

Agenda
Fifty-eighth Regular or Special Meeting
of the Twenty-Ninth Town Council of Highland
Regular Plenary Meeting of Monday, January 10, 2022 at 6:30 p.m.
 Agenda organized pursuant to Section 2.05.090 of the Highland Municipal Code
 This meeting will be convened as an electronic (hybrid) meeting, pursuant to
 Governor Holcomb's Executive Orders, 20-04, 20-09, 20-25 and extended by
 Executive Order 21-33, allowing such meetings, pursuant to IC 5-14-1.5-3.7 for
 the duration of the emergency, through to February 1, 2022

People may observe and record the meeting for live streaming by joining the meeting on the Zoom platform:

<https://us06web.zoom.us/j/81266425939?pwd=Wng1RjZ3QTVzRUxDUDNzaFAyYmFwdz09>

Further, some may need to access the electronic meeting by using the preceding link and adding the Meeting ID 812 6642 5939, and the password (code): 150787.

Prayer: Mark A. Herak

Pledge of Allegiance: Mark A. Herak

Roll Call: Bernie Zemen



Mark A. Herak

Mark J. Schocke

**A GREAT PLACE
TO CALL HOME**

Thomas (Tom) Black

Roger Sheeman

Minutes of Previous Session: Minutes of the Regular Meeting of 27 December 2021.

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- Special Orders:**
1. Election of the **Town Council President** for 2022, pursuant to § 2.05.040 of the Highland Municipal Code.
 2. Election of the **Town Council Vice President** for 2022, pursuant to § 2.05.040 of the Highland Municipal Code.
 3. **Consideration of Proposed Additional Appropriations:** (controlled funds): Proposed Additional Appropriations in Excess of the 2022 Budget for the Building and Inspection Department of the General Fund in the amount of \$57,152.76
 - (a) Attorney verification of Proofs of Publication: The TIMES 30 December 2021.
 - (b) **Public Hearing.**
 - (c) Action on **Appropriation Enactment No. 2022-01:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for
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The Town of Highland acknowledges its responsibility to comply with the American with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, etc.) for participation in or access to Municipal sponsored public programs, services and or meetings, the Town of Highland requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and or meeting. To make arrangements, contact the ADA Coordinator for the Town of Highland at (219) 972-7595.

the Building and Inspection Department of the General Fund, and Reducing Appropriations in the Budget of the Police Department of the General Fund, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq

COMMENTS FROM THE PUBLIC or VISITORS

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

Staff Reports:

- Building & Inspection Report for December 2021.
 - Fire Department Report for December 2021
 - Workplace Safety Report for December 2021.
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Appointments:

• **Statutory Boards and Commissions**

Executive Appointments (Town Council President)

(May be made in meeting or at another time)

1. **Municipal Plan Commission** (1) appointment to be made by Town Council President. *(Note: Currently held by James M. Kissee (R))*
2. **Advisory Board of Zoning Appeals** (1) appointment to be made by Town Council President. *(Note: Currently held by Matthew Thomas)*
3. **Redevelopment Commission** (3) appointments to be made by Town Council President. *(Note: currently held by George Georgeff, William Leep and Sean Conley.)*
4. **Redevelopment Commission Non-voting School Town Advisor.** (1) appointment to be made by the Town Council President. Must be a member of the School Board or a representative of the School town but is appointed by the Town Council President. **Term does not expire until 06.30.2022.** *(See IC 36-7-14-6.1(a)(d)). (Note: Currently held by Patrick Krull.)*
5. **Waterworks Board of Directors:** (2) appointments to be made by Town Council President. *(Note: Currently serving Curt Schroeder (D), a vacancy. Current composition of the board is two Republicans, two Democrats and once vacancy. No more than three of any one party under state law.*
6. **Board of Sanitary Commissioners:** (1) appointment to be made by Town Council President. *(Note: Currently serving Laura Corpus (D). Current composition of the board is three Republicans. No more than three of any one party under state law.*

Legislative Appointments (Town Council)

7. **Municipal Plan Commission** (3) appointments to be made by the Town Council. *(Note: Currently held by Bernie Zemen (elected official); Joseph Gryzowski (municipal employee); and G. Douglas Turich; Gryzowski (municipal employee). (Must either be an elected, or appointed official or an employee of the town) There is no partisan requirement here. **No action necessary unless change is desired.***
 8. **Park and Recreation Board** (1) appointment to be made by the Town Council. *(Note: Currently held by Omar A. Torres (R). Based upon the statutory requirements for balance, this position must be republican. (Current composition for this board's four citizen positions is two democrats and two republicans)*
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9. **Town Board of Metropolitan Police Commissioners** (3) appointments to be made by the Town Council. *(Note: Currently held by Larry Moes (R), Michael R. Danko (R) and James Slagle (D), who wishes to no longer serve. Based upon the statutory requirements no more than three may be of the same party. (Current composition for this is three democrats and two republicans)*
 10. **Redevelopment Commission** (2) appointments to be made by Town Council. *(Note: Currently held by Cyril Huerter and Robyn Radford. Both do not seek reappointment)*

Regional Statutory Boards or Commissions

11. **Northwest Indiana Regional Plan Commission** (1) person who is an elected official serves at pleasure of the Town Council President/Municipal Executive. No action necessary unless change is desired. *(Note: Currently held by Michael W. Griffin.)*
12. **Lake County Convention and Visitors Bureau Board of Directors** (1) appointment to be made by the Town Council President. Must be a involved in hotel or hospitality industry. **Term does not expire until 06.30.2022.** *(See IC 6-9-2-3) (Note: Currently held by Christine Cash.)*
13. **Economic Development Commission** (1) appointment to be made by the Town Council President. **Term does not expire until 01.30.2022.** *(Note: Currently held by Matthew Reardon.)*
14. **Lake County Solid Waste Management District Board of Directors** (1) appointment to be made by the Town Council. Must be a member of the town council. Term is co-extensive with legislative body term unless the council acts otherwise. *(Note: Currently held by Thomas Black.)*

Home Rule Boards or Commissions

15. **Tree Board** (2) appointments to be made by the Town Council president **BUT nominated** by the Town Council. See HMC Section 8.25.030 (B). *(Note: Currently serving Richard Underkofler; Michael Burns, Jr.)*
16. **Community Events Commission**
 - **Multi-year terms** (2) appointments to be made by the Town Council President terms expiring 01.01.2022 and 01.01.2023.
 - **Multi-year terms** (4) appointments to be made by the Town Council with 2 terms expiring 10.01.2022 and 2 terms expiring 01.01.2025.
 - **Annual terms** (9) appointments to be made by the Town Council terms ending on 01.01.2022. *(Note: Currently serving Allencia Ballard, Stan Allen, Deborah Trevino, Christine Gonzalez, Linda Carter, Jeffery Pena, Sandra McKnight, Elizabeth Alakel (who does not wish to be reappointed) and a vacancy.)*

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Committee Liaison Assignments (By custom, made by the Town Council President)

Unfinished Business & General Orders:

1. **Proposed Ordinance No. 1762: An Ordinance to Amend Chapter 12.15 of the Highland Municipal Code**, By Amending Solid Waste Service Fees set Forth in Section 12.15.130 of the Municipal Code and particularly Modifying or Amending Certain Other Provisions for Technical Clarity and Correctness. (A public hearing was conducted by the Board of Sanitary Commissioners at its meeting of Tuesday, January 4, 2022. Following the hearing, the resolution was passed and adopted by the Board of Sanitary Commissioners by a vote of 4 in favor and 0 opposed. The Secretary of the Board of Sanitary Commissioners directed a copy of this resolution to the office of the clerk treasurer as clerk of the legislative body, with a request that the Town Council of the Town of Highland, take up the matter for consideration and action at its earliest opportunity.
 2. **Proposed Ordinance No. 1763: An Ordinance to Make A Technical Updating Amendment To The Current Code of Ordinances for The Town of Highland, Particularly Amending Section 2.10.050, Authoring Control of Certain Office Access Hours of the Office of the Clerk-Treasurer, All Pursuant To IC 36-5-6 et Seq.**
 3. **Worked Board Order No. 2022-01: An Order Authorizing and Approving the First Change Order to the Construction Contract with Rieth-Riley Construction Co., Incorporated Related to the 2021 CCMG Street Improvement Project, DES #2100392, all Pursuant to I.C. 36-1-12-18.**
 4. **Resolution No. 2022-02: A Resolution Authorizing Temporary Interfund Loan or Transfer Pursuant to IC 36-1-8-4 of the Indiana Code and Section 3.20.040 of the Highland Municipal Code for the Corporation Bond and Interest Fund.**
 5. **Property, Commercial and other non-health insurance lines for the Town of Highland for FY 2022.** (The Town Council seeks to have plans run January 1 through February 28, 2023)
 - **Crowel Insurance Agency.** Crowel Insurance Agency has proposed a total cost of \$321,930, representing \$306,838 for Public Agency Multi-class Liability; and Cyber Liability Coverage of \$15,102. (See executive summary included) These numbers might be different.
 - **Brown Insurance Group.** Brown Insurance Group has proposed a total cost of \$_____, representing \$_____ for Public Agency Multi-class Liability including Cyber liability coverage. (See executive summary proposal included)
 6. **Renewal for the Workers Compensation Plan**, effective February 1, 2022 with Indiana Public Employers Plan (IPEP) as presented by Brown Insurance Group. The proposed premium or "contribution" is estimated to be \$90,299.
 7. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of \$142,727 in the **Unsafe Building Fund**; in the amount of \$10,000 in the **General Improvement Fund**; in the amount of \$4,304 in the **Hazardous Materials Fund**; in the amount of \$110,000 in the **Public Safety LIT Fund**; and the amount of \$1,720,643.00 in the **Redevelopment Capital Fund**.
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**UNFINISHED
BUSINESS**

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

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

**COMMENTS FROM
THE PUBLIC or
VISITORS**

This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council. Depending on the nature of the comments, the Town Council may direct the staff to address the topic or follow-up on matters that may arise from public comments. If necessary, the matter may be set for action at a future meeting. Persons addressing the Town Council are requested to limit their presentations to **two (2) minutes** and encouraged to avoid repetitious comments.

**ACTION TO PAY
Accounts Payable
Vouchers**

Accounts payable vouchers December 28, 2021 to January 10, 2022 in the amount of **\$564,585.31**.

ADJOURNMENT

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

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**Enrolled Minutes of the Fifty-Seventh Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Meeting (Electronic/Hybrid)
Monday, December 27, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, December 27, 2021 at 6:30 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

This meeting was convened as an *electronic and in person 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. 21-31, through January 1, 2022. 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. *Four of the five Town councilors participated in person.*

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 Councilor Bernie Zemen reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

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

Additional Officials Present: John Reed, Town Attorney; Mark Knesek, Public Works Director (remotely); Patrick Vassar, Assistant Chief of Police; William R. Timmer, Jr., CFOD, Fire Chief; (remotely); Alex M. Brown, CPRP, Superintendent of Parks and Recreation (remotely); Kathy DeGuilio-Fox, Redevelopment Director (remotely); Edward Dabrowski, Director of Information Technology; and Kenneth J. Mika, Building Commissioner were present. All participated in person except, where it's denoted remotely.

Also present: George M. Georgeff, Redevelopment Commission; and Larry Moes, Town Board of Metropolitan Police Commissioners were also present.

Guests: James L. Wieser, Attorney for Russell Group; Jennifer Smith, Esq., Russell Development Group; (remotely) Theresa Badovich of the Idea Factory (remotely); and Jennifer Hudson, London Witte Group; James D. Shanahan, Attorney with Taft Law (remotely) were present remotely.

Minutes of the Previous Meetings:

The minutes of the regular meeting of December 13, 2021, were approved by general consent.

Special Orders:

1. **Administration of Oath of Office** for Police Officer Candidate **John A. Freyek** and Police Officer Candidate **James M. Glidewell**. Police Officer Candidates Freyek and Glidewell were appointed by the Town Board of Metropolitan Police Commissioners at its meeting of 9 December 2021, with the appointment to be effective December 26, 2021, but not earlier than approval by Indiana Public Retirement System (INPRS).

- (a) *Instruction and Administration of Oath.* The Town Clerk-Treasurer offered the outline, rationale and instruction related to the oath of office for the police officer candidates.

The clerk-treasurer then administered the oath of office to each officer's, candidate separately. Each offer the proper oath.

- (b) *Presentation of Badges by Metropolitan Police Commission Chair and/or Town Council President or the Metropolitan Police Chief.* The Assistant Police Chief and the Town Board of Metropolitan Police Commissioners Chair, Mr. Moes presented police badges to Police Officer Freyek and Police Officer Glidewell.

The Town Council President and members of the Town Council welcomed the new officers, who then each introduced members of friends and family who were in attendance.

Comments from Visitors or Residents:

- 1. Larry Kondrat, Highland, expressed support for the introduced Ordinance No. 1760 increasing the wage and salary of the Town Council.

Mr. Kondrat expressed opposition to the passage and adoption of introduced Ordinance No. 1757. Mr. Kondrat expressed skepticism regarding the estimates of the tax increment production.

- 2. James L. Wieser, attorney for the Russell Group, acknowledged that Ms. Smith was also present via Zoom for the meeting. Mr. Wieser spoke in support of the passage and adoption of the introduced Ordinance No. 1757, outlining some of the infrastructure projects it required of the developer as part of the economic development agreement to be financed by private placement economic development bonds purchased by the developer and financed by the generated tax increment of the development.

Unfinished Business and General Orders:

- 1. **Introduced Ordinance No. 1757:** An Ordinance of the Town Council of the Town of Highland, Lake County, Indiana, authorizing the Issuance of its Taxable Economic Development Revenue Bonds, Series 2021 (S.J. Highland, LLC Development Project). *(This ordinance was introduced and filed by Councilor Herak at the Town Council meeting of December 13, 2021.)*

Councilor Zemen moved the passage and adoption of Ordinance No. 1757. Councilor Herak seconded. Prior to the roll call, the following amendments were proposed. No amendment was considered as each failed to attain a second.

Councilor Schocke moved to amend Ordinance No. 1757, changing the issue amount of the economic development bonds from \$4 million dollars to one dollar. This motion did not attain a second.

Councilor Schocke moved to amend Ordinance No. 1757, changing the issue amount of the economic development bonds from \$4 million dollars to one dollar and once cent (\$1.01). This motion did not attain a second.

Councilor Schocke moved to amend Ordinance No. 1757, changing the issue amount of the economic development bonds from \$4 million dollars to ninety nine cents (99¢). This motion did not attain a second.

Councilor Schocke moved to amend Ordinance No. 1757, changing the issue amount of the economic development bonds from \$4 million dollars to ninety-eight cents (98¢). This motion did not attain a second.

The Town Council President ruled out of order and dilatory, any further motions to amend as presented to amend the issue value of the bonds, having not attained in any case a second.

Councilor Schocke moved to appeal the decision of the chair. The motion did not attain a second.

Close debate. Councilor Herak moved for the previous question to be considered. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and one negative. With Councilors Zemen, Herak, Black and Sheeman voting in the affirmative and Councilor Schocke voting in the negative, the motion passed. Further debate ended on the matter of whether to adopt the motion to adopt Ordinance No. 1757, and the vote was called.

Roll Call: The Town Council President instructed the Clerk-Treasurer to conduct the roll call on the motion for the passage and adoption of Ordinance No. 1757. 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. Ordinance No. 1757 was adopted upon the signature of the municipal executive as attested thereto by the clerk-treasurer.

TOWN OF HIGHLAND
ORDINANCE NO. 1757

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA, AUTHORIZING THE
ISSUANCE OF ITS TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2021 (S.J. HIGHLAND, LLC
DEVELOPMENT PROJECT)

WHEREAS, The Highland Economic Development Commission (the "Commission") of the Town of Highland, Lake County, Indiana (the "Town"), adopted a resolution on November 3, 2021, finding that the financing of economic development facilities of S.J. Highland LLC, or its designee (the "User"), complies with the purposes and provisions of Indiana Code 36-7-11.9, sections 12 and 14 (collectively, the "Act"), and that such financing will be of benefit to the health and welfare of the Town and its citizens;

WHEREAS, Following a public hearing on November 3, 2021, the Commission adopted a resolution which approved and recommended the adoption of this form of Ordinance by the Town Council of the Town (the "Council"), considered the issue of adverse competitive effect and has approved the form of the Development Agreement, Financing and Covenant Agreement and the Trust Indenture and has transmitted the same to the Town Council for approval;

WHEREAS, The Town intends to use the proceeds of the economic development financing to assist the User in (i) the acquisition of real estate and the construction and development of a senior housing project in the Town, (ii) construction of improvements to real estate and related public infrastructure improvements including, but not limited to, streets, sidewalks and sanitary sewers, and (iii) the payment of costs of issuance and other related financing costs as are determined permissible under INDIANA CODE 36-7-11.9, INDIANA CODE 36-7-12 and INDIANA CODE 36-7-14 located in or connected to the Highland Commercial Corridors Redevelopment Area (collectively, the "Project"); and,

WHEREAS, The Project is expected to create opportunities for gainful employment in the Town; now therefore,
BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana That:

Section 1. It is hereby found that the financing of the economic development facilities referred to in the Development Agreement, the Financing and Covenant Agreement and Trust Indenture approved by the Commission and presented to the Council, the issuance and sale of the Town's Taxable Economic Development Revenue Bonds, Series 2021 (Russell Project) (the "Bonds"), the use of the proceeds of the Bonds to apply to the financing of the Project, the payment of the Bonds by the TIF Revenues generated within the site of the Project within the Highland Commercial Corridors Redevelopment Area, and the securing of said Bonds under the Financing and Covenant Agreement and Trust Indenture complies with the purposes and provisions of the Act, and will be of benefit to the health and general welfare of the Town and its citizens;

Section 2. The proceeds of the Bonds will be used for the financing of the Project will be located within the Highland Commercial Corridors Redevelopment Area at 9613 Kleinman Road, Highland, Indiana 46322;

Section 3. At the public hearing held before the Commission, the Commission considered whether the Project would have an adverse competitive effect on any similar facilities located in or near the Town, and subsequently found, based on special findings of fact set forth in the Resolution of the Commission transmitted hereto, that the Project would not have an adverse competitive effect. The Council hereby confirms the findings set forth in the Resolution of the Commission, and concludes that the Project will not have an adverse competitive effect on any other similar facilities in or near the Town, and the facilities will be of benefit to the health and general welfare of the citizens of the Town;

Section 4. The substantially final forms of the Development Agreement, the Financing and Covenant Agreement between the Town and the User (the "User's Financing Agreement"), the Trust Indenture (the "Trust Indenture") between

the Town and a trustee to be appointed by the Clerk-Treasurer (the "Trustee") and all other documents to be executed in connection therewith approved by the Commission (herein collectively referred to as the "Financing Agreement" as referred to in the Act) are hereby approved, and the Development Agreement and the Financing Agreement shall be incorporated herein by reference and shall be inserted in the minutes of the Council and kept on file by the Clerk-Treasurer of the Town. In accordance with the provisions of Indiana Code 36-1-5-4, two (2) copies of the Development Agreement and the Financing Agreement are on file in the office of the Clerk-Treasurer for public inspection;

Section 5. The Town shall issue its Bonds in the total principal amount of \$4,000,000 maturing no later than a date twenty years after the issuance of the Bonds. The Bonds are to be issued to pay the costs of the acquisition, construction, equipping and installation of the Project, as more particularly set out in the Trust Indenture and the Financing Agreement, incorporated herein by reference, which Bonds will be payable as to principal and interest from TIF Revenues, as provided in the above described Trust Indenture. The Bonds shall be issued in fully registered form in denominations of \$5,000 and any integral in excess thereof or as otherwise provided in the Trust Indenture, and the Bonds shall be redeemable in whole or in part, on any date at face value, plus accrued interest to the date fixed for redemption, as provided in the Trust Indenture. Payments of principal and interest are payable in lawful money of the United States of America by check mailed or delivered to the registered owners as provided in the Trust Indenture. The Bonds shall not constitute a debt of the Town or of the State of Indiana (the "State") within the meaning of any provisions of the Constitution or statutes of the State or a pledge of the faith and credit of the Town or of the State or grant to the owners thereof any right to have the Town or the General Assembly levy any taxes or appropriate any funds for the payment of the principal thereof or interest thereon;

Section 6. The President of the Council and the Clerk-Treasurer are authorized and directed to sell the Bonds to the User at a price of not less than 100% of the par value thereof which price shall be paid by the User in installments by the submission of proofs of payment of qualified project costs. The Bonds shall bear interest at a rate of interest not to exceed four and a half percent (4.5%) per annum;

Section 7. The President of the Council and the Clerk-Treasurer are authorized and directed to execute, attest, affix or imprint by any means the Town seal to the Development Agreement and the documents constituting the Financing Agreement approved herein on behalf of the Town and any other document which may be necessary or desirable prior to, on or after the date hereof to consummate or facilitate the transaction, including the Bonds authorized herein. The President of the Council and the Clerk-Treasurer are hereby expressly authorized to approve any modifications or additions to the Development Agreement and the documents constituting the Financing Agreement which take place after the date of this Ordinance, if such changes do not affect terms set forth in Indiana Code 36-7-12-27(a)(1) through (a)(10) with the review and advice of counsel to the Town; it being the express understanding of this Council that the Development Agreement and the Financing Agreement are in substantially final form as of the date of this Ordinance. The approval of these modifications or additions shall be conclusively evidenced by the execution and attestation thereof and the affixing of the seal thereto or the imprinting of the seal thereon; provided, however, that no such modification or addition shall change the maximum principal amount of or term of the Bonds as approved by the Council by this Ordinance without further consideration by the Council. The signatures of the President of the Council and the Clerk-Treasurer on the Bonds may be either manual or facsimile signatures. The Clerk is authorized to arrange for delivery of such Bonds to the Trustee, and the initial payment for the Bonds will be made to the Trustee and after such initial payment, the Bonds will be delivered by the Trustee to the User as purchaser thereof. The Bonds shall be originally dated the date of issuance and delivery thereof. Terms used herein with their initial letters capitalized which are defined in the Financing Agreement are used herein as so defined;

Section 8. The provisions of this Ordinance and the Trust Indenture securing the Bonds shall constitute a contract binding between the Town and the holders of the Bonds, and after the execution of the Trust Indenture, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as the Bonds or the interest thereon remains unpaid;

Section 9. This Ordinance shall be in full force and effect from and after its passage.

At its meeting of Monday, November 22, 2021, the Town Council voted unanimously to remove it from the agenda for that meeting.

Introduced and Filed on the 13th Day of December 2021. Consideration on same day or at same meeting of introduction was not taken up, pursuant to IC 36-5-2-9.8.

Duly Ordained and Adopted this 27th Day of December 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**

(SEAL)

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

ATTEST:

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

EXHIBIT

Economic Development Agreement

ECONOMIC DEVELOPMENT AGREEMENT

THIS ECONOMIC DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into as of the ____ day of _____, 2021, by and among the Town of Highland, Indiana (the "Town") and the Highland Redevelopment Commission (the "Redevelopment Commission" and, together with the Town, the "Town Parties"), and S.J. Highland LLC, or an affiliate thereof (the "Company"),

WITNESSETH:

WHEREAS, The Town Parties desire to foster economic development within the Town; and

WHEREAS, The Company has approached the Town Parties regarding the development of a senior housing project in the Town and related public infrastructure improvements, as more particularly described in Exhibit A attached hereto (collectively, the "Development"); and

WHEREAS, As part of the Development, the Company intends to make an investment in improvements with a development cost in the approximate amount \$31,600,000 and to undertake the Development on certain parcels of real property located within the Town in the Commercial Corridor Allocation Area (the "Property") (see Exhibit B attached hereto for a legal description and a depiction detailing the location of the Property); and

WHEREAS, The Company has requested certain economic development assistance from the Town; and

WHEREAS, The Town Parties have determined that the completion of the Development is in the best interests of the citizens of the Town, and, therefore, the Town Parties desire to take certain steps in order to induce the Company to complete the Development; and

WHEREAS, To stimulate and induce the development of the Property and the completion of the Development, the Town Parties have agreed, subject to further proceedings as required by law, to provide the economic development incentives described herein,

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

ARTICLE I.

