

**Enrolled Minutes of the Forty-Ninth Regular or Special Meeting
Special Meeting (Electronic/Hybrid)
Twenty-Ninth Town Council of Highland
Monday, August 30, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in a **special** meeting Monday, August 30, 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 hybrid in person and *electronic meeting*, pursuant to Governor Holcomb's Executive Order 20-04 and 20-09 allowing such meetings pursuant to IC 5-14-1.5-3.7 for the duration of the COVID-19 public health emergency, extended by Executive Order No. 21-18. 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 an agenda item provided for public comment, this was supported as well. All members of the Town Council were present in person. The Clerk-Treasurer was present in person too.

The meeting was streamed live on the Town of Highland, Indiana Facebook page and participation was supported by the Zoom on-line communication platform.

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

Roll Call: Councilors Bernie Zemen, Mark Herak, Tom Black, Mark Schocke and Roger Sheeman, were present in person as indicated. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Officials Present: John P. Reed, Town Attorney; Mark Knesek, Public Works Director; Derek Snyder, P.E., of NIES Engineering, and William R. Timmer, Jr., CFOD, Fire Chief; were also present (electronically). Mr. Knesek and Mr. Snyder were present in person.

Additional Officials Present: Ed Dabrowski, IT Consultant/Director (Contract) and Board of Waterworks Directors, was present in person.

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

Special Orders:

1. **Ratify the Meeting.** Ratify the special meeting with its additional purposes, pursuant to HMC Section 2.05.130(A) (4) and Section 2.05.130(F).

Councilor Schocke moved to ratify the meeting with its additional purposes. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The meeting was ratified.

2. **Public Hearing General Improvement Project.** Considering the Preliminary Order of the Town Council to proceed with a project to improve the 3500 Block of Jewett Street known as the Jewett Street Reconstruction Project and *to finance cost of some of these improvements associated with the reconstruction through the Municipal General Improvement Fund with the collection of special assessments from property owners benefited by the respective Improvements.*

- (a) *Verification of Proof of Publication.* (IC 5-3-1;IC 36-9-17) The Town Attorney stated that the proof was in order.

- (b) *Read Notice of Hearing.* The Clerk-Treasurer read aloud the notice regarding this hearing indicating the purpose of the hearing.

Derek Snyder, P.E. joined by the Public Works Director offered an overview of the proposed improvements. It was noted that 82% of the residents in the proposed general improvement district signed a petition favoring the proposed project and its proposed financing. It was noted that the project would include road widening, sidewalk replacement, curbs and gutters.

- (c) **Public Hearing on the following Issue:** Whether the benefits that will accrue to the property liable to be assessed for the respective improvements will be equal to the maximum estimated cost of each of the improvements.

1. Curt Sjoquist, 3512 Jewett, Highland, spoke in favor of the project.
2. Michael Strange, 3511 Jewett, Highland, was identified as the person who circulated the petition to support the project. He spoke in favor of the project.
3. Larry Kondrat, Highland, asked about the calculation regarding the possible annual payments on one of the proposed assessments, which was included as an exhibit attached to the Works Board Order No. 2021-29 that was included in the packet distributed prior to the meeting.

It was noted that the preliminary assessments were based upon estimates made before the project had been let for bids, it did not include the interest rate and was based upon four years amortization.

Mr. Kondrat asked about the impact of the assessments relative to the tax caps. It was noted that the assessment is not affected by the circuit breaker.

Mr. Kondrat asked about the use of the APRA money that was allocated for the Town of Highland and its use for this project to eliminate the assessments.

4. Terry Steagall, Highland, (remotely) inquired about the issue of lead water pipes and if it was to be addressed in the project.

The public works director and Mr. Snyder noted that with the new watermain, there will be tie in lines that will be brought to the property line. It was further noted that if there was a lead line into the residence, the resident would be notified by letter.

5. Jesus Vallego, 3542 Jewett Street, Highland, inquired about the run of sidewalk and curbs and the assessment between the owner of the abutting property and his own, concerned about gap between to the two properties.

It was noted that the two properties were in fact contiguous without any gap of unassigned property between.

6. Curt Sjoquist, Highland, sought clarification regarding the water improvements impact on water pressure and whether all sidewalks were to be replaced.

It was noted that all sidewalks were to be replaced and only those properties that did not have sidewalks or whose sidewalk was in need of replacement would be assessed for the sidewalk. Also, it was acknowledged that there could be

improvements in system pressure for water, it was not clear that it would create undue complications for the residents affected.

7. Jesus Vallego, Highland, asked about the time table for the project in order to be able to schedule a replacement of his service line from the main to his residence.

It was noted that the trenching associated with the public improvement would be refilled quickly. However, the connection point would be installed so as to not require any need to take out the new sidewalks to perform the work.

There being no further comments, the Town Council President closed the public hearing.

