the resolution by adding a provision to allow payment to police officers and firefighters in the amount of \$5,000 each. Councilor Black Seconded.

The competing merits of the amendment were discussed. It was asserted that the move would promote higher morale for the police and fire departments. It was further suggested that such an action would affirm the first responders for their work during the COVID pandemic. It was also noted that the current enabling language creating the Fiscal Recovery Act Fund from Ordinance No. 1728, presently did not include this use of the proceeds. It would need to be amended if this change was desired by a majority of the Council. There was also concern about reducing the resources that would be used for the sanitary district to support the gap in the funding. It was suggested that most of the funding would be available and only reduced by the estimated cost of the bonuses in the amount of \$365,000.

It was noted that the allocation of Fiscal Recovery Funds for Highland are fixed at \$ 5,038,339.91. The discussion included an offer to withdraw the amendment provided the pending resolution would be withdraw.

Amendment. Upon a roll call vote on the amendment, there were four negatives and one affirmative. With Councilors Zemen, Herak, Black and Sheeman voting in the negative, and Councilor Schocke voting in the affirmative, the motion did not pass. The amendment was not adopted.

Privileged motion. Councilor Schocke moved to postpone the consideration of Resolution No. 2021-34. Until the Study Session of Monday, August 2, 2021. Councilor Zemen seconded. Upon a roll call vote, there were three negatives and two affirmatives. With Councilors Herak, Black, and Sheeman voting in the negative and Councilors Zemen and Schocke voting in the affirmative, the motion to postpone did not pass. The resolution would not be postponed until the study session.

Resolution 2021-34. Upon a roll call vote on the resolution, there were three affirmatives and two negatives. With Councilors Zemen, Herak and Sheeman voting in the affirmative, and Councilors Schocke and Black voting in the negative, the motion passed. The resolution was adopted.

The Town Council President noted that following passage of the resolution, the issue of the bonuses would be discussed at the next study session of the Town Council.

TOWN OF HIGHLAND
RESOLUTION NO. 2021-34

A RESOLUTION PROVIDING FOR FURTHER GUIDANCE REGARDING ITS PLAN FOR THE USE OF THE AMERICAN RESCUE PLAN ACT PROCEEDS.

WHEREAS, The Town Council is the fiscal body of the Town of Highland;

WHEREAS, IC 36-5-2-9 provides that the legislative body may adopt ordinances and resolutions for the performance of functions of the town;

WHEREAS, The Town expects to receive a special distribution authorized by the United States Government to offer special assistance to municipal governments for impacts experienced in consequence of the Coronavirus 19, called American Rescue Plan Grant authorized from the Corona Virus Local Fiscal Recovery Fund;

WHEREAS, The Town has received further authoritative guidance from the Indiana State Board of Accounts, particularly State Examiner Directive 2021-01, regarding the ways and means as well as the fund accounting protocol related to the receipt of the American Rescue Plan Grant proceeds;

WHEREAS, The Town Council did adopt Ordinance No. 1728 amending the Highland Municipal Code by establishing the American Rescue Plan Grant Fund; and,

WHEREAS, The Town Council has determined that it would be desirable and of great public benefit to offer companion information to inform the plan of the Town for the use of the proceeds of coming to the Town from the American Rescue Plan Act,

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF TOWN OF HIGHLAND, INDIANA, AS FOLLOWS:

Section 1. That the municipality is eligible to receive up to five million, thirty-eight thousand, three hundred thirty nine dollars and ninety-one cents (\$5,038,339.91) to be distributed in two installments, the first being in the amount of two million, five hundred nineteen thousand, one hundred sixty-nine dollars and ninety-six cents (\$2,519,169.96);

Section 2. That Section 3.45.125 of the Highland Municipal Code establishes the American Rescue Plan Grant Fund, which is subject to the following:

(A) It is "dedicated and established for accumulating, for accounting and to provide resources to support lawful purposes of the municipality, and such specific purposes as are consistent with legal uses set forth in Section 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021;"

(B) That it is established to manage and account for the following sources of funding:

- (1) Proceeds, resources or payments received in consequence of distributions made under Section 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021;
- (2) Interest earned from the investment of moneys on deposit to the credit of the fund, provided such investments are conducted pursuant to I.C. 5-13-9 et seq.; and,
- (3) Such other financial resources as the United States may authorize from time to time;