RECITALS

- 1.01 Recitals Part of Agreement. The representations, covenants and recitations set forth in the foregoing recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section 1.01.

ARTICLE II.

ECONOMIC DEVELOPMENT INCENTIVES

- 2.01 Economic Development Revenue Bonds. The Town Parties shall, subject to further proceedings required by law, cause the issuance of economic development revenue bonds pursuant to IC 36-7-12 (the "Bonds"), in the amount of \$4,000,000 for application by the Company solely to Permissible Project Costs (as defined in Exhibit C). The Bonds shall have a term of twenty (20) years beginning on the date of issuance of the Bonds, and shall bear interest at an interest rate not to exceed four and a half percent (4.5%) per annum. The Company shall purchase the Bonds. Alternatively, at the option of the Company, the Bonds may be placed with a purchaser identified by the Company (with the Company providing such additional security as such purchaser may require beyond that pledged by the Redevelopment Commission in accordance with this Agreement) and such proceeds received by the Company shall be reduced by all costs of issuance and any market discount. If the Company (or its affiliate) purchases the Bonds, the Company shall, at the closing of the Bonds, pay all of the Redevelopment Commission's and the Town's costs of issuance and shall receive credits against the purchase price of the Bonds for (i) the costs of issuance paid by the Company, and (ii) expenditures relating to the Permissible Project Costs. The Redevelopment Commission and the Town shall not pledge to the repayment of the Bonds any tax revenues or other funds of the Redevelopment Commission or the Town, except the Pledged TIF Revenues (as defined below). The Company acknowledges that the Bonds are not privately marketable unless purchased by the Company or a private lender that the Company identifies as willing to purchase the Bonds without additional security from the Town Parties. The Company hereby agrees that non-

payment of the Bonds due to the inadequacy of the Pledged TIF Revenues shall not be deemed to be a default on the Bonds.

- 2.02 Pledge of Pledged TIF Revenues. The Redevelopment Commission shall, subject to further proceedings required by law, and subject to the Company's compliance with its commitments pursuant to this Agreement, including in particular its commitments pursuant to Section 4.02 hereof, cause 100% of the annual tax increment revenues generated by increases in assessed valuation of the real property on the parcels constituting the Property for a period of 20 years after the date of issuance of the Bonds (the "Pledged TIF Revenues") to be pledged to the payment of the Bonds due in the corresponding year.

ARTICLE III.

MUTUAL ASSISTANCE

- 3.01 Mutual Assistance. The parties agree, subject to further proceedings required by law, to take such actions, including the execution and delivery of such documents, instruments, petitions and certifications (and, in the case of the Town Parties, the adoption of such ordinances and resolutions), as may be necessary or appropriate, from time to time, to carry out the terms, provisions and intent of this Agreement and to aid and assist each other in carrying out said terms, provisions and intent. In particular, the Town Parties shall use their best efforts to assist the Company in obtaining all required zoning and other approvals and any required permits relating to the Development.

ARTICLE IV.

DEVELOPMENT

- 4.01 Property. The Company shall purchase the Project Site and acquire title to the property described in Exhibit B and commonly known as 9613 Kleinman Road, Highland, Indiana 46322, which is required for the construction and installation of the Ernie Strack Drive Improvements, and acquire such other property as is required for the future expansion of Kleinman Avenue (collectively, the "Scheeringa Property") from the Kenneth D. and Sandra M. Scheeringa Trust ("Scheeringa Trust"). The Company shall convey the Ernie Strack Drive Improvements and Kleinman Avenue expansion to the Town upon completion.
- 4.02 Development Description. The Development shall consist of the items and/or parameters set forth in Exhibit A attached hereto. The Company shall commence construction of the Development and/or demolition work necessary for the Development by no later than twelve (12) months following the successful procurement of all permits and other governmental approvals, and reasonably expects to complete the first phase of the construction and equipping of the Development by a date not later than [_____, 20__], subject to permitted delays provided for in Section 4.04 hereof.

(a) The Company shall, at its sole cost and expense, and within ten (10) days after closing on such real estate, record in the Lake County Indiana Recorder's Office, (i) the final plat of subdivision of the Project Site, and (ii) a Deed of Dedication wherein the Company dedicates, conveys and warrants the Ernie Strack Drive Parcel to the Town, subject to adequate perpetual parking and access easements for the benefit of the Grifland Shopping Center (the "Center"), and tenants, vendors customers and other invitees (the "Easements").

(b) The Company shall, at their sole cost and expense, disconnect the Center sanitary sewer system from the Town of Griffith's system and construct and install the necessary facilities and improvements required in order to connect the Center's sanitary sewer system to the sanitary sewer system installed on the Project Site.

(c) The Company shall, at their sole cost and expense, construct and install a new Ernie Strack Drive, including all pavement, lighting, sidewalks, curbs and all stormwater lines and facilities (collectively, the "Ernie Strack Drive Improvements") and reconfigure the Center's parking lot and its access to Ernie Strack Drive pursuant to the plans of NIES Engineering, Inc. specifically labeled as follows:

(i) "ERNIE STRACK DRIVE - TOPOGRAPHIC SURVEY; PRELIMINARY R.O.W. LAYOUT dated 07/16/19-16:00, NIES Engineering, Inc. Project No. 19-504" and (ii) "ERNIE STRACK DRIVE - TOPOGRAPHIC SURVEY; PRELIMINARY ROAD & PARKING LAYOUT - OPTION 1 dated 07/16/19-16:00, NIES Engineering, Inc. Project No. 19-504" (together, the "Plans")

(d) The Company shall be responsible to pay and/or reimburse to the Town Parties the cost to the Town Parties of any and all engineering or consulting inspections of the construction work for the infrastructure (water, storm, and sanitary) and Buildings that are part of the Project, either on or off of the Project Site. The Company shall also be responsible

to pay any costs and expenses incurred by the Town Parties for design review and/or construction observation during the course of construction with regard to the Project on the Project Site or improvements that serve or benefit the Project Site except as hereinbefore provided. All of Company's obligations to pay and/or reimburse the Town Parties contained in this Section shall be per the Town of Highland's current codes and ordinances, and nothing herein shall be construed to obligate Company to pay and/or reimburse the Town Parties for anything not required per code or ordinance.

4.03 Assessments and Taxes.

(a) During the period or term for which any obligation or debt service is outstanding in which tax increment is pledged to the Project as approved by resolution of the Redevelopment Commission, the Company as the property owner, including all subsequent property owner(s), waives its rights to appeal real (land and improvements) property assessed valuations of the Project or within the Project area unless deemed to be a clerical error of assessment application or a mathematical error. The Town reserves the right to waive the above condition upon written request of the Company as a property owner, including all subsequent property owner(s).

(b) During the period or term for which any obligation or debt service is outstanding in which tax increment is pledged to the Project as approved by resolution of the Redevelopment Commission, the Company, as the property owner, including all subsequent property owner(s), waives its rights to request or file an assessed valuation deduction, credit or exemption, whether available to a property owner as of the date of this Development Agreement or which subsequently may be authorized by the State of Indiana Legislature, to tangible real property improvements to be constructed, built or developed within the relevant allocation area. The Town reserves the right to waive the above condition upon written request of the Company as the property owner, including all subsequent property owner(s).

4.04 Permitted Delays. Whenever performance is required of any party hereunder, such party shall use all due diligence and take all necessary measures in good faith to perform; provided, however, that if completion of performance shall be delayed at any time by reason of acts of God, material worsening of the existing pandemic, future pandemics, war, civil commotion, riots, strikes, picketing, or other labor disputes, unavailability of labor or materials, or damage to work in progress by reason of fire or other casualty or similar causes beyond the reasonable control of a party (other than financial reasons), then the time for performance as herein specified shall be appropriately extended by the time of the delay actually caused by such circumstances. If (i) there should arise any permitted delay for which the Company or either of the Town Parties is entitled to delay its performance under this Agreement and (ii) the Company or either of the Town Parties anticipates that such permitted delay will cause a delay in its performance under this Agreement, then the Company or such Town Party, as the case may be, agrees to provide written notice to the other parties of this Agreement of the nature and the anticipated length of such delay.

ARTICLE V.

AUTHORITY

5.01 Actions. Each of the Town Parties represents and warrants that it has taken or will take (subject to further proceedings required by law and the Company's performance of its agreements and obligations hereunder) such action(s) as may be required and necessary to enable such party to execute this Agreement and to carry out fully and perform the terms, covenants, duties and obligations on its part to be kept and performed as provided by the terms and provisions hereof.

5.02 Powers. Each of the Town Parties represents and warrants that it has full constitutional and lawful right, power and authority, under currently applicable law, to execute and deliver and perform its respective obligations under this Agreement.

ARTICLE VI.

GENERAL PROVISIONS

6.01 Indemnity; No Joint Venture or Partnership. The Company covenants and agrees at its expense to pay and to indemnify and save the Town Parties, and their officers and agents (the "Indemnitees") harmless of, from and against, any and all claims, damages, demands, expenses and liabilities relating to bodily injury or property damage resulting directly or indirectly from the Company's (and/or any affiliate's thereof) development activities with respect to the Development unless such claims, damages, demands, expenses or liabilities arise by reason of the negligent act or omission of the Town or the Redevelopment Commission, or other Indemnitees. However, nothing contained in this Agreement shall be construed

as creating either a joint venture or partnership relationship between either of the Town Parties and the Company or any affiliate thereof.

- 6.02 Time of Essence. Time is of the essence of this Agreement. The parties shall make every reasonable effort to expedite the subject matters hereof (subject to any time limitations described herein) and acknowledge that the successful performance of this Agreement requires their continued cooperation.
- 6.03 Breach. Before any failure of any party of this Agreement to perform its obligations under this Agreement shall be deemed to be a breach of this Agreement, the party claiming such failure shall notify, in writing, the party alleged to have failed to perform such obligation and shall demand performance. No breach of this Agreement may be found to have occurred if performance has commenced to the reasonable satisfaction of the complaining party within thirty (30) days of the receipt of such notice. If after said notice, the breaching party fails to cure the breach, the non-breaching party may seek any remedy available at law or equity.
- 6.04 Amendment. This Agreement, and any exhibits attached hereto, may be amended only by the mutual consent of the parties, by the adoption of a resolution of each of the Town Parties approving said amendment, as provided by law, and by the execution of said amendment by the parties or their successors in interest.
- 6.05 No Other Agreement. Except as otherwise expressly provided herein, this Agreement supersedes all prior agreements, negotiations and discussions relative to the subject matter hereof and is a full integration of the agreement of the parties, including the Agreement among S.J. Highland, LLC, Griffland Center, Inc., the Town of Highland, Indiana, and the Highland Redevelopment Commission dated as of September 30, 2019.
- 6.06 Severability. If any provision, covenant, agreement or portion of this Agreement or its application to any person, entity or property, is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants, agreements or portions of this Agreement and, to that end, any provisions, covenants, agreements or portions of this Agreement are declared to be severable.
- 6.07 Indiana Law. This Agreement shall be construed in accordance with the laws of the State of Indiana.
- 6.08 Notices. All notices and requests required pursuant to this Agreement shall be deemed sufficiently made if delivered, as follows:

To the Company:

S.J. Highland, LLC
4600 East 53rd Street
Davenport, Iowa 52807
Attention: James V. Russell
Email: dsmith@russellco.com

With a copy to:

James L. Wieser
Wieser & Wyllie, LLP
429 West Lincoln Highway
Schererville, Indiana 46375
Email: jimwieser@wieserwyllelaw.com

To the Town Parties:

Town of Highland, Indiana
3333 Ridge Road
Highland, Indiana 46322

Attention: Michael W. Griffin, Clerk-Treasurer
Email: mgriffin@highland.in.gov

Highland Redevelopment Commission
3333 Ridge Road
Highland, Indiana 46322
Attention: Kathy DeGuilio-Fox, Director
Email: kdeguilio-fox@highland.in.gov

With a copy to:

Jimmy Shanahan
Taft Stettinius & Hollister LLP

111 East Wacker, Suite 2800
Chicago, Illinois 60601
Email: jdshanahan@taftlaw.com

or at such other addresses as the parties may indicate in writing to the other either by personal delivery, courier, or by registered mail, return receipt requested, with proof of delivery thereof. Mailed notices shall be deemed effective on the third day after mailing; all other notices shall be effective when delivered.

- 6.09 Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.
- 6.10 Assignment. The rights and obligations contained in this Agreement may not be assigned by the Company or any affiliate thereof without the express prior written consent of each of the Town Parties; provided, however, that the Company may transfer all or a portion of its rights and obligations hereunder to an affiliate of the Company upon notice to but without the consent of the Town Parties, but any such transfer to an affiliate of the Company shall not have the effect of releasing the Company from its obligations hereunder.
- 6.11 No Third Party Beneficiaries. This Agreement shall be deemed to be for the benefit solely of the parties hereto and shall not be deemed to be for the benefit of any third party.
- 6.12 Effective Date. Notwithstanding anything herein to the contrary, this Agreement shall not be effective until all parties hereto have executed this Agreement and each of the Town Parties has approved or ratified this Agreement at public meetings.

IN WITNESS WHEREOF, the parties have duly executed this Agreement pursuant to all requisite authorizations as of the date first above written.

TOWN OF HIGHLAND, INDIANA

By: _____
Roger Sheeman, Town Council President

TOWN OF HIGHLAND
REDEVELOPMENT COMMISSION

By: _____
Cyril Huerter, President

S.J. Highland, LLC

By: _____
James V. Russell, Manager

EXHIBIT A

DESCRIPTION OF DEVELOPMENT

The Development shall consist of (i) the acquisition of real estate and the construction and development of a senior housing project in the Town consisting of a 3 story facility with an estimated 60 independent living units, 55 assisted living units, and 21 memory care units for a total of 136 units, parking and other related site improvements, (ii) construction of improvements to real estate and related public infrastructure improvements including, but not limited to, streets, sidewalks and sanitary sewers, and (iii) the payment of costs of issuance and other related financing costs as are determined permissible under INDIANA CODE 36-7-11.9, INDIANA CODE 36-7-12 and INDIANA CODE 36-7-14 located in or connected to the Highland Commercial Corridors Redevelopment Area (collectively, the "Project").

EXHIBIT B

LEGAL DESCRIPTION FOR PROJECT SITE
(TO BE ACQUIRED BY THE DEVELOPER)

That part of the west half of the north half of the southeast quarter of the southeast quarter and the east half of the east half of the southeast quarter of Section 27, Township 36 north, Range 9 west of the Second Principal Meridian described as follows: beginning at the southwest corner of said west half; thence $NO^{\circ}05'27''W$ along the west line of said west half, 661.02 feet to the northwest corner thereof; thence $S89^{\circ}40'53''E$ along the north line of said west half and the north line of said east half, 1327.98 feet to the northeast corner of said east half; $SO^{\circ}01'01''W$ along the east line of said Section 27, 688.70 feet; thence $N89^{\circ}25'59''W$, 210.00 feet; thence $SO^{\circ}00'39''W$, 2.82 feet; thence $N89^{\circ}42'07''W$, 453.35 feet to the west line of said east half; thence $NO^{\circ}02'13''W$, 30.00 feet to the south line of said west half; thence $N89^{\circ}42'07''W$ along said south line, 633.37 feet to the point of beginning (excepting therefrom of Lot 1 of Gartland Center Inc. First Addition to the Town of Highland as recorded in Plat Book 63, Page 3) in Lake County, Indiana.

876,115 sq. ft.
20.113 acres

LEGAL DESCRIPTION FOR THE ERNIE STRACK DRIVE PARCEL
(TO BE DEDICATED TO THE TOWN BY THE DEVELOPER)

That part of the west half of the north half of the southeast quarter of the southeast quarter and the east half of the east half of the southeast quarter of Section 27, Township 36 north, Range 9 west of the Second Principal Meridian described as follows: commencing at the southwest corner of said west half; thence $S89^{\circ}42'07''E$ along the south line of said west half, 30.00 feet for a point of beginning; thence $NO^{\circ}05'27''W$ along the east line of the west 30.0 feet of said west half, 40.00 feet; thence $S89^{\circ}42'07''E$ parallel with the south line of said west half, 200.00 feet; thence $SO^{\circ}17'53''VV$ perpendicular to the south line of said west half, 10.00 feet to a line 30.0 feet north of and parallel with the south line of said south half; thence $S89^{\circ}42'07''E$ along said parallel line and the easterly extension thereof, 886.87 feet to the west line of Lot 1 of Griffland Center Inc. First Addition to the Town of Highland as recorded in Plat Book 63, Page 3; thence $SO^{\circ}01'01''E$ along said west line, 11.18 feet to the southwest corner of said Lot 1; thence $S89^{\circ}25'59''E$ along the south line of said Lot 1, 170.00 feet to the southeast corner of said Lot 1, being also a point on a line parallel with and 40 feet west of the east line of said southeast quarter; thence $SO^{\circ}01'01''W$ along said parallel line, 46.00 feet to a line parallel with and 46 feet south of said south line of said Lot 1; thence $N89^{\circ}25'59''W$ along said parallel line, 170.00 feet; thence $SO^{\circ}00'39''W$, 2.82 feet; thence $N89^{\circ}42'07''W$, 453.35 feet to the west line of said east half; thence $NO^{\circ}02'13''W$, 30.00 feet to the south line of said west half; thence $N89^{\circ}42'07''O$ along said south line, 633.37 feet to the point of beginning in Lake County, Indiana,

56,024 sq. ft.
1.286 acres

LEGAL DESCRIPTION FOR THE GRIFFLAND PROPERTY
(TO BE ACQUIRED BY THE TOWN)

Parcel 1:

That part of the west half of the south half of the southeast quarter of the southeast quarter of section 27, Township 36 north, Range 9 west of the Second Principal Meridian described as follows: beginning at the northwest corner of said west half; thence $S89^{\circ}42'07''E$ along the north line of said west half, 663.37 feet to the east line of said west half; thence $SO^{\circ}02'13''E$ along said east line, 30.00 feet; thence $N89^{\circ}42'07''V$ parallel with the north line of said west half, 433.82 feet; thence $SO^{\circ}17'53''W$ perpendicular to said north line of said west half, 10.00 feet; thence $N89^{\circ}42'07''rW$ parallel with said north line of said west half, 229.46 feet to the west line of said west half; thence $NO^{\circ}05'27''W$ along said west line, 40.00 feet to the point of beginning in Lake County, Indiana., and:

Parcel 2:

The south 140.0 feet of the north 180.0 feet of the west 30.0 feet of west half of the south half of the southeast quarter of the southeast quarter of Section 27, Township 36 north, Range 9 west of the Second Principal Meridian in Lake County, Indiana.

26,395 sq. ft.
0.606 acres

EXHIBIT C

PERMISSIBLE PROJECT COSTS

The net proceeds of the Bonds (net of costs of issuance) may be used only for the following costs:

- Acquisition of easements and reconstruction of the private drive known as Ernie Strack Drive
- Construction of potable water, waste water and storm water lines
- Construction of public infrastructure necessary or desirable for the Project including, but not limited to, sidewalks, lighting and other improvements
- Landscaping
- Professional, engineering and design fees relating to the above

2. **Introduced Ordinance No. 1760:** An Ordinance to Establish the Wage and Salary Rates of the Elected Officers, The Non-Elected Officers, And The Employees Of The Town Of Highland, Indiana for FY 2022. *(Councilor Herak introduced and filed this Ordinance at the Town Council Meeting of December 13, 2021. This ordinance consolidates current ordinance and all amendments, converted all paid board and commissions to monthly that were quarterly and makes a change to the town council salaries. The introduced ordinance was marked up at the Study Session of December 20, 2021)*

Councilor Zemen moved the passage and adoption of Ordinance No. 1760. Councilor Herak seconded. Prior to the roll call, the following amendments were proposed.

Councilor Black moved to amend Ordinance 1760 to exclude the increase for the members of the Town Council from its provisions. Councilor Herak seconded. Upon a roll call vote, there were three negatives and two affirmatives. With Councilors Zemen, Schocke and Sheeman voting in the negative and Councilors Herak and Black voting in the negative, the motion to amend did not pass.

Following a colloquy between Councilor Schocke regarding whether an increase for the Information Technology Director salary, it was noted that a four percent increase to the base pay of the position would automatically go into effect on the one year anniversary of the person's service.

Councilor Schocke moved to amend Section 13 (A) of Ordinance No. 176, making the bi-weekly starting pay rate of \$3,538.47 the same as the listed incumbent bi-weekly rate of \$3,690.41. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Schocke, Black and Sheeman voting in the affirmative, and Councilor Herak voting in the negative, the motion passed. The ordinance was amended as indicated.

Roll Call: There being no further amendments forthcoming, the Town Council President instructed the Clerk-Treasurer to conduct the roll call on the motion for the passage and adoption of Ordinance No. 1760 *as amended*. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Zemen, Schocke and Sheeman voting in the affirmative and Councilors Herak and Black voting in the negative, the motion passed. Ordinance No. 1760 as amended was adopted upon the signature of the municipal executive as attested thereto by the clerk-treasurer.

ORDINANCE No. 1760
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE to ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the

several units of government in Indiana;

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

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

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

WHEREAS, Pursuant to IC 36-8-9-5, the town legislative body shall appropriate a sum sufficient to pay the salaries of the members of the town police department;

WHEREAS, Pursuant to IC 36-8-9-4(b), the town legislative body shall determine the compensation to be paid to members of the police department in amounts that are just and reasonable;

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

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to fix the compensation of its elected officers, appointed officers and employees of the Town for the year ensuing and thereafter,

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

Section 1. (A) That except as otherwise expressly provided in this ordinance or the compensation and benefits ordinance, the base salary or wage outlined in this ordinance is hereby authorized for all regular full-time employees of the municipality who occupy an authorized position of the municipality at the time of its passage and adoption, with any changes set forth herein to be effective from the date indicated in this ordinance or at the conclusion of an authorized medical disability leave;

(B) That department heads and the Clerk-Treasurer are hereby authorized to grant an increase in the amount of up to thirty-five cents (35¢) per hour, at the department head's or the clerk-treasurer's discretion, for regular part-time, non-temporary employees and street crossing guards currently in service with the municipality in their position as of this enactment's passage, *provided* such increase remains within prescribed ranges or terms of this ordinance;

(C) That no other wage or salary increases not otherwise provided by statute or by ordinances of the Municipality may be distributed to any single employee or officer, unless specifically approved by the Town Council or proper board of jurisdiction;

Section 2. (A) That unless otherwise provided by this ordinance, all new employees will start at the identified starting wage or salary for their job position unless approved by the Town Council or authorized board of jurisdiction to do otherwise. Where no starting wage or salary is depicted, the Town Council or authorized board of jurisdiction shall fix such pay by proper enactment prior to the payment of wages or salary. **Department heads shall notify the Clerk-Treasurer in writing of all individual raises and their effective dates;**

(B) Further, department heads shall report all rates and wages as a rate per hour for all hourly wage earners and a bi-weekly rate for all salaried wage earners as set forth in this ordinance. **Such other increases or change of biweekly or hourly pay executed pursuant to this ordinance shall not be made effective earlier than the month in which the change is reported and is properly filed;**

(C) That still further, pursuant to IC 36-5-3-2(d), for the compensation of services performed for the town and are connected with the operation of a municipally owned utility or function, the salaries and wages fixed for the officers and employees in the Office of the Clerk-Treasurer and the Public Works Department (Agency) are hereby fixed in this ordinance but the governing bodies of the municipal utilities shall authorize the payment from utility resources the amounts that will support the payments authorized in this ordinance;

(D) *Incumbent defined.* Further, except as otherwise provided in the compensation and benefits ordinance regarding acting pay, the term "*Incumbent rate*" as used in this ordinance shall be construed to mean a rate or wage applied to a worker in the position for *more than one year*;

Section 3. That supervisors will receive no overtime pay except as provided in the most recently adopted compensation and benefits ordinance, as amended. Supervisors and Department Heads are further advised as follows:

(A) **Except where otherwise provided**, new temporary employees will *receive no less than \$9.00* per hour; further, returning temporary employees may receive up to **\$9.35** per hour; and Experienced temporary employees may receive up to **\$9.70** per hour, provided such increase remains within prescribed

ranges;

(B) Temporary employee is defined in compensation and benefits ordinance, commonly called the Employee Handbook, as amended. Returning temporary employee is defined as an employee who has once previously worked for the Town of Highland. Experienced temporary employee is defined as an employee who has previously worked for the Town of Highland more than once.