- (d) *Consideration of Confirmatory Works Board Order No. 2021-28. **Works Board Order 2021-28:** A Confirming Order for the 3500 block of Jewett Ave Street Improvement Project and Financing thereof through Municipal General Improvement Fund and Special Assessments from Property Owners Benefiting from such Improvements.*

Councilor Herak moved the passage and adoption of Works Board Order No. 2021-28. 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
ORDER OF THE WORKS BOARD NO. 2021-28**

AN ORDER CONFIRMING WORKS BOARD ORDER NO. 2021-27 ENTITLED "A PRELIMINARY ORDER FOR THE 3500 BLOCK OF JEWETT AVE. STREET IMPROVEMENT PROJECT AND FINANCING THEREOF THROUGH MUNICIPAL GENERAL IMPROVEMENT FUND AND SPECIAL ASSESSMENTS FROM PROPERTY OWNERS BENEFITING FROM SUCH IMPROVEMENTS"

Whereas, On August 16, 2021, the Town Council of the Town of Highland, Indiana adopted Works Board Order No. 2021-27 entitled "A Preliminary Order for the 3500 Block of Jewett Ave. Street Improvement Project and Financing thereof through Municipal General Improvement Fund and Special Assessments from Property Owners Benefiting from such Improvements", a copy of which is attached hereto and incorporated herein;

Whereas, The Town Council has held a Public Hearing, after publication and mailing of notice as required by law, and has heard all interested persons regarding Works Board Order No. 2021-27;and,

Whereas, The Town Council now desires to confirm Works Board Order No. 2021-27,

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

Section 1. That the Town Council hereby determines that the benefits that will accrue to the property liable to be assessed for the improvements (as defined in Works Board Order No. 2021-27) will be in excess of the maximum estimated cost of the improvement;

Section 2. That the Town Council hereby confirms Works Board Order No. 2021-27;

Section 3. That the Town Council hereby orders that the improvements be completed and hereby determines to levy special assessments against the owner of property to be benefited by the improvements in a total amount not to exceed the estimate of maximum cost for the Improvements, which assessments are to be levied upon completion of the Improvements and determined in accordance with the provisions of I.C. 36-9-36.

Be it So Ordered.

Duly adopted and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, this 30th day of August, 2021 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:

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

EXHIBIT

TOWN OF HIGHLAND
ORDER OF THE WORKS BOARD NO. 2021 - 27

A PRELIMINARY ORDER FOR THE 3500 BLOCK OF JEWETT AVE STREET IMPROVEMENT PROJECT AND FINANCING THEREOF THROUGH MUNICIPAL GENERAL IMPROVEMENT FUND AND SPECIAL ASSESSMENTS FROM PROPERTY OWNERS BENEFITING FROM SUCH IMPROVEMENTS

Whereas, Pursuant to IC 36-1-2-24, the Town Council is the works board for the Town of Highland, Indiana (the "Town");

Whereas, Pursuant to Ordinance No. 1084, adopted by the Town Council on March 23, 1998, the Town has established a Municipal General Improvement Fund to provide monies to construct, repair, reconstruct or improve certain streets, alleys, sidewalks, curbs, gutters and sewers within the Town;

Whereas, Several residents of the **3500 block of Jewett Avenue** have requested consideration of the Town of Highland to install concrete curbs and public sidewalks;

Whereas, The cost for curb and sidewalk shall be paid for by the adjoining property owners based upon front footage of their property through a special assessment pursuant to the Special General Improvement District statute;

Whereas, The Town Council desires to proceed with the **3500 Block of Jewett Avenue Street Improvement Project** and to finance the portion of the cost of such projects relating to reconstruction of curbs and sidewalks (each such portion of a project, an "Improvement") through the Municipal General Improvement Fund;

Whereas, The Town has retained NIES Engineering, Inc. to prepare plans and specifications for the **3500 Block of Jewett Avenue Street Improvement Project**; and,

Whereas, The Town desires to finance the costs of the improvements pursuant to assessments to be collected from the property owners benefited by the respective proposed improvements as set forth in IC 36-9-36,

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

Section 1. That the Town Council acting as the Works Board, hereby makes a preliminary determination to proceed with the **3500 Block of Jewett Ave Street Improvement Project** and to finance the cost of the improvements through the Municipal General Improvement Fund and the collection of special assessments from property owners benefited by the respective improvements pursuant to IC 36-9-36;

Section 2. That the Town Council, acting as the Works Board, hereby adopts the plans and specifications for the projects and directs the Project Engineer to place on file cross-sections, general plans and specifications for each of the improvements;

Section 3. That the Town Council, acting as the Works Board, hereby adopts the estimate of the maximum cost of each of the improvements attached hereto as Exhibit A and directs the Clerk Treasurer to place such estimate of maximum costs on file in the office of the Town Council;

Section 4. That the Town Council acting as the Works Board, hereby determines to hold a public hearing regarding each of the improvements and whether the benefits that will accrue to the property liable to be assessed for the respective improvements will equal the maximum estimated cost of each of the improvements, which public hearing will be held at the regular meeting place of the Town Council at **6:30 P.M. on August 30, 2021**;

Section 5. That the Town Council further directs the Clerk Treasurer to publish notice of such hearing and to mail notice of such hearing to property owners affected by the respective improvements.