(C) That the fund is established for the following **lawful purposes** authorized under the *American Rescue Plan Act* and the guidance from the United States Treasury:

- (1) That the resources in the Fund shall be used to pay expenses authorized under Section 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021 and such guidance as may be issued by the Treasury Secretary of the United States;
- (2) That the resources in the Fund shall be used to make expenditures for the lawful provision of government services to the extent of the reduction in revenue of the Town of Highland due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the Town, with FY 2019 serving as the base year;
- (3) That the resources in the Fund shall be used to make necessary investments in water, sewer or broadband infrastructure, as authorized under the relevant law; and,
- (4) That the resources in the Fund shall be to pay any costs required to carry-out and support the objectives of the American Rescue Plan of 2021, as set forth in Section 603(c)(1);

Section 3. That pursuant to further guidance, as interim final rules, from the United States Treasury urges a plan for the use of the proceeds and also offered added information regarding the treatment of interest or investment

yields from the proceeds, the Town of Highland as a non-entitlement unit (NEU) Number IN0203, now establishes the following plan for the use of the resources of American Recovery Plan Act:

(A) That the proceeds will be used to support the funding needs and any gap in resources associated with complying with the pending plan to eliminate Sanitary Sewage Outflows (SSO)'s that is under review presently by the proper Federal authorities as submitted by the Town of Highland Department of Public Sanitation and Sanitary District, which is consistent with an expenditure category associated with infrastructure;

(B) That the Town Council President and the Town Clerk-Treasurer be authorized to complete the necessary applications, and offer the legally required assurances regarding compliance with Title VI of the Civil Rights Act of 1964; and,

(C) That interest earned upon the resources on deposit in the American Recovery Plan Act Grant Fund shall be treated as follows:

- (1) Interest earnings shall remain with the corpus of the fund, and used only for the purposes of the ARPA Grant, subject to further guidance from the United States Treasury, the Indiana Finance Authority or the State Examiner or the Indiana State Board of Accounts;
- (2) If the U.S. Treasury determines that such interest is not program income, then interest earnings shall be transferred and deposited with the municipal General Fund;

Section 4. This Resolution shall be in full force and effect from and after its passage.

DULY RESOLVED and ADOPTED this 26th Day of July 2021 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 3 in favor and 2 opposed.

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

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. Works Board Order No. 2021-22:** An Order Authorizing and Approving the First Change Order to the Construction Contract with Walsh & Kelly, Incorporated related to the 2020 CCMG Street Improvement Project, DES #2001326, all Pursuant to I.C. 36-1-12-18 and Accepting the Recommendation of NIES Engineering, Incorporated to Release Retainage on Deposit to the Credit of the Capital Projects Retainage Agency Fund, in the amount of Ninety Thousand Eight Hundred Sixty-Seven Dollars and 37/00 Cents (\$90,867.37) to Walsh & Kelly, Incorporated.

Councilor Herak moved to pass Works Board Order No. 2021-22. Councilor Zemen 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. 2021-22**

An Order Authorizing and Approving the First Change Order to the Construction Contract with Walsh & Kelly, Incorporated related to the 2020 CCMG Street Improvement Project, DES #2001326, all Pursuant to I.C. 36-1-12-18 and Accepting the Recommendation of NIES Engineering, Incorporated to Release Retainage on Deposit to the Credit of the Capital Projects Retainage Agency Fund in the amount of Ninety Thousand Eight Hundred Sixty-Seven Dollars and 37/00 Cents (\$90,867.37) to Walsh & Kelly, Incorporated

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 heretofore authorized and approved a public works project for certain street resurfacing and other improvements in the public right-of-way to be funded, in part, by the State of Indiana and the Community Crossings Matching Grant program, with the project commonly known as the 2020 CCMG Street Improvement Project;

Whereas, The Town Council has heretofore awarded a contract to Walsh & Kelly, Incorporated for the Project on July 13, 2020 in the amount of One Million Five Hundred Ninety-two Thousand Six Hundred Fifty-four Dollars and 48/100 Cents (\$1,592,654.48);

Whereas, During the course of construction of the Project, it has become necessary to adjust the original estimated quantities of materials to actual quantities used on the project;