(C) For the purposes of this ordinance, references to department head or supervisor shall be construed to include the Clerk-Treasurer when acting in that capacity.

(D) *Master's Degree Pay*. Department heads and senior supervisory workers who earn a graduate degree from an accredited University or College in a discipline relevant to their administrative responsibilities, shall have an additional compensatory adjustment added to the base rate in the bi-weekly amount of \$112.32;

Section 4. *Approved workforce levels.* That the approved staffing levels for certain positions in the various offices and departments are hereby *approved* as indicated by a parenthetical number. However, the staffing levels set forth in this ordinance should not be construed in derogation of the approved positions for the Highland Metropolitan Police Department which remains governed by the authorized force strength provisions of Highland Municipal Code 9.10.010 (C) as may be amended or any other department for which its authorized staff strength is fixed by ordinance;

Section 5. *Compensation of Legal Counsel.* In addition to those provisions providing for a salary for the duly appointed attorney of the various boards or commissions of the municipality, the duly appointed attorney is authorized to bill for legal services performed outside the scope of the retained services salary for hours spent on lawful business of the municipality according to the rates and terms of a letter of acceptance placed on file with the municipal clerk;

Section 6. *Town Legislative Body, Boards and Commissions.* That subject to the provisions of this ordinance, the salary and wages for the elected officers, non-elected officers and employees of the Town of Highland are hereby fixed for its departments and offices as follows:

(A) Office of the Town Council

Town Council President	(1)	\$ 1,508.00 per month
Town Council Member	(4)	\$ 1,432.00 per month

~~That the foregoing salaries of the legislative body members remain at the level first fixed by Ordinance 1054, passed and adopted December 30, 1996 to be effective beginning in 1997, unchanged owing to the provisions of IC 36-5-3-2(e);~~

Town Council Attorney	paid at an hourly rate according to terms set forth in attorney's letter of acceptance on file.
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(B) Advisory Board of Zoning Appeals

Chairman (1)	\$ 150 per quarter	\$ 50 per month
Members (4) each	\$ 120 per quarter	\$ 40 per month

Attorney	paid at an hourly rate according to terms set forth in attorney's letter of acceptance on file.
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Recording Secretary	\$ 50 per month
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(C) Municipal (Advisory) Plan Commission

Chairman (Citizen member) (1)	\$ 150 per quarter	\$ 50 per month
Citizen Member Secretary (1)	\$ 120 per quarter	\$ 40 per month
Citizen Members (2)	\$ 120 per quarter	\$ 40 per month

Legislative Body appointees (3)	see below
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If legislative body appointees are elected or appointed officials of the municipality, they are not entitled to pay for service on municipal plan commission in order to be consistent with the purposes of Article 2, Section 5 of the Indiana Constitution.

Attorney	paid at an hourly rate according to terms set forth in attorney's letter of acceptance on file.
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Recording Secretary	\$ 50 per month
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(D) Town Board of Metropolitan Police Commissioners

Chairman (1)	\$ 50 per month
Members (4)	\$ 40 per month
Attorney	\$ 200 per month
Recording Secretary	\$ 50 per month

(Commissioners salaries are payable monthly. Pursuant to State law; Confer IC 36-8-9-3.1(g))

(E) Board of Sanitary Commissioners

The Town Council hereby incorporates by reference and approves the compensation for each individual commissioner of the Board of Sanitary Commissioners pursuant to the provisions of I.C. 36-9-25-3(e) which reads: "The appointed commissioners are entitled to a salary of not less than three thousand six hundred dollars (\$3,600) a year during actual construction and not less than six hundred dollars (\$600) a year in other years:

(1) During Actual Construction:

President (1)	\$ 4,500.00 per year (\$375.00 mo.)
Commissioners (4) each	\$ 3,600.00 per year (\$300.00 mo.)

(2) During other years:

President (1)	\$ 750.00 per year (\$62.50 mo.)
Commissioners (4) each	\$ 600.00 per year (\$50.00 mo.)

(F) Water Works Board of Directors

President (1)	\$ 50 per month
Citizen Members (4) each	\$ 40 per month

(G) Park and Recreation Board

President (1)	\$150 per quarter \$50 per month
Citizen Members (3) each	\$120 per quarter \$40 per month
Member appointed by School Board (1)	See below
Member appointed by Library Board (1)	See below

Authority to Fix this compensation: IC 36-10-3-9(a). The salary of any board members whose appointing authority is other than the **Town Legislative Body** will not be paid from the Municipal Treasury but may be paid from the treasury of the appointing authority, subject to law. However, any Board member whose appointing authority is other than the **Town Legislative Body** has all other rights of members appointed by the **Town Legislative Body** including the payment of actual expenses as provided in IC 36-10-3-9(b).

(H) Redevelopment Commission

Redevelopment Commissioners who do not otherwise hold a lucrative office for the purpose of Article 2, Section 5 of the Indiana Constitution shall receive the salary, which is hereby fixed as follows:

President (1)	\$ 50 per month
Vice President (1)	\$ 40 per month
Secretary (1)	\$ 40 per month
Members (2)	\$ 40 per month

All Redevelopment Commissioners are entitled to reimbursement for expenses necessarily incurred in the performance of their duties. (Pursuant to State law; Confer IC 36-7-14-7(f)(g));

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

(A) Elected Officer Clerk-Treasurer

That the salary of the clerk-treasurer shall be paid biweekly and shall be hereby fixed as set forth below:

(1) That subject to subdivision (D), the compensation for a Clerk-Treasurer possessing a **baccalaureate** level degree in a related field granted from an accredited University or College is hereby fixed at **\$3,024.24** bi-weekly;

(2) That, subject to subdivision (D), the compensation for a Clerk-Treasurer possessing an associate's level degree or less from an accredited University or College is hereby fixed at \$2,933.51 bi-weekly;

(B) Deputy Clerk-Treasurer

(1) That, subject to subdivision (D), the base compensation for a deputy clerk-treasurer with an associates level degree or less granted from an accredited University or College is hereby fixed as follows:

Starting Rate	Incumbent Rate (after 1 year)
\$1,961.01	\$ 2,054.32 bi-weekly

(2) That, subject to subdivision (D), the compensation for a deputy clerk-treasurer possessing a **baccalaureate** level degree in a relevant field granted from an accredited University or College is hereby fixed as follows:

Starting Rate	Incumbent Rate
\$ 2,191.05	\$ 2,191.05 bi-weekly

(C) Associate Employees and Staff

		Starting Rate	Incumbent Rate
(1) Fiscal Analyst	(1)	\$ 2,191.05	\$ 2,246.40
That the person selected for this position must possess at least a baccalaureate level degree in a relevant field granted from an accredited University or College. Subject to subdivision (D), the base compensation for a fiscal analyst is hereby fixed as a biweekly salary as follows:			
(2) Encumbering Officer	(1)	\$ 20.57	\$ 20.57 hr.
(3) Associate Clerk, Payroll & Personnel	(1)	\$ 20.57	\$ 20.57 hr.
(4) Chancery / Bursar Clerk, Senior	(1)	\$ 19.80	\$ 19.80 hr.
(5) Chancery / Bursar Clerk	(2)	\$ 19.47	\$ 19.47 hr.
(6) Lead Utility Clerk	(1)	\$ 20.57	\$20.57 hr.
(7) Utility Systems Clerk	(2) ^{xx}	\$ 19.47	\$19.47 hr.
(8) Chamberlain Clerk (part-time)	(X)	\$ 15.74	\$ 15.74-\$ 16.20
(9) Chancery & Bursar Aide (part-time)	(X)	\$ 9.36 -	\$ 16.20 hr.

^{xx}If a worker is assigned the **Lead Utility Clerk** position, the authorization for this position is reduced to one (1).

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

(D) *Certifications:* That a full-time worker described in subsection (B) and (C), or the officer and employee described in subsection (A) possessing a relevant professional certification from a generally accepted professional association including **but not limited to** Indiana League of Municipal Clerks and Treasurers, International Institute of Municipal Clerks, Association of Public Treasurers, Government Finance Officers Association, Society of Management Accountants, the American Society of Public Accounts, the American Water Works Association, or the American Payroll Association as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

		Salaried adds	Hourly adds
Indiana Accredited Municipal Clerk	(IAMC)	\$40.00 bi-weekly	50¢ per hour
Certified Municipal Clerk	(CMC)	\$50.40 bi-weekly	63¢ per hour
Master Municipal Clerk	(MMC)	\$75.20 bi-weekly	94¢ per hour
<i>(MMC pay substitutes and replaces the CMC pay. Pursuant to IIMC rules, the MMC replaces the CMC and that latter designation is dropped)</i>			
Certified Public Finance Administrator	(CPFA)	\$40.00 bi-weekly	50¢ per hour
Certified Public Finance Administrator Advanced	(ACPFA)	\$80.80 bi-weekly	1.01¢ per hour
Certified Public Funds Investment Manager	(CPFIM)	\$50.40 bi-weekly	63¢ per hour
Certified Public Funds Investment Manager Advanced	(ACPFIM)	\$98.40 bi-weekly	\$1.23 per hour
<i>(ACPFIM pay substitutes and replaces the CPFIM pay. Pursuant to APT US&C rules, the ACPFIM replaces the CPFIM and that latter designation is dropped)</i>			
Certified Public Finance Officer	(CPFO)	\$101.60 bi-weekly	\$1.27 per hour
Fundamental Payroll Certification	(FPC)	\$50.40 bi-weekly	63¢ per hour
Certified Payroll Professional	(CCP)	\$75.20 bi-weekly	94¢ per hour
(Utility) Customer Service Representative	(CCR)	\$75.20 bi-weekly	94¢ per hour

For any qualifying professional certification that is unlisted, the pay shall be based upon the established rate for the CMC credential.

(E) *Special assignment.* Pursuant to and not in derogation of the authority conferred in I.C. 36-5-6-7, the clerk-treasurer may designate up to two (2) positions described subsections (B) or (C) as senior staff, part of supervisory succession, eligible to receive the following amount to be added to base pay: Senior Staff assignment eighty cents per hour.

(F) Additional provisions Training and Transition.

For any position described in subsections (B) and (C), a duly selected or promoted successor employee may be paid at the new position's pay rate even when the position is still occupied by a departing incumbent employee for the purposes of training by the incumbent employee. The foregoing training pay arrangement may not be for a period of longer than ninety (90) days.

Section 8. Building and Inspection Department. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Building and Inspection Department** as follows:

		Starting Rate	Incumbent Rate
(A) Chief Inspector/Building Commissioner (1)			\$ 2,944.74;
(B) Assistant Inspectors:			
(1) Code Enforcement Officer	(1)		\$ 20.80 - \$27.48 hr.
(2) Assistant Inspector for Electrical (part-time)			\$ 24.37 - \$32.14 hr.
(3) Notwithstanding the provisions of Section § 2.05 of the Compensation and Benefits Ordinance, the hourly part-time employee(s) performing enforcement duties are regular part-time employees, however they may regularly work up to 78 hours in a pay period.			
<i>(Fee based compensation)</i>			
(4) Assistant Inspector for Plumbing (part-time)			\$18.00 for each one-unit plumbing examination proctored as provided in § Section 15.20.020 (G)(1), and thus hereby amended.
			\$25.50 for each inspection performed as described in Section 15.20.020 (G)(2) of the Highland Municipal Code, and thus hereby amended.
(C) Associate Employees and Staff			
		Starting Rate	Incumbent Rate
(1) Inspection Clerk	(1)	\$16.59	\$16.59
(2) Inspection Secretary	(1)	\$19.99	\$19.99

(D) Certifications: That a full-time worker described in Section 8 possessing a relevant professional certification from a generally accepted professional association including **but not limited to** International Code Council, as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

	<i>Salaried adds</i>	<i>Hourly adds</i>
Inspector Designations (B5,E5,M5 or P5)	\$50.40 bi-weekly	63¢ per hour
Code Specialists Designations (B8,E8, FA, M8,P8 or H8)	\$50.40 bi-weekly	63¢ per hour
Master Code Professional (MCP)	\$75.20 bi-weekly	94¢ per hour
Master of Special Inspection (MSI)	\$75.20 bi-weekly	94¢ per hour
Certified Building Official (CBO)	\$101.60 bi-weekly	\$1.27 per hour

Section 9. Public Works Department (Agency). That subject to the provisions of this ordinance, the salary and hourly wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Public Works Department** as follows:

(A) Supervisory Employees

		Starting Rate	Incumbent Rate
(1) Public Works Director	(1)		

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With an employer provided vehicle:		\$ 3,539.26	\$ 3,539.26
Without an employer provider vehicle:		\$ 3,717.89	\$ 3,717.89
(2) Operations Director	(1)		
With an employer provided vehicle:		\$ 2,953.75	\$ 2,953.75
Without an employer provider vehicle:		\$ 3,131.39	\$ 3,131.39
(3) Division Supervisors			
Supervisor Streets	(1)	\$ 2,496.21	\$ 2,496.21
Supervisor Water & Sewer	(1)	\$ 2,496.21	\$ 2,496.21
Supervisor Maintenance	(1)	\$ 2,496.21	\$ 2,496.21
Supervisor Facilities	(1)	\$ 2,496.21	\$ 2,496.21
(B) Associate Staff and Employees			
		Starting Rate	Incumbent Rate
(1) Administrative Assistant	(1)	\$ 24.50	\$ 24.50
(2) Public Works Secretary*	(1)	\$19.99	\$19.99
(3) Dispatch Clerk	(1)	\$18.08	\$18.08
<i>* If position of administrative assistant is filled, the position of public works secretary must be vacant.</i>			
(4) Senior Utility Technician	(1)	\$ 24.50	\$ 24.50
(5) Utility Technician	(2)	\$ 19.66	\$ 19.66
<i>This position subject to base modification as outlined in subdivision E</i>			
(6) Utility Worker /Equipment Operator A (3)		\$24.50	\$24.50
(7) Utility Worker /Equipment Operator B (2)		\$23.97	\$23.97
(8) Pump Station Operator	(2)	\$21.15	\$21.15
<i>This position subject to base modification as outlined in subdivision D</i>			
		Starting Rate	Incumbent Rate
(9) Street Sweeper Operator	(1)	\$ 21.68	\$ 21.68
(10) Utility Worker/Driver A	(4)	\$ 23.45	\$ 23.45
(11) Utility Worker/Driver B	(3)	\$ 20.11	\$ 20.11
(12) Utility Worker/Driver C	(2)	\$ 16.99	\$ 16.99
(13) Senior Mechanic	(1)	\$ 23.15	\$ 23.15
(14) Mechanic	(1)***	\$ 22.03	\$ 22.03
(15) Mechanic	(2)	\$ 22.03	\$ 22.03-\$23.67

*** Once a worker is assigned the **Senior Mechanic's** position, the authorization for this position is reduced to zero (0).

(16) Sign & Traffic Control Technician	(1)	\$ 20.33	\$ 20.33
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This position subject to base modification as outlined in subdivision D.

(17) Utility Worker A	(3)	\$17.76	\$17.76-\$19.32
(18) Utility Worker B	(3)	\$13.71	\$13.71 per hr.
(19) Custodian	(1)	\$16.45	\$16.45 per hr.
(20) Attendant Town Garage	(1)	\$15.29	\$15.97 per hr.
(21) Secretary (part-time)		\$ 9.64 - \$19.99 per hr.	
(22) Laborer (not truck driver)(part-time)		\$ 9.64-\$ 12.47 per hr.	
(23) Laborer, Seasonal Leaf Collection		\$ 9.93 per hour	
(24) Master Gardener/ Streetscaping (part-time)		\$12.85 - \$ 15.00 per hr.	
(25) Driver C Seasonal (must have a CDL)		\$ 16.99 per hour	

(C) Additional provisions.

For any position described in subsection (B) a duly selected or promoted successor employee may be paid at the new position's pay rate even when the position is still occupied by a departing incumbent employee for the purposes of training by the incumbent employee. The foregoing training pay arrangement may not be for a period of longer than ninety (90) days.

(D) *Certifications.* A full-time worker described below possessing a relevant professional certification from a generally accepted professional association as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

- (1) The positions *Pump Station Operator, Utility Technician, Mechanic, Sign & traffic Control Technician* and Driver C Seasonal are eligible for the following certification pay:

Commercial Driver's License add to the hourly base pay: \$ 0.68

- (2) The positions *Pump Station Operator* and *Utility Technician* are eligible for the following certification pay:

DSL Operators' License add to the hourly base pay: \$ 1.34
CT Operator's License add to the hourly base pay: \$ 1.34

- (3) The position *Pump Station Operator* is eligible for the following certification pay:

Backflow prevention license add to the hourly base pay: \$ 0.68

- (4) The position of *Sign and traffic Control Technician* is eligible for the following certification pay:

MUTCD* Certification add to the hourly base pay: \$ 1.34

*Satisfactory completion of training course on the Manual of Uniform Traffic Control Devices as provided by the American Public Works Association (APWA), Local Technical Assistance Program (LTAP), the American Traffic Safety Services Association (ATSSA) or the International Municipal Sign Association (ISMA).

- (E) *Stand-by Duty*. During particular work periods workers in the Public Works Department (Agency) will be scheduled to stand-by, which may mean the worker will be engaged to wait for mobilization. The Public Works Director will publish written guidelines regarding administration of this duty. There is an authorized rate that shall be fixed at an hourly rate to be applied by the number of hours of stand-by duty that is assigned in a bi-weekly period. It shall be uniform for all workers. The rate is now fixed at \$1.07 per hour.

Section 10. *Metropolitan Police Department*. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Metropolitan Police Department** as follows:

	Starting Rate	Incumbent Rate
(A) Chief of the Department (1) (biweekly)	\$ 3,332.43	\$ 3,574.01
(B) The following ranks of Sergeant are authorized as indicated:		
	Starting Rate	Incumbent Rate
(1) Sergeants (5) Bi-weekly	\$ 2,926.79	\$ 2,926.79
(2) The following ranks of Sergeant are deemed placeholder ranks. These are authorized ranks that are being held in place for department members who hold that service rank and held it before their appointment in an upper policy-making policy position, or an assignment named in (E)(5) of this ordinance, pursuant to IC 36-8-3-4 (b),(m) and IC 36-8-9-6:		
	Starting Rate	Incumbent Rate
(a) Sergeants (4) (placeholders)	\$ 2,926.79	\$ 2,926.79
(C) Corporals (8) (biweekly)	\$ 2,762.69	\$ 2,762.69

(D) **Special Assignment**. In the event that the Town Board of Metropolitan Police Commissioners determines that it is desirable or necessary to assign or detail an officer holding the rank or grade of **Sergeant** or **Corporal** to a specialty assignment or division transfer to the Crime Impact Unit of the Highland Police Department (CIU/HPD) or participates in a Multi-Jurisdictional law enforcement assignment (GRIT/FBI), while in that detail or on that assignment, the officer is to be paid at the rate set forth below, without loss of rank, and provided that the assignment and associated pay is *position-directed, or economically based, and non-disciplinary* in purpose:

- (1) Sergeant will be paid at the rate of Corporal
- (2) Corporal will be paid at the rate of Lance Corporal
- (3) An assignment as described above will not modify in any way the authorized limit for the rank of Sergeant or Corporal as set forth in subdivisions B or C of this section.

(E) **Other Police Officers and Assignments.**

- (1) All initial appointments to the Metropolitan Police Department, regardless of previous law enforcement experience, shall be probationary in nature pursuant to Regulation 11 of the Metropolitan Police Department and under the authority of IC 36-8-9-7. The basis for promotion to the several grades (classes) will be based upon written guidelines, rules or regulations determined by the Town Board of Metropolitan Police Commissioners.
- (2) A candidate/officer possessing a Law Enforcement Academy certification is eligible for initial appointment to Police Officer classes 1-4. A candidate/officer possessing no Law Enforcement Academy certification is only eligible for initial appointment to Police Officer class 4.
- (3) *Special position.* There is established a pay grade styled as Police Officer 1 (Special). An officer possessing the rank of Police Officer First (Class), that possesses at least thirty four years of service as a police officer, the last twenty-five of which have been served consecutively and successfully with the Highland Metropolitan Police Department, shall be paid the identified biweekly salary as base pay. For the purposes of establishing pension benefits under IC 36-8-1-11, IC 36-8-6-9, IC 36-8-6-9.6, IC 36-8-8.5 and IC 36-8-8-11, employee contributions under IC 36-8-6-4(3) and IC 36-8-8-8, or employer contributions under IC 36-8-8-6, the salary of the Patrol Officer 1 (Special) plus the longevity pay fixed for twenty years shall be used. The pay for this position was in effect on May 14, 2021. Pursuant to IC 36-8-1-11 (b), this pay will not be amended or changed as the basis for certified pay, until this salary is not greater than the salary of a non-special Police Officer 1.

	Starting Rate	Incumbent Rate
(4) Patrol Officers:		
Police Officer 1 (Special)	\$ 2,885.17	\$ 2,885.17
Police Officer 1	\$ 2,612.41	\$ 2,612.41
Police Officer 2	\$ 2,304.09	\$ 2,304.09
Police Officer 3	\$ 2,157.49	\$ 2,157.49
Police Officer 4 (no LEA certification)	\$ 1,954.31	\$ 1,954.31

- (5) The following represent assignments in the Metropolitan Police Department for which the following salaries are authorized. Persons so assigned shall be paid the greater of the assigned person's pay attached to person's actual service rank or grade, or the pay associated with the listed assignments depicted as follows:

	Starting Rate	Incumbent Rate
Assistant Chief	\$ 3,332.43	\$ 3,332.43
Division Commander (2)	\$ 3,090.85	\$ 3,090.85
Deputy Commander (1)	\$ 3,008.81	\$ 3,008.81

- (6) The following rank has been deemed a trace rank. Only officers employed in with the Metropolitan Police Department on or before **April 12, 2001** shall be eligible to elevation to the trace rank of Lance Corporal. This trace rank is conferred as follows:

(a) It shall be conferred on all Patrol Officers First Class in good standing, who meet the date eligibility indicated, who have successfully completed ten (10) years of continuous service with the Highland Metropolitan Police Department and upon approval of the Town Board of Metropolitan Police Commissioners; or

(b) It may be conferred on an officer of any higher rank in consequence of a proper disciplinary action who meets the date eligibility indicated.