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 16th day of August 2021, having passed by a vote of 4 in favor and 0 opposed.

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

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

Attest:

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

Exhibit

3500 Block of Jewett Ave. Reconstruction Project

Preliminary Engineering:	NIES Engineering, Inc. 2421 173 rd Street Hammond, Indiana 46323
Project Limits:	Johnston St (west termini) Liable Rd (east termini)

Estimated Project Cost

Construction Cost:	\$568,658.00
<u>Construction Engineering Cost:</u>	<u>\$54,500.00</u>
Total Project Cost:	\$623,158.00
 Special Assessment (maximum):	 \$51,622.64

Description

The project consists of the reconstruction of the 3500 block of Jewett Avenue. The project includes roadway reconstruction; water main replacement; drainage improvements; new concrete curb and gutter, sidewalk, ramps and driveway aprons; and landscape restoration.

The existing street is an asphalt-paved section with no curbs along either side. The new pavement section will be 30 feet wide and consist of 8 inches of compacted limestone aggregate base course, 2.5 inches of HMA intermediate course, and 1.5 inches of HMA surface course. Curb and gutter will be installed along both sides of the entire roadway for a total back-to-back roadway section width of 33 feet. Public sidewalk will be installed in areas where sidewalks do not exist and replaced in sections where sidewalk is removed for construction.

The existing water main is a dead-end 3-inch diameter pipe. A new 8-inch diameter ductile iron water main will be installed to replace the old 3-inch pipe and will be connected to the existing water system at both Johnston St and Liable Road in order to provide increased flow, pressure and fire protection for the properties along the 3500 block of Jewett Ave.

The existing storm sewer system will be improved by relocating inlets and catch basins to the new curb and gutter location. In addition, existing shallow storm sewers running along both the north and south sides of the existing roadway will be abandoned / removed, and all existing storm laterals will be extended to the deeper storm sewer within the roadway that will remain in service.

The 3500 block of Jewett Avenue is considered a residential street. The area is zoned R1 for single-family residential housing.

It is proposed that the property owners will be assessed for the new concrete curb and gutter across their property frontages, as well as for new sidewalks where none currently exist. Property owners will not be assessed for sidewalks that are removed as a consequence of the project.

It is proposed that the balance of construction is to be paid for by other funds of the municipality which could include Capital Cumulative Improvement (CCI), sanitary district funds, water works funds, Local Road and Street (LR&S) funds, gaming revenue and other capital funds of the municipality.

3. Works Board Order No. 2021-29: A Preliminary Order Adopting and Approving Municipal General Improvement Fund Special Assessment Rolls for Property Owners Benefiting from the 3500 Block of Jewett Ave. Street Improvement Project.

Councilor Herak moved the passage and adoption of Works Board Order No. 2021-29. 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
ORDER OF THE WORK BOARD NO. 2021-29**

**A PRELIMINARY ORDER ADOPTING AND APPROVING MUNICIPAL GENERAL IMPROVEMENT FUND
SPECIAL ASSESSMENT ROLLS FOR PROPERTY OWNERS BENEFITING FROM THE 3500 BLOCK OF JEWETT
AVE. STREET IMPROVEMENT PROJECT**

Whereas, Pursuant to Ind. Code 36-1-2-24, the Town Council is the works board for the Town of Highland, Indiana (the "Town");

Whereas, Pursuant to Ordinance No. 1084, adopted by the Town Council on March 23, 1998, the Town has established a Municipal General Improvement Fund to provide monies to construct, repair, reconstruct or improve certain streets, alleys, sidewalks, curbs, gutters and sewers within the Town;

Whereas, Pursuant to Works Board Order No. 2021-28, the Town Council confirmed Order No. 2021-27 and determined that the benefits to accrue to the property liable to be assessed for reconstruction of curbs and sidewalks in the 3500 Block of Jewett Ave. (the "Improvements") will be in excess of the maximum estimated cost of the Improvements; and,

Whereas, An assessment roll for the Improvements, including the name and owner of each parcel of property abutting on and adjacent to such Improvement, a description of each parcel of such property, and the total assessment against each parcel of property, copies of which are attached hereto as Exhibit A (each, an "Assessment Roll"), has been prepared and filed with this Town Council,

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

Section 1. That the Town Council hereby adopts and approves the Assessment Roll for the Improvements to the 3500 Block of Jewett Ave.;

Section 2. That the Town Council hereby determines to hold a public hearing regarding the Assessment Roll for the Improvements and to receive and hear remonstrances against the amounts assessed on the Assessment Roll and determine whether the lots or tracts of land have been or will be benefited by the Improvements in (a) the amount set forth on the Assessment Roll, (b) such greater or lesser amount, or (c) any amount at all, which public hearing will be held at the regular meeting place of the Town Council at **6:30 p.m. on September 13th, 2021**, and the Town Council further directs the Clerk-Treasurer to publish notice of such hearing and to mail notice of such hearing to property owners affected by the Improvements.