Whereas, NIES Engineering, Incorporated, a licensed engineer performing construction engineering services on this project has specifically identified and presented a description of such changes as one (1) proposed first addendum to the original construction contract with Walsh & Kelly, Incorporated, particularly in support of costs associated with

several bid items, which has a net effect of decreasing the contract cost by the amount of Thirty-one Thousand Five Hundred Sixty Dollars and 68/100 Cents (\$31,560.68);

Whereas, The Town of Highland, through its Town Council which is also the Board of Works, now desires to accept and issue the order for change as described;

Whereas, NIES has heretofore determined that the Project is complete pursuant to the terms of contract specifications and has recommended the release of retainage held in the amount of Ninety Thousand Eight Hundred Sixty-seven Dollars and 37/00 Cents (\$90,867.37); and

Whereas, The Town Council now desires accept the recommendation of NIES and authorize and approve the release of retainage held in the amount of the Ninety Thousand Eight Hundred Sixty-seven Dollars and 37/00 Cents (\$90,867.37),

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

Section 1. That Change Order No. 1 for the 2020 CCMG Street Improvement Project, as prepared by NIES Engineering, Incorporated, a licensed professional engineer performing construction engineering services on the Project, is hereby approved and authorized in each and every respect;

Section 2. That this first addendum is hereby ordered to be known as **Change Order No. 1**, issued to decrease the net cost to the original agreement between the Town of Highland and Walsh & Kelly, Incorporated, in the amount of Thirty-one Thousand Five Hundred Sixty Dollars and 68/100 Cents (\$31,560.68), bringing the total value of the entire agreement with any and all change orders approved to date to One Million Five Hundred Sixty-one Thousand Ninety-three Dollars and 80/100 Cents (\$1,561,093.80);

Section 3. That as any additional units of materials included in the original contract become needed, the costs of these units in this change order be the same as those shown in the original contract, all pursuant to IC 36-1-12-18(f);

Section 4. That the total of all change orders issued that increase the scope of this project may not exceed twenty percent (20%) of the amount of the original contract, that original contract of One Million Five Hundred Ninety-two Thousand Six Hundred Fifty-four Dollars and 48/100 Cents (\$1,592,654.48), which may not exceed One Million Nine Hundred Eleven Thousand One Hundred Eighty-five Dollars and 38/100 Cents (\$1,911,185.38), all pursuant to IC 36-1-12-18(d);

Section 5. That the proper officers hereby be and are authorized to execute the necessary documents with their signatures;

Section 6. That construction work performed by Walsh & Kelly, Incorporated for the 2020 CCMG Street Improvement Project is hereby accepted and approved in each and every respect;

Section 7. That the recommendation from NIES Engineering, Inc. to release retainage held in the amount the Ninety Thousand Eight Hundred Sixty-seven Dollars and 37/00 Cents (\$90,867.37) is hereby accepted;

Section 8. That the clerk-treasurer be authorized and instructed to prepare a warrant drawn on the Capital Projects Agency Fund in the proper amount as herein directed, with such payment to me made in advance of Town Council allowance as an authorized or approved release of retainage from the capital projects retainage agency fund pursuant to Section 3.10.010 (A)(27).

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 26th day of July 2021, subject to the concurrence of the Park and Recreation Board, having passed by a vote of 5 in favor and 0 opposed.

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

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

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-2-10.2; IC 36-5-6-5)



July 9, 2021

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

RE: Pay Request No. 5 (Final)
 2020 CCMG Street Improvement Project – Des. No. 2001326

Dear Mr. Kneseck:

As engineers for the 2020 CCMG Street Improvement Project – Des. No. 2001326, we have reviewed the enclosed Pay Request No. 5 (Final) submitted by Milestone Contractors North, Inc. (formerly known as Walsh & Kelly, Inc.). Work on this project is complete, and we recommend that all remaining retainage be paid to the Contractor. The payment breakdown is as follows:

Pay Request No. 5 (Final)

Original Contract Amount	\$	1,592,654.48
Change Order Total	- \$	31,560.68
Revised Contract Amount	\$	1,561,093.80
Total Completed & Stored to Date	\$	1,561,093.80
Retainage Prior Pay Requests	- \$	90,867.37
Payment Prior Pay Requests	- \$	1,470,226.43
Total Completed & Stored this Pay Request	\$	0.00
Retainage this Pay Request (Full Release)	+ \$	90,867.37
Total Current Payment Due	\$	90,867.37
Current Payment Due	\$	90,867.37

Enclosed are 3 originals of Pay Request No. 5 (Final) from Walsh & Kelly, Inc., including an itemized breakdown and the Contractor's final waiver of lien.