Officers holding such rank will continue to hold such rank until their **demotion**, promotion or separation from service with the Metropolitan Police Department, at the level of pay set forth in this ordinance. Having separated, an officer having once been eligible to hold the trace rank or having the trace rank at the time of separation shall not be eligible hold such rank if officer is later re-hired, unless ordered by a court.

	Starting Rate	Incumbent Rate
Lance Corporal	\$ 2,700.98	\$ 2,700.98

(F) Other Associate Staff and Public Safety Employees

	Starting Rate	Incumbent Rate
(1) Support Services Administrator (1)	\$ 2,090.77	\$ 2,137.82

	Starting Rate	Incumbent Rate
(2) Systems Administrator/ IT & Training Officer (part-time)	\$23.39 hr.	\$32.31 hr*.
	Starting Rate	Incumbent Rate
(3) Secretary (1)	\$ 19.99	\$ 23.15 per hr.
(4) Lead Support Services Clerk (1)	\$ 17.75	\$ 19.33
(5) Lead Support Services Training Coordinator (1)	\$ 17.23	\$ 18.77
(6) Support Services Clerk (2) Support Services Clerk (part-time)	\$ 16.59	\$ 18.14
Animal Warden (part-time)	\$ 12.48 hr. -	\$16.07 hr.
Crossing Guard (part-time)	\$ 10.35 hr. -	\$ 11.52 hr.
Sub Crossing Guard (part-time)	\$ 10.35 hr. -	\$ 11.52 hr.
Secretary (part-time)	\$ 19.99 hr.	\$ 23.15 hr.
Metropolitan Police Chaplain (4)	no pay	
Matron or Clerk Duty (call-out) hourly rate - 2 hour minimum		
Off-Duty Court Time (2 hour minimum) hourly rate		

* That if the incumbent in the position of Systems Administrator/IT & Training Officer as of the date of the passage and adoption of this ordinance, is appointed to the position or performs in the position as a part-time worker, that person shall be paid at the rate denoted for an incumbent based upon composite pay that person earned when holding the position previously.

(G) Special Detail Pay Provisions:

(1) *Special Patrol Zone Details.* Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the Special duty/Highland Grove or other Special Patrol Zone detail will be paid at the following described rate:

Fixed at an hourly rate as set forth in an agreement or memorandum approved and authorized by ordinance of the municipality providing for special patrol zones and related agreements, pursuant to and as provided in Sections 9.10.250 through 9.10.280 of the Highland Municipal Code, which authorize Special Patrol Zones. A copy of such agreement must be on file in the office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

(2) *Select Details.* Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the following special assignments or details will be paid at 1.5 times the actual composite rate of pay of the assigned officer provided that officers above the rank of sergeant shall be paid at the rate associated with the rank of sergeant, plus the actual longevity.

- (a) Special Community Events sponsored by the Municipality by one or more of its executive Departments, agencies, or councils;
- (b) Mobile Park Patrol
- (c) Special patrol

(3) *Other details.* Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, any special assignments or details not otherwise described herein for which no other provision applies, such special details or overtime assignments will be paid at 1.5 times the actual composite rate of pay of the assigned officer provided that officers above the rank of sergeant shall be paid at the rate associated with the rank of sergeant plus the actual longevity.

(4) *Grant Supported Details.* Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the following special assignments or details will be paid at 1.5 times the composite rate (base rate plus longevity rate) of the assigned officer for hours performing the special assignment, provided such rate is lawful and authorized under the terms of the supporting grant and the actual rate is fully funded by the grant source:

- (a) Lake County Task Drug Task Force
- (b) Grant Supported Special Law Enforcement Detail(s) or Patrols
- (c) (OWI; DWI; Sobriety Checks/Domestic Violence Duties/)

(5) No rate of pay may be fixed for any regular duty or special detail or described employment, regardless of the source of funds, that has not been authorized or provided for in this Wage and Salary Ordinance as amended in effect or the Compensation and Benefits Ordinance as amended and in effect;

(H) Specialty Pay:

(4) Range Officers \$ 57.93 per month

(8)	Field Training Officers	\$ 57.93 per month
(1)	Systems Administrator	\$ 57.93 per month

Specialty payments to be made for those months as prescribed by the Chief of Police in each category. Range instructors are paid only during the months May through October.

- (1) **Stand-by Duty.** During particular work periods workers in the Police Department (Agency) will be scheduled to stand-by, which may mean the worker will be engaged to wait for mobilization. The Police Department will publish written guidelines regarding administration of this duty. There is an authorized rate that shall be fixed at an hourly rate to be applied by the number of hours of stand-by duty that is assigned in a bi-weekly period. It shall be uniform for all workers. The rate is now fixed at \$1.07 per hour not to exceed \$1,070.00 per year.

Section 11. *Parks and Recreation Department.* That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Parks and Recreation Department** as follows:

(A) **Supervisory Staff or Employees**

		Starting Rate	Incumbent Rate
(1) Superintendent of Parks and Recreation (1)			
With an employer provided vehicle:			\$ 2,997.66
Without an employer provider vehicle:			\$ 3,175.31
(2) Director of Recreation	(1)	\$ 2,143.18	\$ 2,143.18
(3) Recreation Supervisor	(3)	\$ 1,496.70	\$ 1,496.70-\$1,593.91
(4) Director of Parks	(1)	\$ 2,484.79	\$ 2,484.79

(B) **Associate Staff and Employees**

		Starting Rate	Incumbent Rate(s)
(1) Park Secretary	(1)	\$ 19.99	\$ 20.57 hr.
(2) Park Repairs Specialist	(1)	\$ 18.61	\$ 18.61 - \$ 20.85 hr.
(3) Park Specialist I	(3)	\$ 16.26	\$ 16.26 - \$19.88 hr.
(4) Park Specialist II	(3)	\$ 13.71	\$ 13.71
(5) Custodians	(3)	\$ 13.71	\$ 13.71- \$13.94 hr.
(6) Part-time workers:			
Laborers (part-time)		\$7.25 - \$13.71 per hr.	
Recreation Leaders (part-time)		\$7.25 - \$13.94 per hr.	
Recreation Program Instructors		\$7.25 - \$53.56 per hr.	
Temporary workers for parks division		\$9.64 - \$13.71 per hr.	

Pursuant to IC 36-10-3-10(b), the Park and Recreation Board shall fix the compensation of the positions in which a range for salaries or wages are indicated in this Ordinance.

(C) **Certifications.** A full-time worker described below possessing a relevant professional certification from a generally accepted professional association as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

		<i>Salaried adds</i>	<i>Hourly adds</i>
Certified Park & Recreation Executive (CPRE)		\$ 80.80 bi-weekly	\$1.01per hour
Certified Park & Recreation Professional (CPRP)		\$ 51.20 bi-weekly	64¢ per hour
Certified Playground Safety Inspector (CPSI).....		\$ 51.20 bi-weekly	64¢ per hour
Certified Master Gardener.....		\$ 40.00 bi-weekly	50¢ per hour

Pursuant to IC 36-10-3-10(b), in the event of an accreditation not listed herein, the Park and Recreation Board shall fix the additional adjustment in a range not lower that that paid to a Certified Master Gardner and not higher than that fixed for the CPRE.

Section 12. *Fire Department.* That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Fire Department** as follows:

		Starting Rate	Incumbent Rate
(A) Chief of Department/Fire Inspector (1)			\$ 2,814.55

(B) Associate Supervisory Staff or Specialty Employees

		Starting Rate	Incumbent Rate
Assistant Chief for Logistics	(1)		\$ 454.20 per quarter
Assistant Chief for Planning	(1)		\$ 363.37 per quarter
Assistant Chiefs for Operations	(3)		\$ 363.37 per quarter
Station Captains	(2)		\$ 151.40 per quarter
Lieutenants	(7)		\$ 105.98 per quarter
Mechanics	(1)		\$ 151.40 per quarter

(C) *Supervisory and Regular Employee pay treatment.* Except as otherwise provided for the Fire Chief, the compensation for the positions listed above shall be considered in addition to any and all such compensation earned as a firefighter. However, full-time Town employees who are also members of the Highland Fire Department shall not be entitled to additional compensation when responding to fire or ambulance calls while on duty at their regular full-time position.

(D) *Fire Chief Limitations.* The Fire Chief shall not be entitled to additional compensation apart from his base pay plus longevity and adjustments when responding to fire or ambulance calls nor for any training nor inspection participation.

(E) *Certification/Credentialing:* That a full-time or approved paid on call firefighter described below possessing a relevant professional certification or credentialing from a generally accepted professional association, such as but not limited to the Center for Public Safety Excellence, or the International Code Council, as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

		Salaried adds	Hourly adds
Chief Fire Officer designation (CFO)		\$ 51.20 bi-weekly	64¢ per hour
Fire Officer designation (FO)		\$ 40.00 bi-weekly	50¢ per hour
Chief Training Officer (CTO)		\$ 40.00 bi-weekly	50¢ per hour
Certified Fire Marshal (CFM)		\$ 51.20 bi-weekly	64¢ per hour

(F) Support staff

Secretary (part-time)	\$ 19.99 per hr.
Custodian (part-time)	\$ 7.25 –16.07 per hr.

(G) Fire Fighters compensation

		01.01.2022	07.01.2022
Firefighters' compensation shall be paid quarterly as follows effective on the date in the column:			
(1) Fire Calls <i>(per hour or fraction thereof) (see HMC Section 9.05.050)</i>	\$ 17.00 hr.		\$17.50 hr.
(2) Training <i>(per hour or fraction thereof) (see HMC Section 9.05.050)</i>	\$ 17.00 hr.		\$17.50 hr.
(3) Special Preparedness duties/ details <i>(per hour or fraction thereof) (see HMC Section 9.05.050)</i>	\$ 17.00 hr.		\$17.50 hr.
(4) Special Maintenance (non-custodial) duties/ details <i>(per hour or fraction thereof) (see HMC Section 9.05.050)</i>	\$ 17.00 hr.		\$17.50 hr.
(5) Inspection <i>(per hour or fraction thereof) (see HMC Section 9.05.050)</i>	\$ 10.91 hr.		\$10.91 hr.

(H) Special Pay Protocols

(1) For the following calls, responses or participation by the fire fighters, a stipend in lieu of direct compensation, shall be paid to the Highland Volunteer Fire Fighter Association, to be made as follows:

Still Alarms: \$ 53.56 per call

(2) Monthly General Membership Meeting: \$ 1.07 per member in attendance as certified by the Fire Chief or his/her designee.

Section 13. *Information Communications Technology Department.* That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed as biweekly pay unless stated otherwise for its Information Communications Technology Department as follows:

	Starting Rate	Incumbent Rate
(A) Director of Information Technology (1)	\$ 3,538.47 \$ 3,690.41	\$ 3,690.41

Section 14. That Section 4.04 of the Compensation and Benefits Ordinance commonly called the Employees Handbook be hereby amended to read as follows:

§ 4.04 Longevity Pay

All regular full-time employees from all departments who have completed a specified consecutive number of years of service, **subject to Section 3.20 regarding Bridging of Service**, and who have not taken the elective waiver for this benefit will be paid a longevity benefit. Longevity pay will be combined with the regular hourly or bi-weekly rate of pay to create a composite rate of pay. This composite rate of pay will begin and increase, as scheduled beginning with the payroll period in which the associated pay date will be the first **full pay period following** the employee's service anniversary date. The composite rate shall be the base rate for the purposes of calculating any overtime premium where such premium applies. For the purposes of establishing the value of the longevity benefit for the **objects** of IC 36-8 et seq., **generally and IC 36-8-8-3(d) in particular**, the annual longevity benefit will be as set forth in this section. **Effective from 2022, the annual longevity benefit will be \$2,059.20 or 2,080 times the hourly longevity rate for 20 years.** The composite rate for longevity shall be applied according to the following schedule:

Years of Service Completed	HOURLY	BI-WEEKLY
1	\$ 0.09	\$ 7.12
2	\$ 0.14	\$ 11.20
3	\$ 0.19	\$ 15.20
4	\$ 0.24	\$ 19.20
5	\$ 0.29	\$ 23.20
6	\$ 0.34	\$ 27.20
7	\$ 0.39	\$ 31.20
8	\$ 0.44	\$ 35.20
9	\$ 0.49	\$ 39.20
10	\$ 0.54	\$ 43.20
11	\$ 0.59	\$ 47.20
12	\$ 0.64	\$ 51.20
13	\$ 0.69	\$ 55.20
14	\$ 0.74	\$ 59.20
15	\$ 0.79	\$ 63.20
16	\$ 0.84	\$ 67.20
17	\$ 0.89	\$ 71.20
18	\$ 0.94	\$ 75.20
19	\$ 0.99	\$ 79.20
20	\$ 1.05	\$ 84.00
21	\$ 1.11	\$ 88.80
22	\$ 1.16	\$ 92.80
23	\$ 1.20	\$ 96.00
24	\$ 1.22	\$ 97.60
25	\$ 1.24	\$ 99.20
26	\$ 1.26	\$ 100.80
27	\$ 1.28	\$ 102.40
28	\$ 1.30	\$ 104.00
29	\$ 1.32	\$ 105.60
30	\$ 1.34	\$ 107.20
31	\$ 1.40	\$ 112.00
32	\$ 1.46	\$ 116.80

Elected Officials who have completed a specified number of years of service, and who have not taken the elective waiver for this benefit will be paid a longevity benefit according to the following schedule:

Completion of 4 consecutive years	\$ 10 per month
Completion of 7 consecutive years	\$ 30 per month
Completion of 10 consecutive years	\$ 40 per month
Completion of 13 consecutive years	\$ 50 per month
Completion of 16 consecutive years	\$ 60 per month
Completion of 18 consecutive years	\$ 70 per month
Completion of 20 consecutive years	\$ 85 per month
Completion of 22 consecutive years	\$100 per month

Section 15. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 16. That except where otherwise noted herein, other compensation and benefits matters not expressly provided herein for salaried and hourly employees and the Clerk-Treasurer shall be as set forth in the Compensation and Benefits Ordinance, commonly called the Employee Handbook as amended from time to time. The pay period is hereby defined as bi-weekly. The bi-weekly term for such pay represents the fourteen (14) day period, commencing at 12:01 a.m. Sunday and extending to and concluding just before Midnight of the second, following

Saturday, immediately preceding the week of the scheduled payday; beginning on December 26, 2021 and continuing thereafter;

Section 17. (A) That an emergency exists for the immediate taking effect of this ordinance, which, shall become effective and shall remain in full force and effect from and after the date of its passage and adoption, subject to any express provisions of this ordinance, in all other instances not sooner than January 9, 2022, and except to any express effective dates herein described to the contrary and until its repeal or amendment by subsequent enactment;

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

Introduced and Filed 13th day of December 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 27th Day of December 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, M.P.A., IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

3. Proposed Ordinance No. 1761: An Ordinance to Make Technical Updating Amendments To The Current Code of Ordinances for The Town of Highland, Particularly Amending Chapter 3.45, Making Revisions to the Motor Vehicle Highway Fund, All Pursuant To IC 36-1-5 and IC 36-1-27 Et Seq.

Councilor Herak introduced and moved the consideration of Ordinance No. 1761 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Ordinance No. 1761 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction, upon signature of the municipal executive as attested thereto by the clerk-treasurer.

**ORDINANCE No. 1761
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE TO MAKE TECHNICAL UPDATING AMENDMENTS TO THE CURRENT CODE OF ORDINANCES FOR THE TOWN OF HIGHLAND, PARTICULARLY AMENDING CHAPTER 3.45, MAKING REVISIONS TO THE MOTOR VEHICLE HIGHWAY FUND, ALL PURSUANT TO IC 36-1-5 AND IC 36-1-27 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 persuaded that it is necessary and desirable to adopt the several technical and substantive modifications necessary to carry out this requirement and 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 the Highland Municipal Code, be hereby amended by repealing Section 3.45.055 in its entirety, and replacing it with a new provision, to be styled as Section 3.45.055, which shall read as follows:

3.45.055 Motor vehicle highway fund.

- (A) There is established a fund of the municipality to be known as the motor vehicle highway fund, pursuant to IC ~~8-14-1~~ et seq.
- (B) The motor vehicle highway fund shall be further organized by departments, as required by law, which shall consist of the following:
- (1) Administration and Maintenance department. This department shall support the expenses associated with the following purposes:
 - (a) Excluding bridges, the constant making of needed repairs, to preserve a smooth surfaced highway, adequately drained, marked and guarded by protective structures for public safety;
 - (b) The acquisition and use, in any manner, of all needed equipment, fuel, materials, and supplies essential and incident thereto;
 - (c) All lawful purposes associated with the motor vehicle highway fund under IC 8-14 that are not assigned to the Construction, reconstruction, and preservation fund;
 - (2) Construction, reconstruction and maintenance preservation (CRP) department. This department shall support the expenses associated with the following restricted statutory purposes:
 - (a) The planning, supervising, inspecting, actual building, draining, and all expenses incidental to the construction of a highway;
 - (b) A widening or a rebuilding of the highway or any portion thereof;
 - (c) The preventative treatment, nonstructural treatment, rehabilitation, or structural repairs made to transportation infrastructure and related drainage that are included in an asset management plan approved by the Indiana department of transportation in collaboration with the local technical assistance program at Purdue University;
- (C) The clerk-treasurer in consultation with the town council president shall be authorized to ~~establish such other departments~~ assign and allocate the distributions pursuant to law to align the revenue with the departments' functions, pursuant to the provisions of IC 8-14-1-5(c), as may be deemed necessary or desirable; provided, that ~~any new department~~ assignments and allocations be reported to the town council, and that at least fifty percent (50%) of the motor vehicle highway distribution be allocated or assigned to the functions of the Construction, reconstruction, and preservation department;
- (D) Expenditures from this fund may only be for the purposes for which this fund and the departments are established, as follows:
- (1) The construction, reconstruction, repair, maintenance, oiling, sprinkling, snow removal, weed and tree cutting and cleaning of municipal highways as herein defined, ~~and including also~~ any curbs, provided these expenses are posted to the proper department;
 - (2) To pay the town's share of the cost of the separation of the grades of crossing of public highways and railroads, provided these expenses are posted to the proper department;
 - (3) The purchase or lease of highway construction and maintenance equipment, provided these expenses are posted to the proper department;
 - (4) The purchase, erection, operation and maintenance of traffic signs and signals, and safety zones and devices, provided these expenses are posted to the proper department; and
 - (5) The painting of surfaces in highways for purposes of safety and traffic regulation, provided these expenses are posted to the proper department;
 - (6) The payment of principal and interest on bonds sold primarily to finance road, street, or thoroughfare projects;
 - (7) ~~(6)~~ Pursuant to IC ~~8-14-1-5(c)~~, at least (50) fifty percent of the distributions coming into the fund shall be used for construction, reconstruction, and maintenance preservation of the municipality's highways.
- (E) For the purposes of this section, the following terms shall possess the following meanings:
- (1) "Highways" includes roadway, rights-of-way, bridges, drainage structures, signs, guard rails, protective structures in connection with highways, drains, culverts, and bridges and the substructure and superstructure of bridges and approaches thereto and streets and alleys of the town;
 - (2) "Construction" means the planning, supervising, inspecting, actual building, draining, and all expenses incidental to the construction of a highway;

- (3) "Reconstruction" means a widening or a rebuilding of the highway or any portion thereof;
- (4) "Maintenance," when used in reference to the town as applied to that part of the highway other than bridges, means the constant making of needed repairs, to preserve a smooth surfaced highway, adequately drained, marked and guarded by protective structures for public safety and such term also means and includes the acquisition and use, in any manner, of all needed equipment, fuel, materials, and supplies essential and incident thereto.
- (5) "Preservation" means the preventative treatment, nonstructural treatment, rehabilitation, or structural repairs made to transportation infrastructure and related drainage that are included in an asset management plan approved by the Indiana department of transportation in collaboration with the local technical assistance program at Purdue University.

(F) Appropriations. Expenditures from the fund may be made only upon appropriation by the fiscal body for the purpose for which the fund and its departments are specifically established, in the manner provided by statute for making other appropriations, and shall be disbursed only on approved accounts payable vouchers allowed by the board, all pursuant to IC [5-11-10](#) and [36-9-25-32\(b\)](#).

(G) Investments Authorized. Pursuant to IC [5-13-9](#) and Chapter [3.40](#) HMC, money in the fund may be invested; provided, that the yields from the purchase and sale of any such investments be deposited with the fund.

(H) Fund Sources. The motor vehicle highway fund consists of all moneys authorized to be collected and deposited to its credit under IC [8-14-1](#) et seq. Further, funds may include but not be limited to the following:

- (1) Intergovernmental revenues of any kind, taxes and charges as provided by law;
- (2) Grants from federal, state, local governmental sources or from such other entities as may be provided by law;
- (3) Proceeds from the liquidation of assets of the department including personal and real property, not required to be deposited elsewhere, including the sale of abandoned property, in the custody of the department, provided it is not required to be deposited in another fund pursuant to law.

(I) Preservation and Disposition of Fund Assets. All unused and unencumbered cash on deposit to the credit of the fund shall remain with motor vehicle highway fund, subject to transfer to the rainy day fund.