Be it So Ordered.

Duly adopted and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, this 30th day of August, 2021 by a vote of 5 in favor and 0 opposed.

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

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

Attest:

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

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4. **Introduced Ordinance No. 1740:** An Ordinance Designating An Economic Development Target Area Within The Boundary Of An Economic Revitalization Area Established By Resolution 2012-10 Adopted January 30, 2021 That Is Located At 9236 Indianapolis Boulevard To Enable Property Tax Abatement For Retail Uses. *(At its meeting of August 16, 2021, the Economic Development Commission considered the approval of the Economic Development Target Area, pursuant to IC 6-1.1-12.1-7. The Economic Development Commission favorably recommended the establishment by the Town Council of an EDTA for 9236 Indianapolis Boulevard. A letter reporting this is included. At the Town Council Meeting of August 23, 2021, Councilor Herak introduced Ordinance No. 1740 and indicated his intention to move its passage and adoption at this meeting)*

Councilor Herak moved the passage and adoption of introduced Ordinance No. 1740. Councilor Zemen seconded. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Zemen, Herak and Sheeman voting in the affirmative and Councilors Schocke and Black voting in the negative, the motion passed. The ordinance was adopted.

TOWN OF HIGHLAND, INDIANA
ORDINANCE NO. 1740

AN ORDINANCE DESIGNATING AN ECONOMIC DEVELOPMENT
TARGET AREA WITHIN THE BOUNDARY OF AN ECONOMIC
REVITALIZATION AREA ESTABLISHED BY RESOLUTION 2012-10
ADOPTED JANUARY 30, 2021 THAT IS LOCATED AT 9236
INDIANAPOLIS BOULEVARD TO ENABLE PROPERTY TAX
ABATEMENT FOR RETAIL USES

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

WHEREAS, On January 30, 2012, the Highland Town Council adopted **Resolution No. 2012-10** designating an Economic Development Revitalization Area including 9236 Indianapolis Boulevard;

WHEREAS, IC 6-1.1-12.1-3(e) provides that any facility the primary purpose of which is retail food or beverage service; automobile sales or service; or other retail is not eligible for property tax abatement unless the facility is located in an Economic Development Target Area;

WHEREAS, The Highland Redevelopment Commission and the Town Council desire to have the Real Estate located 9236 Indianapolis Boulevard designated as an Economic Development Target Area for the purpose of offering property tax savings for retail uses;

WHEREAS, IC 6-1.1-12.1-7(a)(1) enables the Town Council to designate an Economic Development Target Area by ordinance after a favorable recommendation by the Economic Development Commission in a specific geographic territory that *"has become undesirable or impossible for 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 that have impaired values or prevent a normal development of property or use of property"*;

WHEREAS, IC 6-1.1-12.1-7(b) enables the Town Council to designate up to 15% of the total geographic territory of the town to be in Economic Development Target Areas;

WHEREAS, At a meeting held Monday, August 16, 2021, the Highland Economic Development Commission determined the area proposed for an Economic Development Target Area within the Economic Revitalization Area that is located at **9236 Indianapolis Boulevard** is substantially less than 15% of the total geographic territory of the town; and

WHEREAS, At the meeting held Monday, August 16, 2021, the Highland Economic Development Commission unanimously recommended designation of an Economic Development Target Area located at 9236 Indianapolis Boulevard to enable property tax abatement for retail uses;

NOW THEREFORE, IT IS FOUND, DETERMINED AND ORDAINED, by the Town Council of the Town of Highland as follows:

Section 1. That the foregoing findings in the preamble to this ordinance are true, all information required to be submitted has been submitted in proper form and all requirements for approval of property tax abatement for retail uses located at 9236 Indianapolis Boulevard have been met.

Section 2. That the real estate within the Economic Revitalization Area established by **Resolution No. 2012-10** adopted JANUARY 30, 2012, that is located at 9236 Indianapolis Boulevard as described in **Exhibit A** attached and incorporated herein by reference, is found to be, declared and designated an Economic Development Target Area.

Section 3. That a property owner within said Economic Development Target Area who seeks tax abatement must submit an application of a form approved by the Redevelopment Commission and a "Statement of Benefits" (Form SB-1) prescribed by the Indiana Department of Local Government Finance before installing new equipment or before the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. The application fee shall be \$250.00 to defray actual processing and administrative costs.