Yours very truly,
 NIES Engineering, Inc.

Derek R. Snyder, P.E.
 Principal

cc: Highland Town Council
 Michael Griffin, Clerk-Treasurer
 Greg Hoffman, Milestone Contractors North, Inc.

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E O O U . . O I N E C I O B I N C O R P O R A T E D

Invoice



1700 E. Main Street
Griffith, IN 46319
(219) 924-5900

Sold To: Town of Highland
Address: 3333 Ridge Road
Highland, IN 46322

Date: June 17, 2021
Invoice#: 201780-05

Terms: Net 15

Purchase Order#:

Job # 201780

2020 Highland CCMG Street Project DES No. 2001326

Final Retainage

Work Completed per Attached \$ 1,561,093.80

Less: Previous Invoice (1,470,226.43)

TOTAL AMOUNT DUE THIS INVOICE \$ 90,867.37

Terms of payment are Net 15 days from the date of invoice. A service charge of 1 1/2% per month (18% per annum) will be charged to all delinquent accounts.

Invoice

Progress Billing Invoice

From: Milestone Contractors North, Inc.
 1700 East Main Street
 Griffith, IN 46319

Invoice #: 201780-05

Date: 06/17/21

Application #: 5

To: TOWN OF HIGHLAND
 3333 RIDGE ROAD
 HIGHLAND, IN 46322

Invoice Due Date: 07/17/21

Payment Terms: NET 30 DAYS

Contract: 201780- Highland CCMG Street Project DES No. 2001326

Cont Item	Description	Contract Amount	Contract Quantity	Quantity This Period	Quantity JTD	U/M	Unit Price	Amount This Period	Amount To-Date	% Compl
1	MOB / DEMOB	80,000.00	1.00	0.00	1.00	LS	80,000.00	0.00	80,000.00	100.00%
2	MOI	36,200.00	1.00	0.00	1.00	LS	36,200.00	0.00	36,200.00	100.00%
3	CURB & GUTTER, REMOVE	18,200.00	2,600.00	0.00	2,573.00	LF	7.00000	0.00	18,011.00	98.96%
4	SIDEWALK, CONC., REMOVE	14,040.00	1,755.00	0.00	1,577.44	SY	8.00000	0.00	12,619.52	89.88%
5	1.5" ASPHALT MILLING	161,021.25	119,275.00	0.00	118,895.00	SY	1.35000	0.00	160,508.25	99.68%
6	AGG BASE FOR PATCHING, 63 LIMESTONE (INCLUDES EXC)	5,600.00	160.00	0.00	0.00	TON	35.00000	0.00	0.00	0.00%
7	HMA FOR PATCHING, 2.5"	9,900.00	110.00	0.00	0.00	TON	90.00000	0.00	0.00	0.00%
8	9.5MM SURFACE, 1.5"	709,500.00	11,825.00	0.00	11,948.82	TON	60.00000	0.00	718,509.20	101.03%
9	TACK COAT	11,306.50	45,226.00	0.00	34,591.00	SY	0.25000	0.00	8,645.26	76.48%
10	CRACK FILLING MILLED SURFACE	7,200.00	8.00	0.00	0.00	TON	800.00000	0.00	0.00	0.00%
11	AREA REFLECTIVE CRACK CONTROL	192,535.20	74,052.00	0.00	72,317.00	SY	2.00000	0.00	189,504.20	98.47%
12	FIBER AREA REFLECTIVE CRACK CONTROL	44,960.00	11,240.00	0.00	11,182.00	SY	4.00000	0.00	44,728.00	99.48%
13	4" CONC SIDEWALK W/AGG BASE & GRASS RESTORATION	55,440.00	792.00	0.00	749.74	SY	70.00000	0.00	52,481.80	94.66%
14	CURB RAMP W/AGG BASE & GRASS RESTORATION	98,825.00	773.00	0.00	723.91	SY	125.00000	0.00	90,488.76	93.65%
15	CURB & GUTTER W/AGG BASE, PATCHING AND GRASS RESTO	91,000.00	2,600.00	0.00	2,596.00	LF	35.00000	0.00	94,360.00	103.69%
16	TOPSOIL & MULCHED SEEDING	2,290.00	228.00	0.00	228.00	SY	10.00000	0.00	2,290.00	100.00%
17	CASTING, F & A	4,000.00	8.00	0.00	2.00	EA	500.00000	0.00	1,000.00	25.00%
18	CASTING RISER RING	500.00	4.00	0.00	13.00	EA	125.00000	0.00	1,625.00	325.00%
19	VALVE BOX TOP SECTION, F & A	900.00	6.00	0.00	2.00	EA	150.00000	0.00	300.00	33.33%
20	VALVE BOX RISER RING	200.00	4.00	0.00	0.00	EA	50.00000	0.00	0.00	0.00%
21	TRAFFIC LOOP DETECTOR, REPAIR	16,940.00	44.00	0.00	44.00	EA	385.00000	0.00	16,940.00	100.00%
22	WIRELESS VEHICLE DETECTOR	2,910.00	6.00	0.00	6.00	EA	485.00000	0.00	2,910.00	100.00%
24	4" SOLID YELLOW	6,019.82	10,376.00	0.00	10,429.00	LF	0.58000	0.00	6,048.82	100.48%
25	4" BROKEN YELLOW	58.00	100.00	0.00	100.00	LF	0.58000	0.00	58.00	100.00%
26	4" SOLID WHITE	714.58	1,232.00	0.00	2,172.00	LF	0.58000	0.00	1,259.76	176.30%
27	4" BROKEN WHITE	255.20	440.00	0.00	420.00	LF	0.58000	0.00	243.60	95.45%
28	8" SOLID WHITE	413.75	331.00	0.00	336.00	LF	1.25000	0.00	418.75	101.21%
29	8" BROKEN WHITE	37.50	30.00	0.00	27.00	LF	1.25000	0.00	33.75	90.00%
30	ONLY	420.00	4.00	0.00	4.00	EA	105.00000	0.00	420.00	100.00%