Section 2. 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 27th day of December 2021. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 27th Day of December 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

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; IC 36-5-2-10.2)

4. Resolution No. 2021-57: A Resolution Of The Town Of Highland, Indiana Adopting A Plan As Adopted And Filed With The Town Council In An Open Meeting For The Disposal Of Property Owned By The Redevelopment Department That Was Obtained From The County, Pursuant to I.C. 36-7-14-22.5

Councilor Zemen moved the passage and adoption of Resolution No. 2021-57. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN OF HIGHLAND
RESOLUTION NO. 2021-57

A RESOLUTION OF THE TOWN OF HIGHLAND, INDIANA ADOPTING A PLAN AS ADOPTED AND FILED WITH THE TOWN COUNCIL IN AN OPEN MEETING FOR THE DISPOSAL OF PROPERTY OWNED BY THE REDEVELOPMENT DEPARTMENT THAT WAS OBTAINED FROM THE COUNTY, PURSUANT TO IC 36-7-14-22.5

WHEREAS, The Highland Redevelopment Commission determined that the sale of certain real property and improvements owned by the Town of Highland Redevelopment Department, would further the execution of the redevelopment plan and best serve the interest of the community, from the standpoint of both human and economic welfare;

WHEREAS, The Redevelopment Commission complied with the provisions of Indiana Code 36-7-14-22, in disposing of the property, and did obtain an acceptable offer that its accepted from an able buyer;

WHEREAS, The Redevelopment Commission acknowledges the provisions of Indiana Code 36-7-14-22.5, and further acknowledges that the property proposed for sale was obtained from Lake County under IC 6-1.1-25-9;

WHEREAS, The Redevelopment Commission, at its meeting of December 14, 2021, did pass and adopt Redevelopment Resolution No. 2021-32, a resolution approving the sale of real property owned by the Redevelopment Department located at 2605 and 2609 Condit Street, with such sale subject to approval by the Town Council as the municipal legislative body;

WHEREAS, IC 36-7-14-22.5 further requires that the Redevelopment Commission present to the legislative body in a public meeting, *"all the information supporting the action the commission proposes to take under this subsection, (IC 36-7-14-22.5(e)) including any terms and conditions to which the commission would have to agree to carry out the action;"*

WHEREAS, The Redevelopment Commission did file Resolution No. 2021-32, along with its companion exhibits with the Town Council at its meeting (Study Session) convened Monday, December 20, 2021, to serve as presenting all the information supporting the sale along with terms and conditions associated with the sale of the property;

WHEREAS, The Redevelopment Commission and now requests that the Town Council offer its prior approval to this sale; and,

WHEREAS, The Highland Town Council (the "Town Council"), as the legislative body of the Town, now desires to approve and allow the that the sale of the property as properly authorized by the Redevelopment Commission,

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

Section 1. That the Highland Town Council makes the following findings and determinations:

(A) That the Redevelopment Commission complied with the provisions of Indiana Code 36-7-14-22, in disposing of the property, and did obtain an acceptable offer that its accepted from an able buyer;

(B) That pursuant to the provisions of Indiana Code 36-7-14-22.5, the Redevelopment Commission acknowledges that the property proposed for sale was obtained from Lake County under IC 6-1.1-25-9;

(C) That IC 36-7-14-22.5 further requires that the Redevelopment Commission present to the legislative body in a public meeting, *"all the information supporting the action the commission proposes to take under this subsection, (IC 36-7-14-22.5(e)) including any terms and conditions to which the commission would have to agree to carry out the action;"*

(D) That The Redevelopment Commission, at its meeting of December 14, 2021, did pass and adopt Redevelopment Resolution No. 2021-32, a resolution approving the sale of real property owned by the Redevelopment Department located at 2605 and 2609 Condit Street, with such sale subject to approval by the Town Council as the municipal legislative body;

(E) That the Redevelopment Commission did file Resolution No. 2021-32, along with its companion exhibits with the Town Council at its meeting (Study Session) convened Monday, December 20, 2021, to serve as its presentation of all the information supporting the sale along with terms and conditions associated with the sale of the property;

(F) That the Redevelopment Commission is empowered under IC 36-7-14-12.2(a)(2) to hold, purchase, exchange, or otherwise dispose of property on terms and conditions that the commission considers best for the unit and its inhabitants;

(G) That having reviewed the resolution and its plan, it is desirable and necessary for the Town Council as the legislative body of the Town, to affirm and approve the sale of the property, prior to its execution;

Section 2. That based upon the forgoing findings and determinations, the disposal of the property the sale of real property owned by the Redevelopment Department located at 2605 and 2609 Condit Street according to the terms and provisions set for in Redevelopment Commission Resolution No. 2021-32 is affirmed and approved, and that the Redevelopment Resolution No. 2021-32 be incorporated as an exhibit to this resolution;

Section 3. That any actions that may have occurred prior to approval, evidenced in this resolution that ordinarily would take place following the Town Council's approval, are hereby approved and ratified, pursuant to IC 36-1-4-16 and that this resolution once adopted be delivered to the redevelopment director for its application and use in support of the property transfer and disposal.

DULY RESOLVED and ADOPTED this 27th Day of December 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

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

Attest:

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

Exhibit:

**TOWN OF HIGHLAND
HIGHLAND REDEVELOPMENT COMMISSION
RESOLUTION 2021-32**

**A RESOLUTION OF THE HIGHLAND REDEVELOPMENT
COMMISSION TO APPROVE THE SALE OF THE REAL
PROPERTY KNOWN AS 2605 AND 2609 CONDIT STREET
AND 2605 AND 2606 GARFIELD AVENUE TO HIGHLAND AUTO
BODY FOR USE AS A COMMERCIAL PROPERTY**

WHEREAS, the Highland Redevelopment Commission (the "Commission"), governing body of the Town of Highland Department of Redevelopment (the "Department"), and the Redevelopment Area of the Town of Highland, Indiana (the "Redevelopment District"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in IC 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Commission on May 28, 1997, adopted Resolution No. 1997-01 declaring the Highland Redevelopment Area to be an area in need of redevelopment within the meaning of the Act; and

WHEREAS, Resolution No. 1997-01 was confirmed by the Commission with the adoption of Resolution No. 1997-02 on July 8, 1997; and

WHEREAS, Subsequent Resolutions, No. 2003-01, No. 2005-11, No. 2006-10, No. 2007-08, and No. 2008-09 confirmed expansion of the Redevelopment Area; and

WHEREAS, the Commission accepted the 2007 Comprehensive Plan for the Highland Redevelopment Area on March 14, 2007; and

WHEREAS, the Commission, from time-to-time, may find that it is in its best interests to dispose of and sell certain parcels of real property for development purposes; and

WHEREAS, the Commission properly approved Resolution No. 2020-21 authorizing the appraisals of the subject property in accordance with I.C. §36-7-14-12.2(a)(13) and I.C. 36-7-14-22(b) in preparation for the advertisement and sale of same; and

WHEREAS, the Commission properly approved Resolution No. 2020-26 authorizing the disposition and advertisement of the subject properties for sale pursuant to I.C. 36-7-14-22(c) & (d); and

WHEREAS, the Commission caused to be recorded in the property records of the Office of the Recorder of Lake County, Indiana, a Declaration of Environmental Covenants, Conditions, and Restrictions pursuant to Resolution No. 2020-27; and

WHEREAS, the Commission did not receive any properly composed and submitted offers for the subject property as a result of the aforementioned advertisement for same; and

WHEREAS, through negotiation with a private party, Highland Auto Body, ("Purchaser"), a purchase price and other items of consideration have been agreed to between the Commission and the Purchaser for a development intended to create additional business traffic, and catalyze investment through improved aesthetics; and

WHEREAS, Purchaser has agreed to pay a purchase price of \$20,000.00, of which the Commission has agreed to contribute seventy-five percent (75%), to a maximum of \$20,000.00, as reimbursement for eligible sewer project costs related to establishing sanitary sewer service at the subject property, to be paid upon completion of the work with approved receipts; and

WHEREAS, the Purchaser has submitted a basic development plan for the subject property, attached hereto as Exhibit A, which, while not containing the detail required by other Town of Highland bodies for final approval, has been reviewed and approved by the Commission as to the basic form and use thereof.

NOW, THEREFORE, BE IT RESOLVED by the Highland Redevelopment Commission as follows:

1. That the Commission finds and determines that it will be of public benefit to approve the sale of the property located at **2605 AND 2609 CONDIT STREET AND 2605 AND 2606 GARFIELD AVENUE**.
2. The purchase price of the property, (\$20,000.00), and the sewer service reimbursement arrangement are deemed to be fair and reasonable when all of the factors associated with the subject property are taken into consideration.
3. The Commission approves, and will provide up to seventy-five percent (75%), not to exceed a maximum reimbursement of twenty thousand dollars (\$20,000.00), as reimbursement for eligible sewer project costs related to establishing sanitary sewer service at the subject property, to be paid upon completion of the work with approved receipts.
4. That this Resolution shall be in full force and effect after its adoption by the Commission.

DULY RESOLVED AND ADOPTED by the Redevelopment Commission of the Town of Highland, Lake County, Indiana this **14th day of December, 2021** having passed by a vote of 4 in favor and 0 opposed.

REDEVELOPMENT COMMISSION of the
TOWN OF HIGHLAND, LAKE COUNTY, INDIANA


Cyril Huerter, President

ATTEST:


Bill Leep, Secretary

12-14-21
Date


Kathy DeGuilio-Fox
Redevelopment Director
Highland Redevelopment Department

December 14, 2021
Date

VIS LAW, LLC
NATHAN D. VIS, ESQ.
ATTORNEY AT LAW
Licensed in Illinois and Indiana

P. O. Box 980, Cedar Lake, Indiana 46303
Telephone (219) 689-1079
Facsimile (219) 733-1281

NATHAN D. VIS
ndv@vislaw.com

LISA M. KMETZ, PARALEGAL
paralegal@vislaw.com

November 23, 2021

VIA EMAIL TOJPRATLAW@AOL.COM AND NWIREALTY@LIVE.COM

Town of Highland Town Council and
Redevelopment Commission

Re: Redevelopment Plan

Dear Town Council and Redevelopment Commission Members:

Please be advised the undersigned represents Dan and Jim Eriks. As you are aware, in the purchase of 2605 Condit Street, Highland, Indiana, the parties have agreed that in order to move forward with the purchase, a proposed development plan is to be remitted by my client for approval prior to engaging in the purchase of same. I have included below and in following both the proposed site development for which my clients intend on utilizing the property, as well as a timeline of events for same.

Proposed Development Plan

The Proposed Site Development Plan which my clients desire to add to this commercial area is foremost to clear the land of the existent underbrush and trees, which have grown upon it in the past two decades.

Upon removing same, it is the intention of my clients to construct a commercial steel building, which they anticipate upon initial design to be composed of three sections, with large overhead doors, interior office spaces, and onsite asphalt parking.

The purpose of same would be to provide opportunities for three additional businesses to house and locate their business operations therein.

Attached hereto are the preliminary drawings and depictions that my clients have procured from involved builders. It is anticipated that the structure would be approximately 128 feet long by 8 feet wide, and the exterior would consist of a fascia which includes both steel as well as a stone/brick exterior, approximately 5 feet up from the ground.

EXHIBIT A

In conjunction therewith, the property would be tied into the local storm drainage system, as well as sewer and water would be run through the property, also extending to my client's existing business operations.

Please find attached proposed pictures of basic drawings that my client has received in working with builders at the present time, as well as depictions as to a basic set up of what he is envisioning on the property. My client has expressed that he intends to put a façade on the building to ensure facially that it continues to improve the area.

Timeline

Over the course of the past 12 months, my clients have engaged in extensive energies and financial investment into their ongoing business operations. Recognizing this investment, it is my client's plan to commence this winter with the removal of the trees and underbrush from the property, and leveling of same during the course of 2022.

Subsequent thereto, in the spring of 2023 they anticipate seeking approval from both the Development Commission, Planning Department and Building Department for development which is similar to the attached herein. It is also anticipated they would like to commence building in the spring of 2023 on same.

This proposed timeline is contingent upon the financial/business environment existent in Northwest Indiana and in the United States.

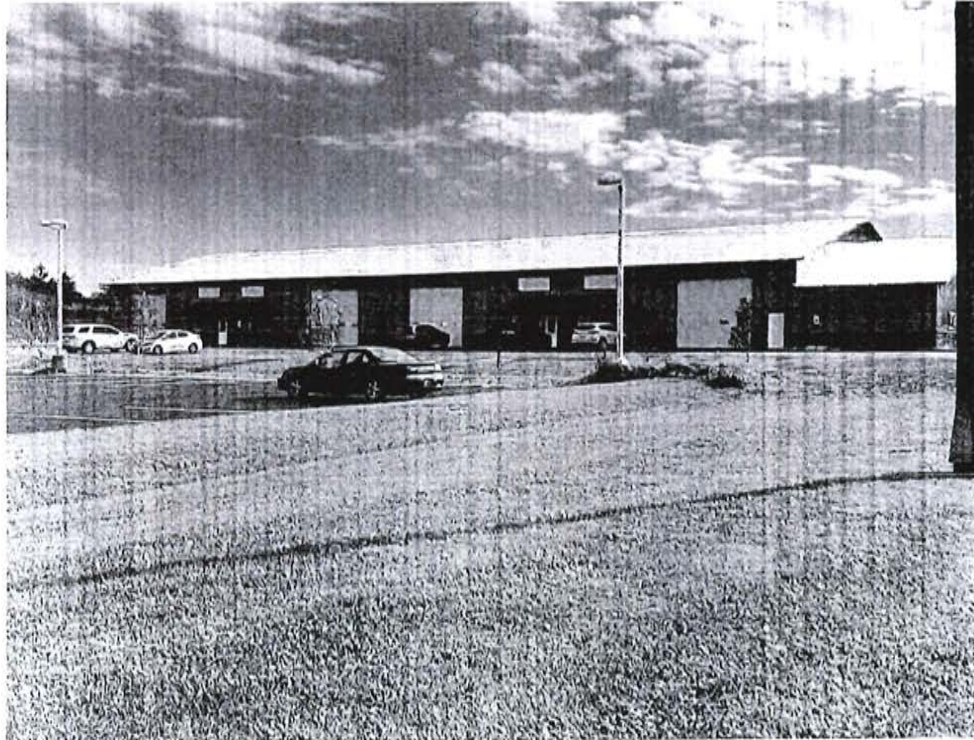
Please advise should you have any further questions.

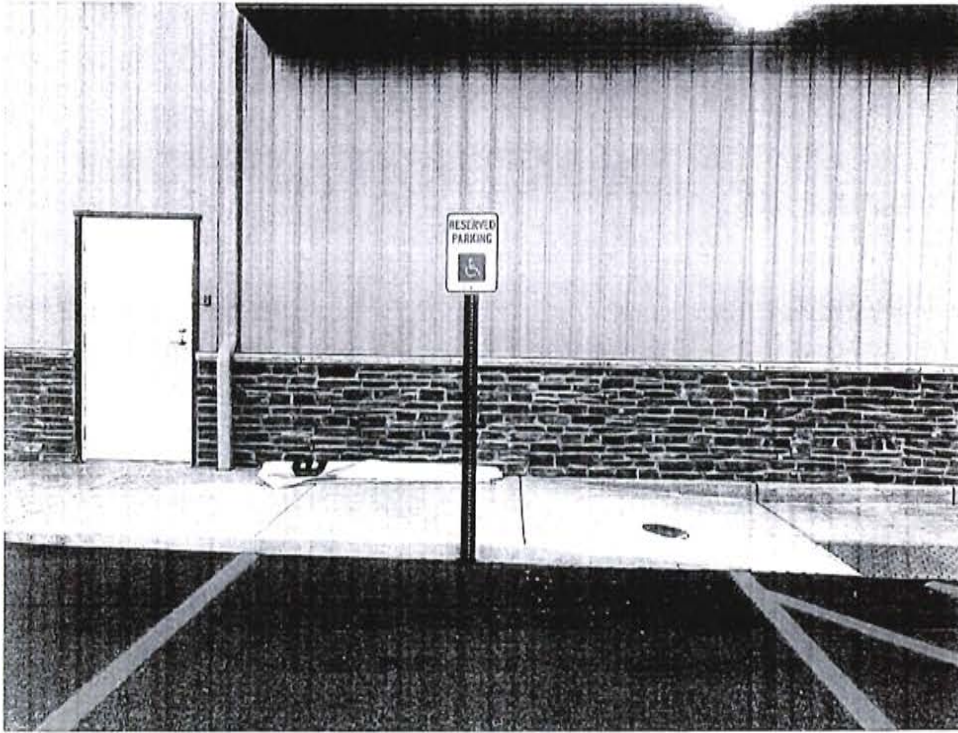
Respectfully,

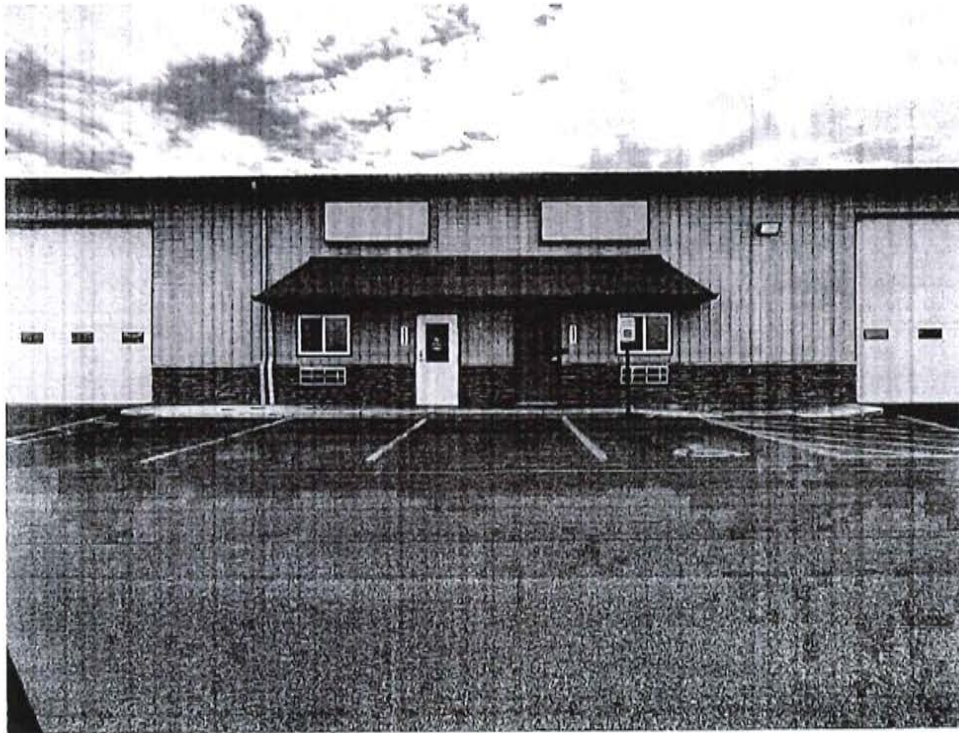


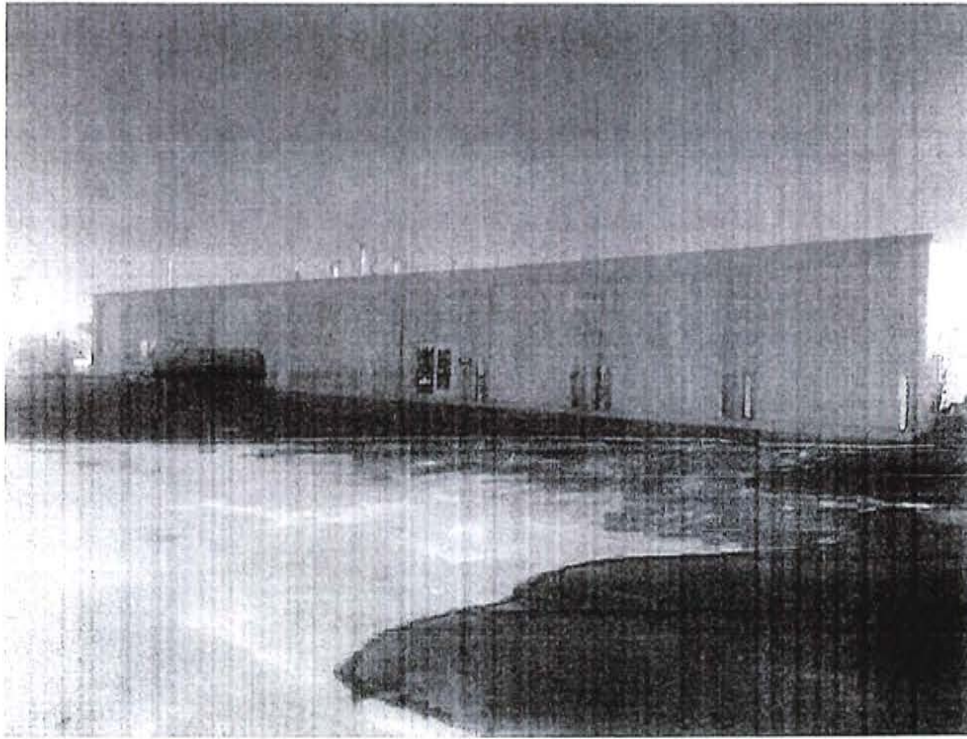
Nathan D. Vis

NDV:lnk
Attachment

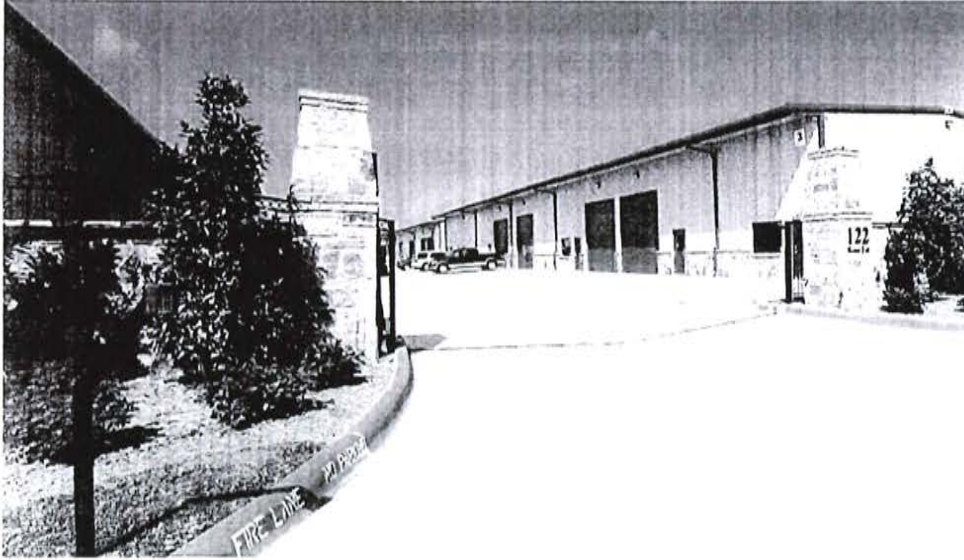


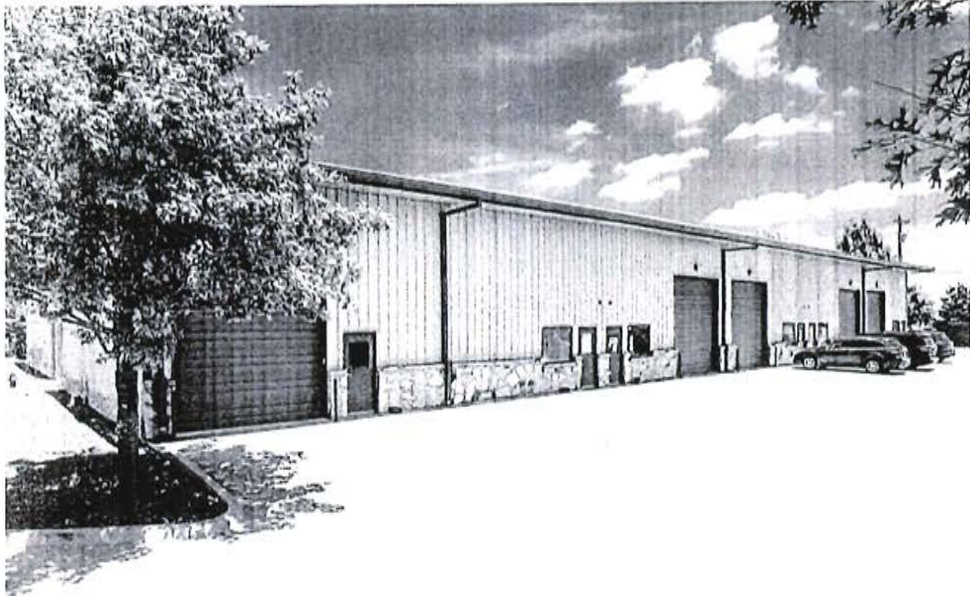
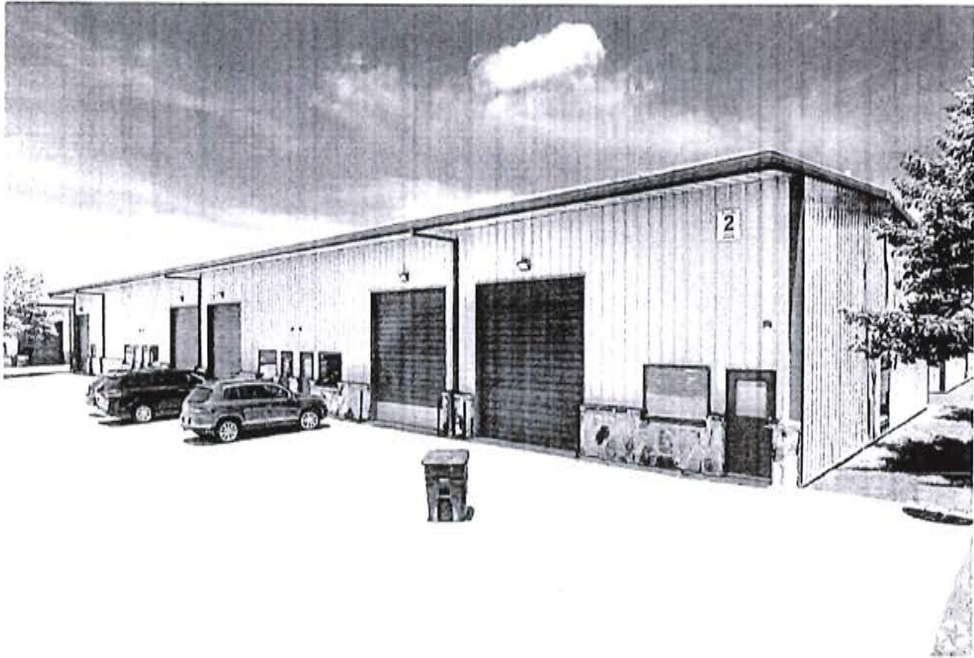