Section 4. That the Clerk-Treasurer is authorized and directed to file a copy of this ordinance, including a description of the real estate as contained in **Exhibit A**, with the Lake County Auditor and the Department of Local Government Finance.
Introduced and Filed on the 23rd day of August, 2021. Consideration on same day or at same meeting of introduction was not considered, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 30th Day of August 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**

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

Attest:

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

EXHIBIT A

Legal Description of 9236 Indianapolis Boulevard

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.

PLAT MAP
9236 INDIANAPOLIS BOULEVARD

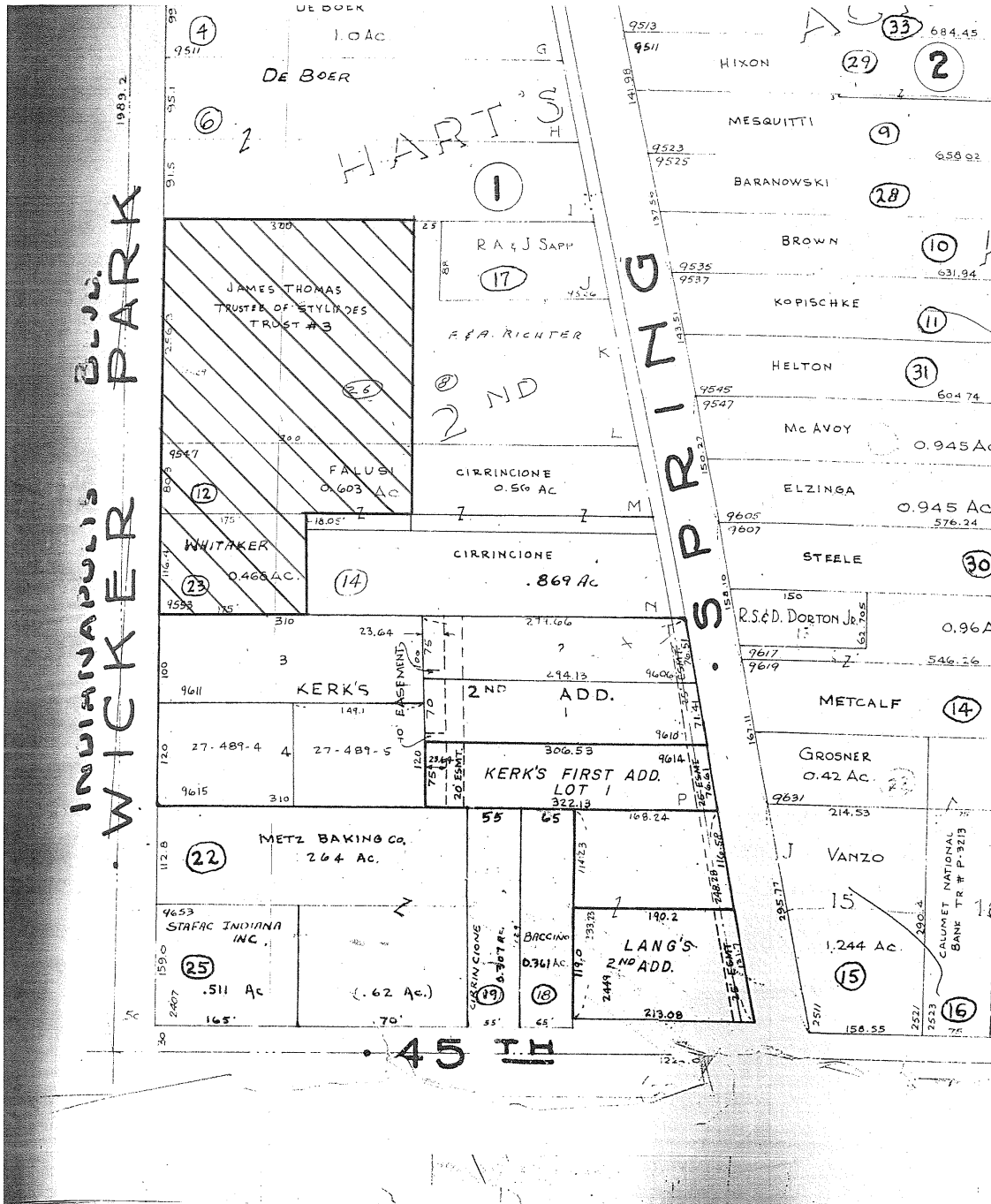


EXHIBIT B

INDIANA LAND TRUST COMPANY TR #120086
 (DBA: WEBB HYUNDAI, L.L.C.)
 Tax Abatement Application



**STATEMENT OF BENEFITS
 REAL ESTATE IMPROVEMENTS**

State Form 51767 (R8 / 10.14)
 Prescribed by the Department of Local Government Finance