Progress Billing Invoice

From: Milestone Contractors North, Inc.
 1709 East Main Street
 Griffith, IN 46319
 Invoice #: 201780-05
 Date: 06/17/21
 Application #: 5

To: TOWN OF HIGHLAND
 3333 RIDGE ROAD
 HIGHLAND, IN 46322
 Invoice Due Date: 07/17/21
 Payment Terms: NET 30 DAYS

Contract: 201780- Highland CCMG Street Project DES No, 2001326

Cont Item	Description	Contract Amount	Contract Quantity	Quantity This Period	Quantity JTD	U/M	Unit Price	Amount This Period	Amount To-Date	% Compl
31	R X R	1,000.00	4.00	0.00	4.00	EA	250.00000	0.00	1,000.00	100.00%
32	LANE INDICATION ARROW	1,900.00	20.00	0.00	20.00	EA	95.00000	0.00	1,900.00	100.00%
33	8" WHITE CROSSWALK	6,577.25	7,308.00	0.00	7,308.00	LF	9.00000	0.00	6,577.25	98.90%
34	24" STOP BAR	9,210.25	1,309.00	0.00	1,309.00	LF	4.75000	0.00	9,210.25	100.15%
35	12" YELLOW CROSSHATCH	330.00	182.00	0.00	248.00	LF	2.50000	0.00	622.50	188.64%
38	12" WHITE CROSSHATCH	437.50	175.00	0.00	187.00	LF	2.50000	0.00	467.50	106.86%
37	SIGN POST	504.00	31.50	0.00	31.50	LF	16.00000	0.00	504.00	100.00%
38	SIGN SHEET	393.75	18.75	0.00	18.75	SF	21.00000	0.00	393.75	100.00%
23	TRAFFIC DETECTOR HOUSING REHAB	2,125.00	5.00	0.00	4.00	EA	625.00000	0.00	2,566.00	80.00%

Total Billed To Date: 1,561,093.90
 Less Retainage: 0.00
 Less Previous Applications: 1,470,226.43
 Total Due This Invoice: 90,867.37

WAIVER OF LIEN


PINAL

STATE OF INDIANA, _____ Lake _____ COUNTY, ss:

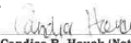
WHEREAS, the undersigned, Walsh & Kelly, Inc. has been hereto employed by _____ Town of Highland to furnish certain material and labor, to-wit: Highland 2020 CCMG for the building owned by Town of Highland and located on Various Streets Highland, IN 46322 Lake County, IN _____

NOW, THEREFORE, KNOW YE, That the undersigned, for a good and valuable consideration, the receipt of which is hereby acknowledged, hereby and now waives and releases unto the said Corporation, the owner of said premises, any and all lien, right of lien, or claim of whatsoever kind or character on the above described building and real estate, on account of any and all labor or materials, or both, furnished for or incorporated into said building by the undersigned; and we further certify that the consideration moving to the undersigned for executing this WAIVER OF LIEN has been mutually given and accepted as absolute cash payment and not as a conditional or part payment or as security for payment.

Signed, sealed and delivered this 17th day of June, 2021

WALSH & KELLY, INC.

 Jamie L. Tancos
 Secretary-Treasurer

Personally appeared before me this 17th day of June, 2021, Jamie L. Tancos, who being duly sworn on oath, says: That she is the Secretary-Treasurer, of the Walsh & Kelly, Inc. and that she hereby acknowledges the execution of the foregoing instrument for and on behalf of said Walsh & Kelly, Inc. and at their special instance and request.

My Commission Expires 02/07/2024
 This instrument prepared by: JLT 
 Candice R. Houck (Notary Public)



4. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of \$281.87 in the **Police Department of the Corporation General Fund.**

Councilor Herak moved to authorize the proper officer to cause publication of legal notice of a hearing to consider proposed additional appropriations as indicated. Councilor Schocke seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed the publication of legal notice was authorized.

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

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

Councilor Zemen acknowledged the Building Commissioner, Kenneth J. Mika, who offered a survey of matters before the Plan Commission.

Councilor Zemen acknowledged the Fire Chief, William Timmer, who reported on various matters involving the Fire Department.

With leave from the Town Council, Councilor Schocke inquired about the value of a bonus if granted to Fire Fighters. The Fire Chief acknowledged that it likely be welcomed.

Councilor Zemen acknowledged the Parks Director, Alex Brown, who reported on various park matters and reported on the Community Theater performance of the Little Mermaid at Main Square. He further noted that the second Friday in August would be the Rotary Corn Roast.

It was acknowledged that the Highland Babe Ruth Team was traveling to the National championship.

- **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 acknowledged the Public Works Director who reported work related to sidewalk relocation on Kennedy Avenue and the receipt of bids for the Community Crossings Grant Fund project for 2021.

The Public Works Director stated that his workers in the Public Works Department should not be omitted if any bonuses are granted.

Councilor Herak acknowledged the Building Commissioner who reported on the matters being considered by the Advisory Board of Zoning Appeals.

Councilor Herak acknowledged the Police Chief who reported that the newly appointed police officers passed their agility tests.

Amend the Agenda. Councilor Schocke moved to amend the agenda to consider an action to authorize a contribution in the amount of five hundred dollars be made to the Highland Babe Ruth. 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 agenda was amended.

Action authorizing the contribution of five hundred dollars to the Highland Babe Ruth. Councilor Schocke moved to authorize a contribution in the amount of five hundred dollars be made to the Highland Babe Ruth and to allow the action to be memorialized in the appropriate works board order to further reflect the action. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The contribution to the Highland Babe Ruth was authorized.

Scriveners note: Pursuant to the motion the Clerk-Treasurer caused an order to be drafted, assigning the number 2021-23. The works board order follows.

THE TOWN of HIGHLAND
WORKS BOARD ORDER NO. 2021-23

AN ORDER AUTHORIZING, AND APPROVING THE PAYMENT OF ELECTIVE HONORARIA TO THE HIGHLAND BABE RUTH IN SUPPORT OF ITS TEAM PARTICIPATING IN THE NATIONAL CHAMPIONSHIP

Whereas, The Town Council for the Town of Highland is the Legislative and Fiscal Body of the Municipality as well as the works board pursuant to IC 36-1-2 et seq.,

Whereas, The Town Council has been reliably advised that the Highland Babe Ruth, a group of volunteers that organize and administer the baseball program, has a team that has successfully competed earning the opportunity to participate in the national championship;