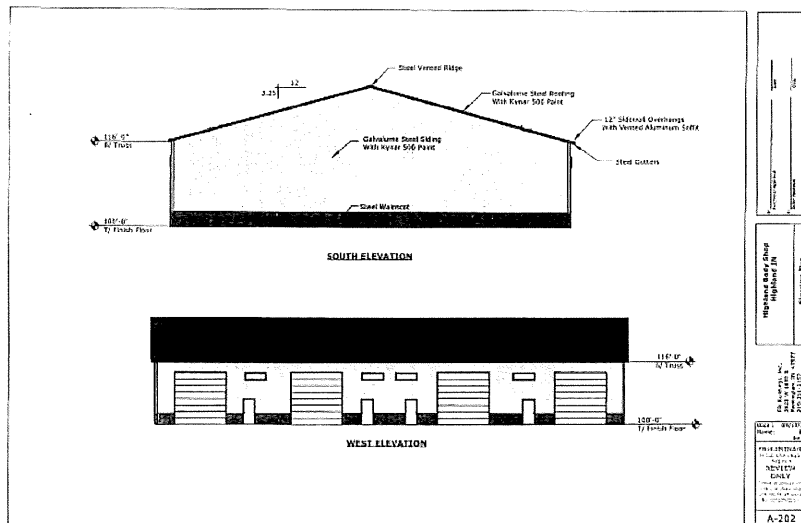
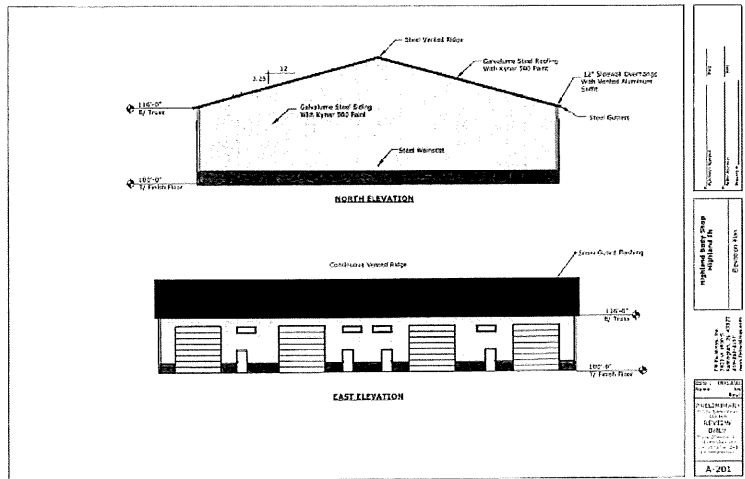


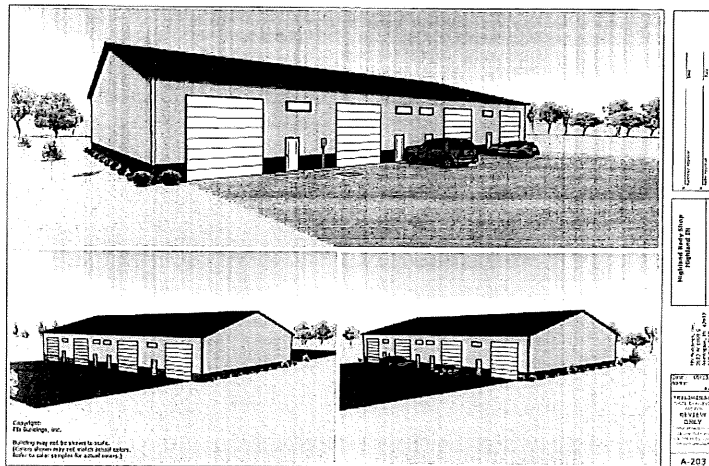












- Works Board Order No. 2021-44:** An Order of the Board of Works, jointly considered as a resolution of the Water Works Board of Directors, and the Sanitary Board Approving and Authorizing Change Order No. 1 to the Construction Contract between the Highland Board of Works and Dyer Construction Co., Inc. for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project.

Councilor Herak moved the passage and adoption of Works Board Order No. 2021-44. 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. 2021-44

WATER WORKS DISTRICT OF HIGHLAND
 BOARD OF WATER WORKS DIRECTORS
 RESOLUTION NO. 2022-02

SANITARY DISTRICT OF HIGHLAND
 BOARD OF SANITARY COMMISSIONERS
 RESOLUTION NO. 2021-20

A JOINT ORDER OF THE BOARD OF WORKS, THE WATER WORKS BOARD OF DIRECTORS, AND THE SANITARY BOARD APPROVING AND AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT BETWEEN THE HIGHLAND BOARD OF WORKS AND DYER CONSTRUCTION CO., INC. FOR THE 3500 BLOCK OF JEWETT AVENUE WATER MAIN REPLACEMENT AND STREET IMPROVEMENT PROJECT

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 the replacement of defective curb and sidewalk, pavement, and tree removal and replacement and have hereto approved a project to be described as the 3500 Block of Jewett Avenue Water Main Replacement & Street Improvement Project (Project);

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

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

Whereas, The WW District, through its Board of Directors, has determine 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.;

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;

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;

Whereas, On August 30, 2021, Town Council through its Board of Works, adopted Order of the Works Board 2021-30, on August 26, 2021, the Water Works District adopted Joint Resolution No. 2021-22 and on August 17, 2021, the Sanitary Board adopted Joint Resolution No. 2021-13, awarding a Project to Dyer Construction Co., Incorporated in the total 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, During the course of construction of the Project, it has become necessary to change or alter the original specifications of the project and/or to increase or decrease the planned material quantities;

Whereas, NIES Engineering, Inc., a licensed engineer performing construction engineering services on this project, has specifically identified and presented Change Order No. 1, attached herewith, which details the changes and alterations to the Project which have a net decrease in the total contract amount of Twenty-two Thousand Nine Hundred Sixty-three Dollars and 01/100 Cents (\$22,963.01);

Whereas, The decrease in cost, as determined by NIES, is allocated to the Board of Works in the amount of Six Thousand Eight Hundred Thirty-one Dollars and 79/100 Cents (\$6,831.79), to the Water Works Board in the amount of Eleven Thousand Nine Hundred Eighty Dollars and 48/100 Cents (\$11,980.48), and to the Sanitary Board in the amount of Four Thousand One Hundred Fifty Dollars and 74/100 Cents (\$4,150.74);

Whereas, The Town of Highland, through its Board of Works, now desires to approve and authorize the Change Order as described;

Whereas, The Water Works District of Highland, through its Board of Directors, now desires to approve and authorize the Change Order as described; and,

Whereas, The Sanitary District of Highland, through its Sanitary Board of Commissioners, now desires to approve and authorize the Change Order as described,

Now Therefore Be it Resolved by the Board of Works for the Town of Highland, the Board of Directors of the Highland Water Works, and the Board of Commissioners of the Highland Sanitary District as follows:

Section 1. That the First Addendum to the Construction Contract with Dyer Construction Co., Incorporated for the 3500 Block of Jewett Avenue Water Main Replacement & Street Improvement Project, as prepared by NIES Engineering, Incorporated, a licensed engineer performing construction engineering services on this Project, is hereby determined to be directly related to the original project and is hereby approved, adopted, and ratified in each and every respect;

Section 2. That this addendum is hereby ordered to be known as Change Order No. 1, issued to decrease net changes to the original agreement in the amount of Twenty-two Thousand Nine Hundred Sixty-three Dollars and 01/100 Cents (\$22,963.01), bringing the total value of the entire agreement with any and all change orders approved to date to Five Hundred Forty-five Thousand, Six Hundred Ninety-four Dollars and 99/100 (\$545,694.99) allocated as follows;

Board of Works	(\$6,831.79)
Water Works District	(\$11,980.48)
<u>Sanitary Board</u>	<u>(\$4,150.74)</u>
Total Change Order Amount	(\$22,963.01)

; and

Section 4. That the total of all change orders issued that increases the scope of this Project may not exceed twenty percent (20%) of the amount of the original contract, that amount being of Six Hundred Eighty-two Thousand Three Hundred Eighty-nine Dollars and 60/100 (\$682,389.60), pursuant to IC 36-1-12-18(d); and

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

Be it So Ordered

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 27th day of December, 2021. Having been passed by a vote of 5 in favor and 0 opposed.

BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA

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

Attest:

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

Duly Adopted, Resolved and Ordered by the Water Works Board of Directors of Highland, Lake County, Indiana, this 27th day of January, 2022. Having been passed by a vote of ____ in favor and ____ opposed.

HIGHLAND WATER WORKS
BY ITS BOARD OF DIRECTORS:

George A. Smith, President

Attest:

Richard E. Volbrecht, Jr., Secretary

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 21st day of December, 2021. Having been passed by a vote of ____ in favor and ____ opposed.

HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:

Richard Garcia, President

Attest:

David Jones., Secretary

Change order on file with the Office of Clerk-Treasurer

6. **Works Board Order No. 2021-45:** An Order Authorizing and Approving An Agreement between The Idea Factory and the Town of Highland to perform Professional Communications and Media Design and Development services for the Municipality.

Councilor Herak moved the passage and adoption of Works Board Order No. 2021-45. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order and agreement were adopted as amended.

Amend. Councilor Schocke moved to amend the affixed agreement to read for a term of one year. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The agreement was amended.

The Town of Highland
Board of Works
Order of the Works Board No. 2021-45

AN ORDER AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE IDEA FACTORY AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL COMMUNICATIONS AND MEDIA DESIGN AND DEVELOPMENT SERVICES FOR THE MUNICIPALITY.

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to provide greater information to the public regarding the operations and services of the municipality;

Whereas, The Town has heretofore determined that a need exists to engage professional communications and media design and development services to assist and support the provision of greater information to the public regarding the operations and services of the municipality;

Whereas, Robin A. Carlascio and Theresa K. Badovich, d.b.a. The *Idea Factory*, a media development and design, communication consulting alliance, has proposed to provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter;

Whereas, As purchasing agency, the Town Council may purchase services using any procedure it considers appropriate, pursuant to IC 5-22-6-1;

Whereas, The Highland Municipal Code provides that, the Town Council may make all contracts for professional services on the basis of competence and qualifications for the type of services to be performed, and negotiate compensation that the public agency determines to be reasonable, pursuant to Section 3.05.090;

Whereas, There are now or will soon be sufficient and available appropriations balances on hand to support the payments for these services under the agreement, pursuant to IC 5-22-17-3(e); and

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

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

Section 1. That the agreement (incorporated by reference and made a part of this Order) between Robin A. Carlascio and Theresa K. Badovich doing business as the *Idea Factory*, and the Town of Highland, provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter for the period beginning 1 January 2022 through to 31 December 2022 as described herein is hereby approved, adopted and ratified in each and every respect;

Section 2. That the charges under the agreement for the services, in the amount of \$1,893.71 per issue, or \$473.43 per page, which include publishing and coordinating a monthly newsletter to be distributed as an insert in the monthly utility invoice and other related services; stock images or illustrations at \$50 per image or illustration, custom photography or graphics at \$100 per image or graphic, and website maintenance and services in the amount of \$135.27 per week are found to be reasonable and fair, all pursuant to IC 5-22-6-1 and Section 3.05.090 of the municipal code;

Section 3. That the charges under the terms of the agreement for all the services, will be paid to *The Idea Factory*, after presentation of an invoice for services, following their delivery;

Section 4. That the Town Council President be authorized to execute this agreement under the terms of this order with his signature as attested thereto by the Clerk-Treasurer;

Section 5. That the Town Council President must approve a preliminary edition of the newsletter prior to publication.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 27th day of December 2021 having passed by a vote of 5 in favor and 0 opposed.

WORKS BOARD 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)

AGREEMENT

This Agreement made and entered into this 27th day of December 2021, by and between the TOWN OF HIGHLAND, BY AND THROUGH ITS TOWN COUNCIL (hereinafter referred to as the "Town"), and ROBIN CARLASCIO and THERESA BADOVICH d/b/a THE IDEA FACTORY (hereinafter referred to as "Idea Factory").

WITNESSETH THAT:

WHEREAS, The Town is interested engaging the services of Idea Factory for publishing and coordinating a monthly newsletter (Gazebo Express) to be distributed throughout the Town; and

WHEREAS, Idea Factory is interested in entering into such an agreement and engaging its services to publish and coordinate a monthly newsletter within the Town; and

WHEREAS, The parties wish to reduce their agreement to writing;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, it is agreed as follows:

1. Idea Factory agrees to publish and coordinate a monthly newsletter (Gazebo Express) to be distributed in the Town of Highland.
2. The term of this Agreement shall be for one (1) year beginning January 1, 2022, through December 31, 2022. This Agreement may be extended or renewed by the Town of Highland from month to month or for a longer term based upon approval of the renewal term by the Town.
3. Idea Factory shall be paid for its services rendered pursuant to this Agreement, the sum of \$1,893.71 per issue or \$473.43 per page stock images or illustrations at \$50 per image or illustration, custom photography or graphics at \$100 per image or graphic, as well as the website maintenance fee of \$135.27 per week and the monthly fees shall be payable to The Idea Factory at its business address, 1 Courthouse Square, Suite 207, Crown Point, Indiana 46307.
4. This Agreement may be cancelled by either party upon such party providing the other party thirty (30) days written notice.
5. In the event the Town's appropriations are insufficient to pay the expenses of this Agreement, and upon thirty (30) days written notice being given by the Town to Idea Factory, this Agreement shall become null and void.
6. This Agreement shall be governed by the laws of the State of Indiana and shall be binding upon the parties' heirs, legal representatives, successors, and assigns.
7. That the Town Council President must approve a preliminary edition of the newsletter at least two days prior to publication.

IN WITNESS WHEREOF, this Agreement has been entered into between the parties this ____ day _____ 2021.

TOWN OF HIGHLAND	THE IDEA FACTORY
By: _____ Roger Sheeman, President	_____ Robin Carlascio
Attest: _____ Michael W. Griffin Clerk-Treasurer	_____ Theresa Badovich

7. **Works Board Order No. 2021-46:** An Order Authorizing and Approving the Payment of Elective Honoraria to the Municipal Departments and Select Event Participants in Recognition of and in Goodwill for their Assistance and Support of the Events under the Aegis of the Community Events Commission and Authorizing the Payment of Elective Honoraria for Their Participation in the Special Events Organized by the Community Events Commission.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2021-46. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

THE TOWN of HIGHLAND
WORKS BOARD ORDER NO. 2021-46

AN ORDER AUTHORIZING, AND APPROVING THE PAYMENT OF ELECTIVE HONORARIA TO THE MUNICIPAL DEPARTMENTS AND SELECT EVENT PARTICIPANTS IN RECOGNITION OF AND IN GOODWILL FOR THEIR ASSISTANCE AND SUPPORT OF THE EVENTS UNDER THE AEGIS OF THE COMMUNITY EVENTS COMMISSION AND AUTHORIZING THE PAYMENT OF ELECTIVE HONORARIA FOR THEIR PARTICIPATION IN THE SPECIAL EVENTS ORGANIZED BY THE COMMUNITY EVENTS COMMISSION.

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 Highland Community Events Commission and the Town Council of Highland did rely on the support and special services of the several departments of the municipality, and many volunteers from community groups in carrying out its programing for the year;

Whereas, The Town Council has been reliably advised that it has been customary and is highly desirable for the payment of an honorarium or stipend to some of the participating municipal departments and community groups in recognition of their laudable support and contribution to the special event programming during the recent festival;

Whereas, The Town Council has been further reliably advised that many employees of the Highland Parks and Recreation Department and the Public Works Department (Agency) and many volunteers from community groups did expend time, labor and creative process to support the Town of Highland's community programming during certain special events organized by the Community Events Commission;

Whereas, At its meeting of December 9, 2021, the Community Events Commission approved and recommended certain honoraria or stipends to be paid in consequence of contributions in time or service by certain groups, departments or persons;

Whereas, Under its authority of IC 36-1-3, the Town Council 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 findings and determinations related to the support and authorization of the awarding of stipend or honoraria to certain groups or persons as recommended by the Community Events Commission,

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

Section 1. That the following named municipal departments be paid an elective honorarium in the amounts specified, in appreciation and recognition of their contribution and support for the year's Special Events organized by the Community Events Commission, as follows:

(A)	Parks and Recreation Department	\$ 500.00
(B)	Volunteers in Police Services (VIPS)	\$ 100.00
(C)	Police Department	\$ 250.00
(D)	Fire Department	\$ 250.00
(E)	Public Works (Agency) Department	\$ 300.00

Section 2. That the following named person, who participated in the most recent Special Event organized by the Community Events Commission, as identified, be paid an elective stipend in the amount specified, in appreciation and recognition of this participation as follows:

(A)	Brian Cristofaro, 7328 Marshall Street Merrillville, IN 46410	\$ 250.00
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Section 3. That the Town Council hereby finds and determines that the forgoing activities and items of expense are lawful and proper expenses 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 4. That the Town Council further finds and determines that the activities and expenses as described herein, if not paid from the Corporation General Fund, are uses and expenditures consistent with the purposes of the Special Events Non Reverting Fund, when proper appropriations are accordingly approved;

Section 5. That the Clerk-Treasurer is hereby authorized and instructed to prepare sufficient accounts payable vouchers against the appropriate fund and accounts for the benefit of each of the several identified honorees or stipended person, depicting the expense as an Honorarium or stipend as appropriate, in the amount herein fixed, to be paid to the proper donation fund for the named municipal departments, for their benefit, to pay all other parties as indicated and to take such other measures to carry-out the purposes and objects of this order;

Section 6. That the Clerk-Treasurer is hereby authorized and instructed to prepare sufficient accounts payable vouchers against the appropriate fund or funds and accounts for the benefit of each of the several named parties herein identified, depicting the expense as an Honorarium or Stipend, in the amount herein fixed, to be paid according to law;

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 27th day of December 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, M.P.A., IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

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

- **Councilor Bernie Zemen:** *Park and Recreation Board Liaison • Fire Department, Liaison.*

Councilor Zemen acknowledged the Building Commissioner who reported on matters pending before the plan commission.

Councilor Zemen acknowledged the Parks and Recreation Superintendent, (remotely) who reported on the Twelfth night event for January 6, 2022.

Councilor Zemen acknowledged the Fire Chief who reported on fire service matters.

Councilor Zemen offered a moment of reflection regarding Ken Bogucki and Dr. Mark Kendra, both of whom were challenged by serious illness.

- **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 and • Liaison to the Advisory Board of Zoning Appeals.*

Councilor Herak acknowledged the Building Commissioner who reported on activity of the Building and Inspection Department and code enforcement activity. He further offered comments regarding the activity before the Advisory Board of Zoning Appeals.

Councilor Herak acknowledged the Assistant Police Chief who reported on police department matters.

Councilor Herak acknowledged the Public Works Director, who reported (remotely) on projects under the aegis of the Public Works Department (agency). The Public Works Director reported workplace impacts from COVID.

- **Councilor Mark Schocke:** *Liaison to the Tree Board • Liaison to the Community Events Commission (resigned)*

Councilor Schocke congratulated the newly sworn police officers.

Councilor Schocke expressed his opprobrium with the passage of Ordinance No. 1757. Councilor Schocke asserted his belief that he was not allowed to express fully his opposition to its passage.

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

Councilor Black congratulated and thanked the newly sworn officers for their willingness to serve the town in a difficult job.

Councilor Black acknowledged Ms. Kathy DeGuilio-Fox as Redevelopment Director and thanked her for her service to the Town. (The Redevelopment Director noted that she was transitioning to less than full-time, assisting in the search and training for her successor).

- **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 provided survey of redevelopment matters generally and the course leading to the passage of Ordinance No. 1787.

The Town Council President offered remarks of encouragement and new year's wishes.

Comments from Visitors or Residents

1. Larry Kondrat, Highland, expressed skepticism regarding revenue projections associated with the economic development tax increment incentive adopted in the passage of Ordinance No. 1757.

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 December 14, 2021, 2021, through December 27, 2021 and ratifying the payroll docket for the payday of December 17, 2021. Councilor Schocke seconded. Upon a roll call vote, there were five affirmatives, no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$240,939.67; Motor Vehicle Highway and Street (MVH) Fund, \$32,166.57; Local Road and Street Fund, \$4,067.08; Law Enforcement Continuing Education and Training and Supply Fund, \$5,063.65; Information Communications Technology Fund, \$9,355.07; Municipal Cumulative Capital Development Fund, \$18,162.49; General Improvement Fund, \$51,622.64; Traffic Violations and Law Enforcement Fund, \$1,000.00; Gaming Revenue Sharing Fund, \$235,346.29; and Public Safety Local Income Tax Fund, \$42,458.00; Total: \$645,181.46.

Payroll Docket for payday of December 17, 2021:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$15,090.83; Building and Inspection Department, \$10,209.65; Metropolitan Police Department, \$130,240.10; Public Works Department (Agency), \$68,902.65; Fire Department, \$4,136.12; Information Communications Technology Department, \$3,538.47 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$232,118.72.

Adjournment of Plenary Meeting. There being no further business on the agenda, the Town Council President declared the regular plenary meeting of the Town Council of Monday, December 27, 2021, adjourned at 8:06 O'clock p.m.