2023 PAY 2024
FORM SB-1 / Real Property
PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
 Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer Indiana Land Trust Company TR#120086					
Address of taxpayer (number and street, city, state, and ZIP code) 9236 Indianapolis Blvd. Highland, Indiana 46322					
Name of contact person Kelly Webb Roberts		Telephone number (815) 230-6109		E-mail address Kelly@webbcars.com	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body Town of Highland					Resolution number
Location of property 9236 Indianapolis Blvd. Highland, Indiana 46322			County Lake County		DLGF taxing district number 45026
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) See Attached...					Estimated start date (month, day, year) August 30, 2021
					Estimated completion date (month, day, year) May 1, 2022
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number	Salaries	Number retained	Salaries	Number additional	Salaries
38.00	\$50,000.00	38.00	\$50,000.00	15.00	\$50,000.00
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
REAL ESTATE IMPROVEMENTS					
		COST		ASSESSED VALUE	
Current values		2,500,000.00		1,349,000.00	
Plus estimated values of proposed project		2,500,000.00		1,680,000.00	
Less values of any property being replaced		-300,000.00		0.00	
Net estimated values upon completion of project		5,700,000.00		3,029,000.00	
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds) <u>0.00</u>			Estimated hazardous waste converted (pounds) <u>0.00</u>		
Other benefits					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative <i>Kelly Webb Roberts</i>				Date signed (month, day, year) July 30, 2021	
Printed name of authorized representative Kelly Webb Roberts				Title President	

- Introduced Ordinance No. 1743:** An Ordinance To Authorize And Approve Certain Additional Payments To Employees Of The Town Of Highland, Indiana To Acknowledge And Express Appreciation For Services During The Period Of The Novel Corona Virus Pandemic And To Affirm Or Incent Vaccination Against The

Virus. (Introduced by Councilor Herak at the Town Council meeting of August 23, 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 Black moved the passage and adoption of introduced Ordinance No. 1743. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and one negatives. With Councilors Zemen, Herak, Schocke and Black voting in the affirmative and Councilor Sheeman voting in the negative, the motion passed. The ordinance was adopted.

ORDINANCE No. 1743
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE to AUTHORIZE AND APPROVE CERTAIN ADDITIONAL PAYMENTS TO EMPLOYEES of the TOWN of HIGHLAND, INDIANA TO ACKNOWLEDGE AND EXPRESS APPRECIATION for SERVICES DURING THE PERIOD of the NOVEL CORONA VIRUS PANDEMIC and TO AFFIRM OR INCENT VACCINATION AGAINST THE VIRUS.

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;

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, The people of the United States of America, the State of Indiana and the Town of Highland, are enduring a public health emergency, that first began in March 2020, related to the risk of airborne infection from the Novel Corona Virus 19 and its continuing mutations including most recently the Delta Variant;

WHEREAS, The risk to the public health has been combated by sheltering in place, closures of businesses, undertaking personal protective measures including the wearing of face masks, the emergency approval and dissemination of vaccines, and the continuing delivery of critical governmental services by the several workers of the municipal government of Highland; and,

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to further fix the compensation of the employees of the Town providing a *one-time appreciation stipend*, in appreciation for and in recognition of the commendable service of the municipal workforce during the Novel Corona Virus 19 pandemic, maintaining governmental services without interruption,

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 further established and fixed, pursuant to the provisions indicated herein and as follows:

Section 1. (A) That for all full-time employees, eligible employees as defined by Section 6.03.06(A)(3) of the compensation and benefits ordinance, certain additional identified workers from the departments described in *exhibits* to this ordinance, and paid on call firefighters of the Town of Highland, there shall be paid a one-time Covid-19 service appreciation stipend for the months of service beginning March 1, 2020 through to August 31, 2021;

(B) That the Covid-19 service appreciation stipend authorized by this ordinance shall be calculated on a flat rate of one hundred twelve dollars (\$112) for each month of service that the workers described in this section were employed, in the service period described in this section to be paid in a lump sum not to exceed two thousand sixteen dollars (\$2,016);

(C) That paid on call firefighters shall be further required to have responded to at least two (2) or more fire calls for each month in which the Covid-19 service appreciation stipend is to be paid;

(D) That the provisions of this ordinance will apply to all full-time employees, eligible employees as defined by Section 6.03.06(A)(3) of the compensation and benefits ordinance, certain additional identified workers from the departments described in *exhibits* to this ordinance, and paid on call firefighters of the Town of Highland who are employed on the date of passage and adoption of this ordinance;

Section 2. (A) That, to further affirm and encourage the health and welfare of the public workforce, all full-time employees, eligible employees as defined by Section 6.03.06(A)(3) of the compensation and benefits ordinance, certain additional identified workers from the departments described in *exhibits* to this ordinance, and paid on call firefighters of the Town of Highland, shall be paid a vaccination stipend in the amount of one thousand dollars (\$1,000);

(B) That the vaccination stipend shall not be paid without proof of vaccination to be filed with the worker's department head;