Whereas, The Town Council has been reliably advised that the Highland Babe Ruth does not have sufficient resources to cover the costs associated with the travel and housing associated with the national competition;

Whereas, Under its authority of IC 36-1-3, The Town passed and adopted Section §2.35.030 of the Highland Municipal Code which provides in pertinent part that the Town Council is authorized to budget and appropriate funds from the general fund of the town to pay the expenses incurred in promoting the best interests of the town and that such expenses may include, but not necessarily be limited to those incurred in developing relations with other units of government or any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the Town; and,

Whereas, The Town Council has reviewed the matter, and now desires to make a contribution and make findings and determinations to support the elective contribution to Highland Babe Ruth;

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

Section 1. That the Highland Babe Ruth, be paid an elective honorarium in the amount of Five hundred dollars (\$500.00);

Section 2. That the Town Council hereby finds and determines that the forgoing contribution and item of expense is a lawful and proper expense of a civic nature, incurred in promoting the best interests of the Town as set forth in Section §2.23.030 of the Highland Municipal Code which reads as follows:

§ 2.35.030 AUTHORITY OF TOWN COUNCIL TO REIMBURSE TOWN OFFICIALS FOR CERTAIN EXPENSES.

The Town Council is hereby authorized to budget and appropriate funds from the general fund of the town to pay the expenses of, and to reimburse, town officials for expenses incurred in promoting the best interests of the town. Such expenses may include, but not necessarily be limited to meals, decorations, memorabilia, awards, expenses incurred in interviewing job applicants, expenses incurred in promoting industrial, commercial, and residential development, expenses incurred in developing relations with other units of government, and any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the town.

Section 3. That the Clerk-Treasurer is hereby authorized and instructed to prepare an accounts payable voucher against the appropriate fund and account for the benefit of the **Highland Babe Ruth**, depicting the expense as an Honorarium, in the amount herein fixed, and to take such other measures to carry-out the purposes and objects of this order;

Section 4. That any actions taken by public officers in advance and in anticipation of the passage and adoption of this order, are hereby ratified, all pursuant to IC 36-1-4-16.

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 26th day of July 2021, having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

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

Attest:

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

- **Councilor Mark Schocke:** *Liaison to the Tree Board • Liaison to the Community Events Commission.*

Councilor Schocke reported that the Community Events Commission was taking some steps to organize a fall festival.

Councilor Schocke further reported that the Tree Board was planning to issue up to fifty trees supported by a grant.

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

Councilor Black reported that the recent Solid Waste Management District Board of Directors convened but did not have a quorum to act.

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

The Town Council President acknowledged the Redevelopment Director, who further reported on redevelopment matters.

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

1. Larry Kondrat, Highland, referenced Mr. Robert and Mrs. Sandra Strickland who appeared at the Study Session of July 19, 2021, presenting a complaint about a nearby neighbor's septic tank that seemed to be failing causing at times an unpleasant odor. Mr. Kondrat inquired about the seeming absence of meaningful intervention by the town to address the matter. Mr. Kondrat opined on the manner in which the Town Council President handled the residents and their inquiry.

The Town Attorney noted that septic tanks are under the jurisdiction of the County government. He further noted that the matter was being handled in the courts.

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 July 13, 2021, through July 26, 2021. Councilor Schocke seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payroll dockets and other payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$252,531.46; Motor Vehicle Highway and Street (MVH) Fund, \$42,098.36; Local Road and Street Fund, \$15,828.22; Law Enforcement Continuing Education and Training and Supply Fund, \$325.99; Information Communications Technology Fund, \$8,160.87; Solid Waste District Grant Fund, \$30,668.00; Civil Donation Fund, \$100.57; Special Events Non Reverting Fund, \$38,174.64; Cumulative Capital Fund, \$11,263.04; Municipal Cumulative Capital Development Fund, \$31,238.00; General Improvement Fund, \$25.00; Municipal Cumulative Street Fund, \$5,123.50; Community Crossings Grant Fund, \$90,867.37; and Public Safety Local Income Tax Fund, \$236.70; Total: \$526,641.72.

Adjournment of Plenary Meeting. There being no further matters on the agenda, the Town Council President adjourned the regular plenary meeting of the Town Council for Monday, July 26, 2021, was adjourned at 8:11 O'clock p.m.

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

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

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