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

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

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

*** Proof of Publication ***

State of Indiana)
) ss:
Lake County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Muscari who, being duly sworn, says that She/he is Legal Clerk of the Northwest Indiana Times newspaper of general circulation printed and published in the English language in the Town of Munster in state and county afore-said, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the date(s) of publication being as follows:
December 30, 2021

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

ORDER NUMBER 85109

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

Nicole Muscari, Legal Clerk

By: [Signature]

Subscribed and sworn to before me this 30th day of December, 2021

[Signature]
Notary Public

My commission expires 1/31/25

Section: Legals

Category: 198 Legal - Lake County

PUBLISHED ON: 12/30/2021

TOWN OF HIGHLAND
NOTICE TO TAXPAYERS
OF PROPOSED ADDITIONAL
APPROPRIATIONS

Notice is hereby given the taxpayers of the Town of Highland, Lake County, Indiana, that the Town Council of said Municipality in said Municipal Building, 3333 Ridge Road, at 6:30 p.m. on the 10th day of January 2022, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

GENERAL FUND
Reduce the following accounts
Police Department
001.0009.11131 SAVE GRANT \$46,789.00
001.0009.11201 GEN FICA & MEDICARE \$3,579.36
001.0009.11209 PD PERF CIVIL \$5,380.74
001.0009.11210 CIVIL PERF PD BY EMPLYR \$1,403.67
\$57,152.76

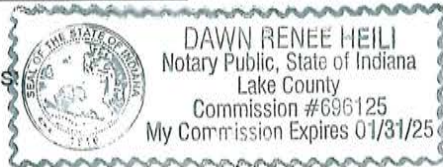
Increase the following accounts
BUILDING and INSPECTION Department
001.0006.11110 BI ORD ENFORCEMENT OFFICER \$46,789.00
001.0006.11201 GEN FICA & MEDICARE \$3,579.36
001.0006.11209 BI PERF PENSION \$5,380.74
001.0006.11210 BI PERF ANNUITY PD BY EMPLY \$1,403.67
\$57,152.76

Funds to support these additional appropriations in the Corporation General Fund shall be supported by reductions from the Police Department to be used to support the increases to the Building and Inspection Department.

Taxpayers appearing at such meeting shall have a right to be heard thereon. Taxpayers may also write to the Office of the Clerk-Treasurer if a taxpayer desires to communicate a concern.

The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its review. The Department of Local Government Finance shall make a written determination of the sufficiency of funds within fifteen days of receipt of a certified copy of the action taken filed by the Gateway Portal.

TOWN COUNCIL of HIGHLAND
By: Michael W. Griffin, IAMC/MMC /CPFA/ACPFIM/CMO
Clerk-Treasurer
12/30 - 85109 HSPAXLP



TOTAL AD COST: 33.89

FILED ON: 12/30/2021

**TOWN OF HIGHLAND
APPROPRIATION ENACTMENT
ENACTMENT NO. 2022-01**

An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Building and Inspection Department of the General Fund, and Reducing Appropriations in the Budget of the Police Department of the General Fund, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.

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

WHEREAS, It has been determined that such diminished and reduced appropriations as may be approved by this enactment, will neither increase nor decrease the levy set under I.C. 6-1.1-17 and in the course of collection for FY 2022, 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 **Building and Inspection Department of the GENERAL FUND** and for the purposes herein specified, subject to the laws governing the same:

GENERAL FUND

Building and Inspection Department

Increase the following accounts:

001-0006-11110 Ordinance Enforcement Officer	\$	46,789.00
001-0006-11201 FICA & MEDICARE	\$	3,579.36
001-0006-11209 PERF PENSION	\$	5,380.74
001-0006-11210 PERF Annuity	\$	1,403.67
Total for 100 Series:	\$	57,152.76

Total Increase for the Department: \$57,152.76

Section 2. That for the expenses of said municipality, the following appropriations of money are hereby reduced and ordered returned and reverted to the funds herein named and for the purposes herein specified, subject to the laws governing the same:

GENERAL FUND

Police Department

Reduce the following accounts:

001-0009-11131 Code Enforcement	\$	46,789.00
001-0009-11201 FICA & MEDICARE	\$	3,579.36
001-0009-11209 PERF PENSION	\$	5,380.74
001-0009-11210 PERF Annuity	\$	<u>1,403.67</u>
<i>Total for 100 Series:</i>	\$	57,152.76

Total Decrease for the Department: \$ 57,152.76

Section 3. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure **subject to an order** of the Commissioner, pursuant to IC 6-1.1-18.

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

Introduced and Filed on the 10TH Day of January 2022. Consideration on the same day or at same meeting of introduction sustained a vote of _____ in favor and _____ opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this _____ Day of January 2022, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

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

President (IC 36-5-2-10)

ATTEST:

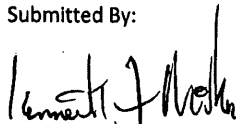
**Michael W. Griffin, M.P.A., IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)**

Building Report December, 2021

PERMIT TYPE	#	Res.	Comm.	Est. Cost	Fee Collected
Commercial Buildings	0	0	0	\$ -	\$ -
Comm. Additions/Remodel	4	0	4	\$ 3,865,713.00	\$ 65,474.50
Signs	3	0	3	\$ 25,000.00	\$ 1,598.50
Single Family	0	0	0	\$ -	\$ -
Duplex/Condo	0	0	0	\$ -	\$ -
Residential Additions	0	0	0	\$ -	\$ -
Residential Remodeling	49	49	0	\$ 580,473.00	\$ 13,338.00
Garages	0	0	0	\$ -	\$ -
Sheds	1	1	0	\$ 3,369.00	\$ 247.50
Decks & Porches	0	0	0	\$ -	\$ -
Fences	2	2	0	\$ 22,000.00	\$ 562.50
Above/In ground pools	0	0	0	\$ -	\$ -
Drain Tile/Waterproofing	1	1	0	\$ 3,889.00	\$ 157.50
Misc (concrete, demo, road cuts, Sol Panels)	5	3	2	\$ 60,244.00	\$ 1,627.50
Total Building Permits	65	56	9	\$ 4,560,688.00	\$ 83,006.00
Electrical Permits	15	12	3	\$ -	\$ 1,814.00
Mechanical Permits	9	8	1	\$ -	\$ 1,145.00
Plumbing Permits	11	8	3	\$ -	\$ 2,216.75
Water Meters	0	0	0	\$ -	\$ -
Water taps	0	0	0	\$ -	\$ -
Sewer/Storm Taps	0	0	0	\$ -	\$ -
Total Plumbing Permits	11	8	3	\$ -	\$ 2,216.75

December 2021 Code Enforcement: 22 Investigations were done, 1 Citation was issued & 22 Warnings were given. Inspections done for the month of December 2021 were as follows: 25 Building Inspections, 21 Plumbing Inspections, 8 HVAC and 17 Electrical Inspections. There were 2 Electrical Exams given.

Submitted By:



Kenneth J. Miha

FIRE DEPARTMENT REPORT

DECEMBER 2021

Type of Calls	December 2021	YTD
General Alarms	10	113
Paid Still Alarms	23	311
Still Alarms	3	35
	Month 36	
Total Calls in 2021		459

2021
TOWN OF HIGHLAND INJURIES FOR THE MONTH
DECEMBER

CASE	DATE	DEPARTMENT	DESCRIPTION	Record Only No Med Treatment	OSHA Recordable	Not OSHA Recordable	Filed with WC Insurance
	OF INJURY						
RO-7	12/18/21	POLICE	Suspect fled into Ofc. In an attempt to flee arrest which resulted in a tackle to the ground and a struggle to detain. Injuring ofc's right shoulder.	X		X	X

RO = Record Only

DEPARTMENT	INJURIES	YEAR TO	TOTAL	RESTRICTED	LOST DAYS	RESTRICTED	LOST DAYS
	THIS MONTH	DATE	2020	DAYS THIS YEAR	THIS YEAR	DAYS 2020	2020
PARK & REC			2			0	0
FIRE		1				0	0
POLICE	1	4	2		10	0	0
STREET			1			0	0
WATER/SEWER		2	2	32		93	81
MAINTENANCE						0	0
OTHER						0	0
TOTALS	1	7	7	32	10	93	81

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

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
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Statutory Boards & Commissions

<p>1) Town Board of Metropolitan Police Commissioners <i>"Each commissioner shall take and subscribe an oath before the clerk of the county in which the Town is located"</i></p>	<p>Chairman & Vice Chairman IC 36-8-9-4 adopts consistent patterns of the Safety Brds which has chairman IC 36-8-3-3 Also refer IC36-8-9-6(a)</p>	<p>(5) member body Initial body is 3. No more than 2 of same political party. After initial appt of 3, board may be increased by 2 who may not be the same political party. 3 year term <u>Oath</u> by circuit court clerk. Appointees must be of good moral character and legal residents of the Town. If ordinance amended, Town Council members can be appointed with limits.</p>	<p>Legislative Body Town Council Appointment I.C. 36-8-9-3(a)(b) HMC Chapter 9.10</p>
<p>2) Park & Recreation Board</p>	<p>President and Vice President a secretary may be selected from within or without its membership. IC 36-10-3-8(c)</p>	<p>6 member body one an appointee of school board/ one an appointee of Library Board. 4 citizens no more than 2 of same political party. 4 year term. Term goes to 1st Monday in January. If not made by first Monday in April continues for a full term. Members shall be appointed on the basis of their interest in and knowledge of parks and recreation. (In towns must be a <i>resident</i>) Oath of Office</p>	<p>Legislative Body (changed 2007) Town Council Appoints 4 citizen members I.C. 36-10-3-4(a) HMC Chapter 11.05 Formerly Municipal Executive as appointing authority School Board Appoints (1) member Lake County Library Board Appoints (1) member</p>
<p>3) Plan Commission</p>	<p>President and Vice President IC 36-7-4-303 Commission may appoint and fix the duties of a secretary who is not required to be a member of the commission. IC 36-7-4-304 Citizen members shall be appointed because of the member's knowledge, and experience in community affairs, the members' awareness of the social, economic, agricultural, and industrial problems of the area and the member's interest in the development of and integration of the area.</p>	<p>7 member panel no more than two of the citizen members may be of the same political party. 4 year term Commences First Monday in January Citizens: IC 36-7-4-218(a)(1)(b) Legislative: IC 36-7-4-217. Certified by exec & clerk. A citizen member may not hold other elective or appointive office in municipal, state or county government and must be a resident.</p>	<p>Split Appointment: Municipal Executive appoints 4 Citizen members I.C. 36-7-4-207(b)(2) HMC Chapter 14.05) Legislative Body appoints 3 persons who <i>shall</i> be elected or appointed officials or employees in municipal government I.C.36-7-4-207(b)(1) HMC Chapter 14.05</p>
<p>4) Advisory Board of Zoning Appeals</p>	<p>Chairman and Vice-Chairman IC 36-7-4-912 May Appoint a secretary and such employees as are necessary for the discharge of its duties. IC 36-7-4-913</p>	<p>5 member panel 4 year term First Monday in January IC 36-7-4-906(b) None of the members of a BZA may hold other elective or appointive office in municipal, county or state government, except as permitted by I.C. 36-7-14-902. Member must be a resident</p>	<p>Triune Appointment: Municipal Executive appoints 3 citizen members - 1 must be a plan commission member; 2 must not be members. I.C. 36-7-4-902(a)(1) Municipal Fiscal Body</p>

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
			appoints 1 citizen member who must not be a plan commission member. I.C. 36-7-4-902(a)(2) • Plan Commission appoints 1 member who must be a plan commission member other than the one appointed under subdivision 1 above I.C. 36-7-4-902(a)(3).
5) Board of Sanitary Commissioners	President and Vice President IC 36-9-25-6	5 member panel No more than three of same political party 4 year term oath of office.	Municipal Executive appointment I.C. 36-9-25-3(b)(1).
6) Redevelopment Commission	IC 36-7-14 President, Vice - President and Secretary	5 member panel one year term from January 1 must be 18 years old & reside in unit. Oath of office.	Split appointment: • Municipal Executive appoints 3 members I.C. 36-7-14-6.1 HMC Chapter 14.10 Legislative Body appoints 2 members I.C. 36-7-14-6.1 Ord. No.946 H.M.C.Chapter 14.10
7) Water Works Board of Directors		5 member panel members called Directors w/ oath of office. No more than three of same party. By act of ordinance serve for three year terms. (See HMC 190) Oath of office.	Municipal Executive I.C. 8-1.5-4-2(a)(b). H.M.C.Chapter 12.05
Regional Appointments			
1)Northwest Indiana Regional Planning Commission	Appointee must be a resident of Highland, an <i>elected official</i> and knowledgeable in matters of physical, social, or economic development in the region.	Multi-Member panel One (1) appointment 51 Members called Commissioner :Highland allowed one (1) appointment Term: Serves until recalled	Municipal Executive certified to the MPO IC 36-7-7-4(c)(1)
2)Lake County Convention & Visitor Bureau	No appointee may hold an elective or appointed political office while serving on the bureau. Appointing Authority shall give consideration to appointees knowledgeable about or employed as executives or managers in at least one of the following in the county: Hotel, Motel, Restaurant, Travel, Transportation, Convention, Trade Show; riverboat, banking, real estate, & construction. If not made before July 16	13 Member panel Three (3) year term beginning July 1: Highland allowed one (1) appointment The Executives of the eight (8) largest municipalities shall appoint one member to the bureau. IC 6-9-2-3. Oath & Certificate	Municipal Executive IC 6-9-2-3(c) Note: If a vacancy is not filled within 30 days of vacancy or an appointment is not made by July 16 then the Lt. Governor's appointee shall appoint a qualified person.(IC 6-9-2-3(i).

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
	or 30 days vacancy.(amended 2007)		
3) Lake County Solid Waste Management District		Multi-member Panel 22-23 persons: Highland allowed one (1) member to be selected from membership of fiscal body.Term is co-extensive with member's elective term. Serves at pleasure of appointing authority.	Fiscal Body(Legislative Body) IC13-9.5-2-5(d)(4).
4) Lake County Public Safety Communications Commission	Appointee must be one of the following: Fire Chief, Police Chief, EMA Director or a Town Council Member. A proxy vote can be granted to a deputy of the public safety representative	Multi-member Panel 19 members. Highland allowed one (1) member Term four years.	Municipal Executive (Town Council President) See Section 31.302(A)(1)(b) of the Lake County Code of Ordinances
Home Rule Boards & Commissions			
Traffic Safety Commission		No less than six members. (1) member from Town Council;2 from the Police Department;1 from the Fire Department;1 from Department of Public Works;1 Police Commissioner; Police Chief is <i>ex officio</i> Chairman(HMC §11-203(c))	Legislative Appointment. HMC Chapter 10.45
Community Events Commission	Chair & Vice Chair	consist of 7 voting members; term of 3 years. Also 9 who are annual and appointed as legislative appt.	Three (3) appointed by Municipal Executive; four (4) appointed by legislative body. Three year terms. 9 for one year terms appointed by legislative body. HMC Chapter 11.15.
TREE BOARD	Chairperson	Consists of 7 voting members, staggered terms	Seven (7) appointed by the municipal executive upon nomination by the Town Council. Municipal executive chooses the chair from the membership of the board. HMC Chapter 8.25.
Main Street Bureau Board of Directors Department of Redevelopment	Chairperson	Consists of not less than 7 and not more than 21 members	The municipal executive shall appoint three (3) special constituency members (Town Council, Economic Development and Highland chamber, who serve until a successor is appointed. Municipal legislative body chooses up to 17 members, who serve for 2 year terms. HMC Chapter 14.15.

Legislative Appointment means the appointment comes from the Town Council.

Fiscal Body Appointment means the appointment comes from the Town Council.

Municipal Executive Appointment means the appointment comes from the Town Council President.

**Appointment Authority
Highland Town Government**

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
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Also note:

IC 36-1-8-10 " Board" defined; political affiliation of board appointees

Sec. 10. (a) As used in this section, "board" means an administration, an agency, an authority, a board, a bureau, a commission, a committee, a council, a department, a division, an institution, an office, a service, or another similarly designated body of a political subdivision.

(b) Whenever a law or political subdivision's resolution requires that an appointment to a board be conditioned upon the political affiliation of the appointee, or that the membership of a board not exceed a stated number of members from the same political party, at the time of an appointment, one (1) of the following must apply to the appointee:

- (1) The most recent primary election in Indiana in which the appointee voted was a primary election held by the party with which the appointee claims affiliation.
- (2) If the appointee has never voted in a primary election in Indiana, the appointee is certified as a member of that party by the party's county chair for the county in which the appointee resides.

(c) If a certification by a county chair of a political party is required under subsection (b), the certification must be filed with the office of the circuit court clerk not later than the time the appointee's oath of office is filed with the clerk under [IC 5-4-1](#). If the county chair's certification is not filed with the circuit court clerk's office as required by this subsection, the appointment is void.

(d) Notwithstanding any other law, if the term of an appointed member of a board expires and the appointing authority does not make an appointment to fill the vacancy, both of the following apply:

- (1) The member may continue to serve on the board for *only ninety (90) days* after the expiration date of the member's term.
- (2) The county chair of the political party of the member whose term has expired shall make the appointment.

Special Law for appointments to the Board of Sanitary Commissioners:

IC 36-9-25-3 Establishment of department; composition of board of commissioners; oaths, surety bonds, and compensation of commissioners.

IC 36-9-25-3 (f)

Notwithstanding IC 36-1-8-10, whenever this section requires that the membership of the board of sanitary commissioners not exceed a stated number of members from the same political party, at the time of appointment the appointee must:

- (1) have voted in the two (2) most recent primary elections held by the party with which the appointee claims affiliation; or
- (2) if the appointee did not vote in the two (2) most recent primary elections or only voted in one (1) of those elections, be certified as a member of the party with which the appointee claims affiliation by that party's county chairman for the county in which the appointee resides.

(Print optimized 85%)

Committee/Liaison Assignments

(For panel or voting memberships see prior sections herein)

(This does **not** include councilors as members of commissions or boards)

- Bernie Zemen: Fire Department, Liaison; Advisory Board of Zoning Appeals Liaison and Park and Recreation Board.
- Mark A. Herak: Budget Committee Chairman; Town Board of Metropolitan Police Commissioners Liaison; Economic Development Commission Liaison; Public Works Agency Liaison; Building Department Liaison and Board of Sanitary Commissioners, Liaison.
- Mark J. Schocke: Tree Board Liaison.
- Tom Black: Board of Waterworks Directors, Liaison.
- Roger Sheeman: Town Executive (I.C. 36-1-2-5-(4);I.C. 36-5-2-2;I.C. 36-5-2-7)
Board of Trustees of the Police Pension Fund, Chair (By law)
Chamber of Commerce Liaison; IT Liaison; Community Events Commission Liaison; Redevelopment Commission Liaison.

ORDINANCE No. 1762
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE TO AMEND CHAPTER 12.15 OF THE HIGHLAND MUNICIPAL CODE, BY AMENDING SOLID WASTE SERVICE FEES SET FORTH IN SECTION 12.15.130 OF THE MUNICIPAL CODE AND PARTICULARLY MODIFYING OR AMENDING CERTAIN OTHER PROVISIONS FOR TECHNICAL CLARITY AND CORRECTNESS.

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

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

WHEREAS, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing and amending them consistent with the Sanitary District Law; and

WHEREAS, IC 36-9-25-11 specifically provides that the Board of Sanitary Commissioners may fix fees for disposal of sewage and other waste discharged into the sewerage system, including -- structures necessary or useful for the collection, treatment, purification, and sanitary disposal of the liquid waste, *solid waste*, sewage, storm drainage, and other drainage of a municipality, and may change fees from time to time in order to produce revenues sufficient to pay operation, maintenance and administrative expenses; and

WHEREAS, IC 36-9-25-9 expressly provides that *the board shall collect and remove garbage, ashes, and other waste materials to prevent the pollution of watercourses within the district and to protect the public health;*

WHEREAS, Pursuant to Section 12.20.360 of the Highland Municipal Code, entitled, *Annual Review*, the Board of Sanitary Commissioners has studied the current rates and charges of the district and has determined that the rates and charges associated with solid waste management services should be modified; and

WHEREAS, The Board has determined that establishing rates to support the costs associated with the *Solid Waste Management Program*, is necessary to provide sufficient revenues for operation, maintenance, and replacements to the program; and

WHEREAS, IC 36-9-25-11(e) provides that a change of fees may be made in the same manner as fees were originally established; however, if a change is made substantially pro-rata for all classes of service, hearing or notice is not required, but approval of the change by ordinance of the municipal legislative body is required;

WHEREAS, The Town of Highland through its Department of Public Sanitation and Sanitary District provides *solid waste management services* that include, weekly curbside solid waste collection, every other week curbside recycling, seasonal leaf collection, optional weekly large appliance disposal and collection, central electronics disposal, and on-demand branch collection;

WHEREAS, The Town of Highland through its Department of Public Sanitation and Sanitary District provides *solid waste management services for which the utilization is measurable and for which costs for administration, management and service provision are realized and the cost basis for these service elements has changed*;

WHEREAS, The Board of Sanitary Commissioners approved a contract with Republic Services of Indiana at its meeting of March 19, 2019 pursuant to the procedures set forth in IC 36-9-30 et seq., and IC 36-9-25 et seq.;

WHEREAS, The Board conducted the proper public hearing on January 4, 2022 at which it determined that the schedule of fees for Solid Waste Management services required modification in order to remain just, equitable and sufficient to support the costs associated with the program, and did pass a resolution to establish use rates for all classes of users for Solid Waste management services; and,

WHEREAS, The Board did transmit the resolution and the suggested ordinance for the adoption of the rates and charges for Solid Waste Management Program, and does request that the Town Council approve the rates and charges and adopt the ordinance presented,

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

Section 1. That the following provisions and associated rates and charges for the disposal of sewage and other waste discharged into the sewerage system, *including solid waste*, subject to IC 36-9-25-11(c) be approved;

Section 2. That Section 12.15.130 under Chapter 12.15 of the Highland Municipal Code be hereby deleted and repealed and be hereby amended by

inserting the following replacement Section 12.15.130 under Chapter 12.15, which shall read as follows:

Section 12.15.130 Procedures and fees for disposal of refuse

(A) Permitted Uses. The disposal of compactable refuse by residents of the town shall be permitted in accordance with this section. **The Town of Highland Garage dump site is only intended for a small amount of household waste on an occasional basis.**

(B) Prohibited Uses.

(1) It shall be an offense for commercial dumping or disposal of refuse by commercial vendors or any contractors.

(2) ~~Further,~~ Non-residents of the town are prohibited under penalty from disposing of refuse at the Highland public works facility.

(3) **No resident is allowed to dump construction materials. If debris is from a contracted job, it must be taken to a landfill for disposal, at the resident's expense. Residents remodeling their homes are considered contractors.**

(C) Permit and Fees.

(1) Any person dumping refuse at the Highland public works facility shall first secure a "dumping permit" from the public works office. The permit shall identify the name, address, and phone number of the permittee; vehicle type and license number; description of the refuse to be disposed; and disposal fee. Dumping refuse without a valid permit is prohibited; said permit shall be presented to the dumpster attendant prior to dumping refuse, and the dumpster attendant shall verify that the permit is proper for the refuse being disposed. **Only single axle trailers shall be allowed to dump. Double axle trailers are prohibited.**

(2) Fees for the disposal of residential refuse by residents of the town of Highland served by the department of public sanitation shall be collected by the public works office according to the following schedule:

(a) ~~Compactor Rate. Construction and demolition debris;~~ **Extra trash** (less than four feet in length):

1. Pickup truck, van, SUV or one-ton dump truck, **single axle trailer** (full): ~~\$10.00~~ **\$15.00.**

2. **Pickup truck, van, suv or one-ton dump truck, single axle trailer (1/2 full or less): \$10.00**

~~23.~~ Minimum fee (car load): \$5.00.

(b) Open Container Rate. **Extra trash;** ~~construction and demolition debris~~ (over four feet in length):

1. Pickup truck, van, **suv** or one-ton dump truck, **single axle trailer** : ~~\$20.00~~ **\$25.00.**

2. Furniture, appliances, mattresses, and the like (each piece): \$5.00.

(c) Tree Branch Disposal. No charge **(office check-in required).**

(d) Concrete, ~~up to one cubic yard: \$5.00.~~ \$10.00 minimum charge and \$25.00 per cubic yard. (Standard full size pickup = 1 cubic yard, 1-ton dump truck and single axle trailer = 2 cubic yards).

(D) Concrete. Disposal of concrete at the Highland public works facility is limited to no more than ~~one~~ two cubic yards.