(C) That the proof of vaccination must evidence that the vaccinated worker has received the full course of the vaccine as stipulated by the vaccine manufacturer, meaning the two (2) inoculations for the Pfizer and Moderna vaccines and one (1) for the Johnson and Johnson vaccine and that eligibility will not require any booster;

(D) That all full-time employees, eligible employees as defined by Section 6.03.06(A)(3) of the compensation and benefits ordinance, certain additional identified workers from the departments described in *exhibits* to this ordinance, and paid on call firefighters of the Town of Highland, will have the period beginning from the passage and adoption of this ordinance and until December 31, 2021 to apply for the covid vaccine stipend;

Section 3. That each department head shall be required to prepare a roster of eligible workers as defined by this ordinance, depicting that the worker was employed on the date of this ordinance's passage and adoption, and reporting the covid service stipend calculated in the amount authorized by this ordinance for which each listed worker is eligible;

Section 4. Notwithstanding the wage and salary ordinance in effect as amended or the provisions of the compensation and benefits ordinance, the following is further directed:

(A) That **no** elected officer or appointed officer of a board or commission of the town of Highland are eligible for any benefit under this ordinance;

(B) That an eligible worker who is also a paid on call firefighter, shall only benefit under the terms of this ordinance under only one status of eligibility, which ever is greater;

(C) That all payments authorized by this ordinance shall be subject to an additional appropriation of *unreserved, undesignated* fund balance on deposit to the credit of the Corporation General Fund, paid from this approved appropriation to all employees subject to this ordinance's terms regardless of the assigned office or department of the eligible worker;

Section 5. That this ordinance is intended to be complementary and a companion to and in support of the existing ordinances governing wages, salaries and compensation and shall not be construed as abridging those provisions except as expressly set forth in Section 4 of this ordinance;

Section 6. (A) That the provisions of this ordinance, shall become effective and shall remain in full force and effect from and after the date of its passage and adoption, and until its repeal or amendment by subsequent enactment;

(B) That the clerk-treasurer's authority to implement the provisions of this ordinance pursuant to the provisions expressly set forth in IC 36-5-6-6 (a) (3) & (4) is hereby acknowledged.

Introduced and Filed on the 23rd day of August 2021. Consideration on same day or at same meeting of introduction sustained a vote of 4 in favor and 1 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 30th Day of August 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**

/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; IC 36-5-2-10.2)

EXHIBIT A

Parks and Recreation Department

The following are certain additional identified workers from the Parks and Recreation Department to be included according to the terms of this Ordinance.

Ashleigh Banks

Michelle Chandler

Kyla Gamez

Morgan Juarez

Joseph Kiortsis

Robert Kirk
Scarlett Labuda
Ryli Letke
Ethan Lewis
Cole Linkiewicz
Angel Morales
Joseph Optiz
Madison Owens
Robert Patterson
Sarah Peters
Nicole Russell
Andrew Sharp
Olivia Skertich
Cheryl Spasske
Justin Stewart
Corlizha Walker

EXHIBIT B

Metropolitan Police Department

The following are certain additional identified workers from the Metropolitan Police Department to be included according to the terms of this Ordinance.

Tracy Anderson
Robert Derengowski
Isabel Flens
Jerry Koedyker
Michael Lambertino
Aubrey Llano
Erin Rutherford
Mallory Marlett
Marilyn Thompson

Amendment of Agenda. Councilor Herak moved to amend the agenda to consider the approval of Works Board Order 2021-30, which affirmed the selection of the contractor as the lowest most responsive and responsible bidder for the Jewett Street Project. Councilor Schocke seconded the motion. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. Having attained the needed two-thirds approving vote, the motion passed. The matter of Works Board Order No. 2021-30 was now able to be considered

- 6. Works Board Order No. 2021-30:** A Joint Resolution of the Board of Works, Water Works Board, and the Sanitary Board Accepting and Awarding a Bid to Dyer Construction Co., Inc. for the 3500 Block of Jewett Avenue Water Main Replacement

and Street Improvement Project in the Total amount of \$568,658.00 as the Lowest Responsive and Responsible Bid.

Councilor Herak moved to approve Works Board Order No. 2021-30, joining with the Board of Sanitary Commissioners and Board of Waterworks Directors in approving Dyer Construction as the lowest most responsive and responsive bidder for the 3500 Jewett Street General Improvement Project. Councilor Schocke seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2021-30**

**WATER WORKS DISTRICT OF HIGHLAND
BOARD OF WATER WORKS DIRECTORS
RESOLUTION NO. 2021-22**

**SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION NO. 2021-13**

**A JOINT RESOLUTION OF THE BOARD OF WORKS, WATER WORKS BOARD, AND
THE SANITARY BOARD ACCEPTING AND AWARDING A BID TO DYER
CONSTRUCTION CO., INC. FOR THE 3500 BLOCK OF JEWETT AVENUE WATER
MAIN REPLACEMENT AND STREET IMPROVEMENT PROJECT IN THE TOTAL
AMOUNT OF \$568,658.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BID**

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 that a need exists to make certain public improvements and repairs to roadway infrastructure on the 3500 Block of Jewett Avenue, including pavement, curb and gutter, sidewalk, driveway aprons and parkway trees and have hereto approved a project to be described as the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project (Project); and

Whereas, the Waterworks District of Highland (WW District) is governed by its Board of Waterworks Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

Whereas, IC 8-1.5-4-4 specifically provides that the Board of Water Works Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

Whereas, The WW District, through its Board of Directors, has determined the need to replace and upsize the existing water lines within the Project boundaries, as described herein, in order to improve water flow and water quality; has determined that it would be in the best interest of the utility to coordinate the work with the Project; and have agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

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

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Project scope includes the repair and replacement of certain storm water facilities, which are the responsibility of SD District and have agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

Whereas, NIES Engineering, Inc. had prepared plans and specifications for the Project on behalf of the Board of Works, Water Works District, and the Sanitary District, and the Project was bid in accordance with IC 36-1-12 et seq.; and notice was published in accordance with IC 5-3-1; and

Whereas, the following bids were received at 10:00 a.m. on August 12, 2021:

Dyer Construction Co., Inc.	\$568,658.00
Gough, Inc.	\$606,111.00
Grimmer Construction, Inc.	\$626,966.00
Gariup Construction Co., Inc.	\$657,500.00
Engineer's Estimate	\$519,780.00

Whereas, NIES Engineering, Inc. has reviewed the bids and determined that the bid from Dyer Construction Co., Inc. in the amount of Five Hundred Sixty-eight Thousand Six Hundred Fifty-eight Dollars and 00/100 (\$568,658.00) to be the lowest responsive and responsible bid.

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 Board of Works, now desires to accept the recommendation of the Public Works Director and award a construction contract to Dyer Construction Co., Inc. for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project, in the amount of \$321,286.58 for street and right-of-way improvements; and

Whereas, The Water Works District of Highland, through its Board of Directors, now desires to accept the recommendation of the Water Works Superintendent and Water Works Engineer and award the bid for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project to Dyer Construction Co., Inc. in the amount of \$185,676.04 for water works improvements; and

Whereas, The Sanitary District of Highland, through its Board of Commissioners, now desires to accept the recommendation of the Sanitary District Superintendent and Sanitary District Engineer and award the bid for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project to Dyer Construction Co., Inc. in the amount of \$61,695.38 for sanitary district improvements.

Now, Therefore Be it Resolved by the Board of Directors of the Highland Waterworks, Lake County, Indiana, ordered by the Board of Works for the Town of Highland and resolved by the Board of Commissioners of the Highland Sanitary District as follows:

Section 1. That the Bid of Dyer Construction Co., Inc. in the amount of Five Hundred Sixty-eight Thousand Six Hundred Fifty-eight Dollars and 00/100 (\$568,658.00) for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project is hereby accepted as the lowest responsive and responsible bid.

Section 2. That the Town of Highland, through its Board of Works, acknowledges and approves its share of the work for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project in the amount of Three Hundred Twenty-one Thousand Two Hundred Eighty-six Dollars and 58/100 Cents (\$321,286.58);

Section 3. That the Waterworks District of Highland, through its Board of Directors, acknowledges and approves its share of the work for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project in the amount of One Hundred Eighty-five Thousand Six Hundred Seventy-six Dollars and 04/100 Cents (\$185,676.04);

Section 4. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, acknowledges and approves its share of the work for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project in the amount of Sixty-one Thousand Six Hundred Ninety-five Dollars and 38/100 Cents (\$61,695.38);

Section 5. That the Water Works District Superintendent/Public Works Director is authorized to execute the agreement and all documents necessary to implement the Project.

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 30th day of August, 2021. Having been passed by a vote of 5 in favor and 0 opposed.

**BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA**

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

Attest:

/s/ **Michael W. Griffin**, Clerk-Treasurer (IC 33-43-4-1; IC 36-5-6-5)

Duly Adopted, Resolved and Ordered by the Waterworks Board of Directors of Highland, Lake County, Indiana, this 26th day of August, 2021. Having been passed by a vote of 5 in favor and 0 opposed.

**HIGHLAND WATERWORKS
BY ITS BOARD OF DIRECTORS:**

/s/ **George A. Smith**, President

Attest:

/s/ **Richard E. Volbrecht Jr.**, Secretary

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 17th day of August, 2021. Having been passed by a vote of 5 in favor and 0 opposed.

**HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:**

/s/ Richard Garcia, President

Attest:

/s/ David Jones, Secretary

There being no further business to come before the Town Council, the special meeting of the Town Council, of Monday, August 30, 2021 was adjourned by the Town Council President at 7:35 O'clock p.m.

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

Approved at the meeting of the Town Council of _____.

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