(E) Hours. The Highland public works facility shall be available for the disposal of refuse in accordance with the provisions of this chapter from Monday through Saturday Friday from the hours of ~~8:30~~ 8:00 a.m. through 3:30 p.m. and on Saturday from the hours of 8:00am through 3:30 p.m. from March through December. Dumping shall not be available on Saturday from January through February.

(F) Temporary Fee Waiver by Order of the Board of Sanitary Commissioners President. Whenever an intense weather or other natural event has occurred which has unduly caused or created an unusual and involuntary increase in the volume of trash or debris experienced by residents of the town, the board of sanitary commissioners hereby authorizes that the board of sanitary commissioners president, when in his opinion the public good would require it, may issue a written order, directed to the public works director and the clerk-treasurer, indicating that for the foregoing reasons set forth in this chapter, the fees set forth in the schedule under this section for refuse services at the public works facility are waived for residents, with such waiver to be for a time certain and not to exceed a period of three weeks. Further, such order should be reported to the board of sanitary commissioners for its information in a timely manner.

Section 3. That the fees and charges imposed by the passage and adoption of this ordinance shall become and be effective upon all users whose property is within the district, upon its passage and adoption, pursuant to its terms and effective dates set forth herein;

Section 4. That upon its passage and adoption, the provisions of this ordinance shall be effective immediately, evidenced by the executive's signature in the manner prescribed by IC 36-5-2-10(a), subject to any requirements for publication, which, may be required, pursuant to IC 36-5-2-10.

Sanitary District Rate Statement. The forgoing provisions set forth in Section 2, were captured in resolution form, introduced in the meeting of the Board of Sanitary Commissioners of Tuesday, December 21, 2021, where it was ordered for a public hearing, all pursuant to IC 36-9-25-11. The public hearing was conducted at the meeting of Tuesday, January 4, 2022. Following the hearing, the resolution was passed and adopted by the Board of Sanitary Commissioners by a vote of 4 in favor and 0 opposed. The Secretary of the Board of Sanitary Commissioners forwarded a copy of its resolution to the office of the clerk treasurer as clerk of the legislative body, with a request that the Town Council of the Town of Highland, take up the matter for consideration and action at its earliest opportunity.

Introduced and Filed on 10th day of January 10, 2022. Consideration on same day or at same meeting of introduction sustained a vote of ____ in favor and ____ opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this ____ Day of _____
2022 by the Town Council of the Town of Highland, Lake County, Indiana,
having been passed by a vote of _____ in favor and _____ opposed.

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

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; IC 36-5-2-10.2)

ORDINANCE No. 1763
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE TO MAKE A TECHNICAL UPDATING AMENDMENT TO THE CURRENT CODE OF ORDINANCES FOR THE TOWN OF HIGHLAND, PARTICULARLY AMENDING SECTION 2.10.050, AUTHORIZING CONTROL OF CERTAIN OFFICE ACCESS HOURS OF THE OFFICE OF THE CLERK-TREASURER, ALL PURSUANT TO IC 36-5-6 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 persuaded that it is necessary and desirable to adopt the several technical and substantive modifications necessary to carry out this requirement and 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 the Highland Municipal Code, be hereby amended by repealing Section 2.10.050 in its entirety, and replacing it with a new provision, to be styled as Section 2.10.050, which shall read as follows:

2.10.050 Office space for the clerk-treasurer.

(A) If office space exists in a building owned or leased by the town, the town council shall provide suitable office space for the clerk-treasurer and staff and records of the clerk-treasurer, **all pursuant to IC 36-5-6-5.1;**

(B) The clerk-treasurer shall be authorized to close public access to the building leased or owned by the town that hosts the office of the clerk-treasurer and staff in the following circumstances:

1. The last working business day of the fiscal year public access for up to half a day may be closed in order to support the ease of year end tasks;

2. In the event of exigent circumstances caused by insufficient staffing, public access may be curtailed to cover a reasonable lunch period.

(C) In all cases, the clerk-treasurer shall cause reasonable notice to be provided to the public of the closure. The clerk-treasurer shall also inform the town council president.

Section 2. 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 10th day of January 2022. Consideration on same day or at same meeting of introduction sustained a vote of ____ in favor and ____ opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this ____ Day of _____ 2022, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

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

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; IC 36-5-2-10.2)

**The Town of Highland
Order of the Works Board No. 2022-01**

An Order Authorizing and Approving the First Change Order to the Construction Contract with Rieth-Riley Construction Co., Incorporated related to the 2021 CCMG Street Improvement Project, DES #2100392, all Pursuant to I.C. 36-1-12-18

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 through its Community Crossings Matching Grant program, with the project commonly known as the 2021 CCMG Street Improvement Project;

Whereas, The Town Council has heretofore awarded a contract to Rieth-Riley Construction Co., Incorporated for the Project on August 16, 2021 in the amount of One Million One Hundred Forty-six Thousand Four Hundred Fifty-seven Dollars and Ninety-five Cents (\$1,146,457.95);

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 Rieth-Riley Construction Co., 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 One Hundred Thousand Two Hundred Sixty-two Dollars and 53/100 Cents (\$100,262.53); and,

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,

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 Change Order No. 1 for the 2021 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 Rieth-Riley Construction Co., Incorporated, in the amount of One Hundred Thousand Two Hundred Sixty-two Dollars and 53/100 Cents (\$100,262.53), bringing the total value of the entire agreement with any and all change orders approved to date to One Million Forty-six Thousand One Hundred Ninety-five Dollars and 42/100 Cents (\$1,046,195.42);

Section 3. 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 amount being One Million Three Hundred Seventy-five Thousand Seven Hundred Forty-nine Dollars and 54/100 Cents (\$1,375,749.54), all pursuant to IC 36-1-12-18(d);

Section 4. That the Proper Officers are hereby authorized to execute the necessary documents with their signatures.

Be it So Ordered

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 10th day of January 2022, having passed by a vote of ____ in favor and ____ opposed.

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

President (IC 36-5-2-10)

Attest:

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

Contract Number Des. No. 2100392

Change Order Number 1

CHANGE ORDER

Owner: Town of Highland, Indiana

Project: 2021 CCMG Street Improvement Project – Des. No. 2100392

Owner's Name: Town of Highland, Indiana

Owner's Address: 3333 Ridge Road, Highland, IN 46322

Contractor: Rieth-Riley Construction Co., Inc.

Contractor's Address: 7500 W. 5th Avenue, Gary, IN 46406

DESCRIPTION OF CHANGE:

1. Adjust quantities of original contract items based on actual quantities installed, as tabulated on attached Tables 1 and 2. A decrease to the contract price in the amount of \$85,857.76.
2. Credit the contract for non-conforming HMA surface course on Jewett Avenue and Cottage Grove Place, as the Owner prefers to accept said non-conforming surface mix rather than requiring its removal and replacement with 100% virgin surface mix. Amount of credit determined as follows: difference in material cost of non-virgin HMA versus required virgin HMA (\$10.89/Ton x 596.59 Tons = \$6,496.87), as well as half the cost of milling (\$1.30/SY x 6,083 SY = \$7,907.90). A decrease to the contract price in the amount of \$14,404.77.

REASON FOR CHANGE:

1. Adjustment of contract item quantities is based on field measurements of work actually installed.
2. Rieth-Riley mistakenly placed 596.59 tons of HMA surface containing recycled asphalt pavement (RAP) on October 11, 2021. Since the Contract requires HMA surface to contain 100% virgin binder and no RAP, the HMA surface mix placed is non-conforming. Rather than requiring complete removal of the RAP-containing mix and then resurfacing with 100% virgin surface mix, it was determined to be in the Town's best interest to accept the HMA as placed due to the following: (1) the pavement appears to be in good condition, (2) the pavement is still covered by the standard 1-year warranty, (3) the mix is an INDOT-approved design, (4) adding additional days to the tight schedule could potentially delay some paving work until Spring if cold temperatures were to arrive sooner than anticipated, and (5) the proposed credit amount reasonably offsets the risk of a potentially reduced service life.

Table 1
Town of Highland Board of Works
2021 CCMG Street Improvement Project
Doc. No. 2100392

Change Order #1 - Change in Original Contract Quantities

Item	Description	Original Contract Amount			Actual Installed		Net Change		
		Quantity	Units	Unit Price	Amount	Quantity	Amount	Quantity	Amount
1	Mobilization/Demobilization	1	LS	\$ 66,850.00	\$ 66,850.00	1	\$ 66,850.00	0.00	\$ -
2	Maintenance of Traffic	1	LS	\$ 37,865.00	\$ 37,865.00	1	\$ 37,865.00	0.00	\$ -
3	Curb and Gutter, Concrete, Remove (Including Sawcutting and Excavation)	1,738	LF	\$ 17.00	\$ 29,546.00	1,767	\$ 29,830.50	21.50	\$ 386.50
4	Sidewalk or Driveway, Concrete, Remove (Including Sawcutting and Excavation)	1,214	SY	\$ 20.50	\$ 24,887.00	1,329.40	\$ 27,251.75	(14.80)	\$ (1,329.30)
5	Asphalt Milling, 1.5 IN. Depth	76,860	SY	\$ 2.60	\$ 200,124.00	76,322	\$ 200,837.20	(538)	\$ (1,484.80)
6	Asphalt Pavement Removal, Full Depth	370	SY	\$ 4.90	\$ 1,813.00	371.4	\$ 1,779.86	-1.40	\$ 1,968.86
7	Excavation, Unclassified	88	CY3	\$ 51.00	\$ 4,488.00	83.80	\$ 3,728.82	(4.20)	\$ (1,759.50)
8	Compacted Aggregate Base for Pavement, No. 53 Limestone	163	TC3	\$ 33.00	\$ 5,379.00	134.72	\$ 4,445.76	(28.28)	\$ (833.24)
9	HMA Patching, Intermediate, 16.5 mm	82	TC3	\$ 82.00	\$ 6,724.00	209	\$ 19,296.84	147.42	\$ 13,562.84
10	HMA Wedge and Lateral, 6.5 mm	534	TC3	\$ 70.00	\$ 37,380.00	452	\$ 28,187.30	(121.61)	\$ (8,212.70)
11	HMA Overlay, Surface, 6.5 mm, 1.5 IN.	7,858	TC3	\$ 58.00	\$ 455,764.00	8,580	\$ 500,492.18	(721.78)	\$ (75,271.82)
12	Asphalt for Tank Coat (5-10 Gall/5Y)	76,260	SY	\$ 0.40	\$ 31,705.20	76,207	\$ 31,882.86	(53)	\$ (22.40)
13	Sidewalk, Concrete, 4 in. (Including Agg. Base and Grout Restoration)	504	SY	\$ 87.50	\$ 44,100.00	479.70	\$ 41,973.75	(24.30)	\$ (2,126.25)
14	Sidewalk or Driveway, Concrete, 2 in. (Including Agg. Base and Grout Restoration)	161	SY	\$ 75.00	\$ 12,075.00	148.70	\$ 11,052.80	(12.30)	\$ (222.50)
15	Curb Ramp, Concrete (Including Agg. Base and Grout Restoration)	377	SY	\$ 157.00	\$ 59,189.00	350	\$ 54,850.00	(27.00)	\$ (4,239.00)
16	Curb and Gutter, Concrete (Including Agg. Base, Pavement Patch and Grout Restoration)	1,738	LF	\$ 51.50	\$ 89,363.50	1,834	\$ 94,435.55	96.75	\$ 5,083.05
17	Topsoil and Mulched Seeding	214	SY	\$ 10.00	\$ 2,140.00	214	\$ 2,140.00	0.00	\$ -
18	Grading, Furnish and Adjust to Grade	14	EA	\$ 750.00	\$ 10,500.00	9	\$ 6,750.00	(5.00)	\$ (3,750.00)
19	Grading River Ring	11	EA	\$ 475.00	\$ 5,225.00	7	\$ 3,225.00	(4.00)	\$ (1,900.00)
20	Manhole Box Top Section, Furnish and Adjust to Grade	1	EA	\$ 530.00	\$ 530.00	0	\$ -	(1.00)	\$ (530.00)
21	Manhole Box River Ring	9	EA	\$ 425.00	\$ 3,825.00	0	\$ -	(9.00)	\$ (3,825.00)
22	Traffic Loop Detector, Repair (Including Sawcutting, Cable, Splice and Sealing)	3	EA	\$ 425.00	\$ 1,275.00	3	\$ 1,275.00	0.00	\$ -
23	Line, Thermoplastic, Solid, Yellow, 4 IN.	1,780	LF	\$ 0.75	\$ 1,335.00	1,774	\$ 1,341.80	(6.00)	\$ (4.20)
24	Line, Thermoplastic, Solid, White, 4 IN.	890	LF	\$ 0.75	\$ 667.50	899	\$ 686.35	(1.00)	\$ (14.75)
25	Transverse Marking, Thermoplastic, Crosswalk, White, 6 IN.	2,528	LF	\$ 1.10	\$ 2,780.80	2,728	\$ 2,999.80	198.00	\$ 217.80
26	Transverse Marking, Thermoplastic, Stop Bar, White, 24 IN.	549	LF	\$ 5.30	\$ 2,907.15	525	\$ 2,806.75	(24.00)	\$ (124.40)
27	Sign Post, Square, 2, Reinforced Anchor Base	53	LF	\$ 27.50	\$ 1,457.50	53	\$ 1,457.50	0.00	\$ -
28	Sign, Sheet, Encapsulated Lense with Legend, 5.085 IN. Thickness	40	SP	\$ 17.50	\$ 700.00	40	\$ 700.00	0.00	\$ -
				Original Contract Amount	\$ 1,146,487.95		Net Change in Original Contract Items		\$ (85,857.75)

**TOWN of HIGHLAND
RESOLUTION NO. 2022-02**

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4 OF THE INDIANA CODE AND SECTION 3.20.040 OF THE HIGHLAND MUNICIPAL CODE FOR THE CORPORATION BOND AND INTEREST FUND.

Whereas, The Clerk-Treasurer has advised the Town Council that cash balance in the **Corporation Bond and Interest Fund**, is not sufficient to meet its regular expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the debt service funds;

Whereas, The Clerk-Treasurer has further advised that there is sufficient money on deposit to the credit of the **Economic Development Local Income Tax Fund** that can be temporarily transferred, pursuant to IC 36-1-8-4 and HMC Section 3.20.040;

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

Section 1. That the amount of **\$61,576.00** be borrowed for the **Corporation Bond & Interest Fund** with the amount of **\$61,576.00** to be loaned by the **Economic Development Local Income Tax Fund**, as authorized by HMC Section 3.20.040 and IC 36-1-8-4;

Section 2. That said loan in the amount of **\$61,576.00** be repaid to the **Economic Development Local Income Tax Fund**, of the Town of Highland upon receipt of sufficient tax or other monies in the **Corporation Bond & Interest Fund** with such loan to be repaid no later than December 31, 2022, subject to IC 36-1-8-4(b);

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 10th day of January 2022. Having been passed by a vote of _____ in favor and _____ opposed.

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

President (IC 36-5-2-10)

Attest:

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

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

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

UNSAFE BUILDING FUND

Acct. No. 003-0000-310.05 Demolition Costs:	\$ <u>142,727.00</u>
<i>Total Series:</i>	\$ 142,727.00

Fund Total: \$ 142,727.00

GENERAL IMPROVEMENT FUND

Acct. No. 083-0000-34003 Record/Releasing Lien	\$ <u>10,000.00</u>
<i>Total Series:</i>	\$ 10,000.00

Fund Total: \$ 10,000.00

HAZARDOUS MATERIALS RESPONSE FUND

Acct. 20-0000-21000 Haz Mat Misc. Supplies:	\$ <u>3,304.00</u>
<i>Total Supplies:</i>	\$ <u>3,304.00</u>

Acct. 20-0000-44050 Haz Mat Equipment:	\$ <u>1,000.00</u>
<i>Total Equipment:</i>	\$ <u>1,000.00</u>

Fund Total: \$ 4,304.00

PUBLIC SAFETY LOCAL INCOME TAX FUND

Acct. No. 249-0000-29000 PPE & COVID SUPPLIES:	\$ <u>110,000.00</u>
<i>Total Series:</i>	\$ 110,000.00

Fund Total: \$ 110,000.00

Funds to support these additional appropriations in the **Unsafe Building Fund** shall be from interest earnings, miscellaneous revenues, transfers, and fees imposed under IC 36-7-9 and Chapter 15.30 of the Highland Municipal Code and *unassigned fund balance* on deposit to the credit of the Fund.

Funds to support these additional appropriations in the **General Improvement Fund** shall be from interest earnings, property assessments paid from benefiting property holders and *unassigned fund balance* on deposit to the credit of the Fund.

Funds to support these additional appropriations in the **Hazardous Materials Fund** shall be from interest earnings, miscellaneous revenues, revenue from service fees and charges imposed upon responsible parties involved in hazardous materials incidents pursuant to HMC Section 9.75.030, and *unassigned fund balance* on deposit to the credit of the Fund.

Funds to support these additional appropriations in the **Public Safety LIT Fund** shall be from interest earnings, miscellaneous revenues, a distribution pursuant to IC 6-3.6 et seq., and unobligated fund balance on deposit to the credit of the Fund.

Taxpayers appearing at such meeting shall have a right to be heard thereon. Taxpayers may also write to the Office of the Clerk-Treasurer if a taxpayer desires to communicate a concern.

The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its review. The Department of Local Government Finance shall make a written determination of the sufficiency of funds within fifteen days of receipt of a certified copy of the action taken filed by the Gateway Portal.

**TOWN COUNCIL of HIGHLAND
President**

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

Executive Summary

Attached please find the GIE/Chubb proposal from the December 20th TC meeting. The limits of liability, deductibles and property coverages remained the same.

There are 6 basic parts to this proposal from GIE, Chubb Insurance & Travelers. Plus, the loss control services and claims handling processes. I will address each part and try to identify the key parts and deductibles as requested.

1. The Multi Class Liability Coverage through GIE has a “per occurrence” limit of \$5 million with a \$10 million “aggregate” limit. There is a **\$10,000** deductible for bodily injury, assault & battery and property damage.
 - The Errors & Omissions (professional liability) deductible is **\$2,500** per occurrence.
 - The Civil Rights coverage deductible is **\$10,000**.
2. Designated Wrongful Employment Practices Liability (EPLI) underwritten by GIE has “separate” coverage limits of \$5 million per occurrence with a \$10 million “aggregate” limit. The deductible for this coverage part is also, **\$10,000**. Coverage is written on a “claims-made” basis.
3. Employee Benefits Errors & Omissions Liability through GIE, again has separate limits of \$ 5 million “per occurrence” with an “aggregate” limit of \$10 million. A **\$10,000 deductible** per occurrence applies to this coverage part.

Imagine the above 3 coverage parts as a “Tower” of limits. Each of the coverage parts has its own limits of liability of \$5mil/ \$10mil separate from the others. So if there are multiple claims during the policy period one coverage part will not “eat away” at the aggregate limits of the other.

4. Automobile Liability & Physical Damage coverage is through GIE and has a \$5 million combined single limit per occurrence for Bodily Injury & Property Damage. **There is no aggregate limit**, which means unlimited annual limits if multiple claims. This coverage part is again “separate” from the other policies and any auto claim will not reduce any of the annual aggregate limits of the other policies. The Auto Liability carries **zero deductible**. The physical damage deductibles for the vehicles in the fleet carries a **\$1,000 deductible for Comprehensive** (fire & theft) and **\$1,000 for Collision**. Premium is based on 110 units.
5. The Property Package is underwritten by Chubb Insurance Co. This coverage part includes all property, Equipment breakdown coverage, Inland Marine, EDP and Crime Coverages. The coverage for Buildings & BPP are written on a replacement cost, agreed value basis and carries a \$10,000 deductible.

The Inland Marine and Mobile equipment are written on an actual cash value basis and carries a **\$2,500 deductible** as does the crime coverage.

Chubb Insurance includes \$10 million of Earthquake and Flood Insurance w a \$50k deductible. See proposal for premises coverages.

Chubb also includes their Customarq Property Coverages. It is a "bucket" of coverages with a \$250,000 blanket limit. See proposal for specific coverages.

6. Cyber Coverage is through Travelers Insurance and has a \$1 million limit along with a \$10,000 retention (deductible). The effective dates are 1-1-2022 to 1-1-2023. This policy has already been issued and delivered to Michael via email.
7. Loss Control Services are provided by Bliss McKnight/GIE. They offer a wide range of services and have done an outstanding job of servicing the Town of Highland over the past 10 years. I have included a list of some of the services provided to the Town over the years.

Most recently, Bliss McKnight (Mark Ennis) has reviewed and made changes/recommendations to the Town's employee handbook. A process that took several weeks. Bliss McKnight has also, recently, provided firearms training simulator (FATS) to the police dept (December 6,7,8). The training provided by the simulator has been invaluable and a tremendous asset according to the Police Dept.

The driving simulator is another machine that is provided by Bliss McKnight to all Town employees of Police, Public Works and Parks Dept. and is another great tool to help reduce claims.

There are many parts to the Town's municipal insurance program and loss control services are at the top of the list. I've spoken to several dept heads who have been around for many years and have dealt with a variety of insurance carriers over the years including Indiana Ins, Scottsdale Insurance, HCC and Travelers. Not one of these carriers provided the services that Bliss McKnight/GIE has provided to the Town.

8. Claims Services are provided by GIE for all lines except Property, which is handled by Chubb Ins. Chubb is one of the top property insurance carriers for municipalities in the country. Their claims services and fair adjusting is second to none when it comes to property.

GIE's claims services are just as outstanding. They have a very "hands-on" approach and interact well with every dept in the case of a claim. When a claim occurs, it is a simple process. The claim is reported to Crowel Agency and then reported to GIE. There are no outside brokers, wholesalers or third-party administrators (TPA's) getting involved. Processing is easy and communications are great.

In the past, many types of claims were "just paid" to get rid of them. These claims may have included sewer back-up claims, pothole claims, slip & fall claims. Under GIE, every one of these claims is defended and challenged, with a high percentage of these claims successfully defended where the Town pays zero. **This is critical when there is a \$10,000 deductible. It is easy for an insurance carrier to simply pay those claims under that deductible and bill the Town.**

- **New Renewal Dates.** I want to try and address what GIE, Chubb and Travelers can do to facilitate a new renewal date. As I previously advised, the carriers were willing to offer a “renewal” on January 1st to prevent a lapse in coverage. I contacted TC President Mr. Sheehan to advise him of that situation. I could not get a 5-day, 10-day or 30-day extension from any carrier.

Cyber- Travelers is the new Cyber carrier, and the Town was issued a “Non-Renewal Notice” for January 1st so there was nothing to “renew” from the previous Cyber carrier.

Traveler’s Cyber policy has a 25% min earned premium and they will only offer a possible 15-month policy expiring March 1st, 2023. They will not offer a short-term policy.

Property & Casualty- As of this writing, GIE and Chubb will offer “cancel/re-write” options for March 1st with no short-rate cancellation. New policies would go from 3/1/2022 to 3/1/2023 with the same premiums.

GIE may, also, offer a 15-month policy til March 1st, 2023. I am trying to get confirmation from the head of Underwriting as that person has been out of the office.

I am waiting for Chubb Ins. to respond to the 15-month policy option. I am not sure if they offer a 15-month policy and cannot speculate on what they can offer beyond a cancel/re-write option on March 1st.

If the Council decides to go in another direction and cancel both the GIE & Chubb policies effective 3/1/2022 and go with another carrier, then a short-rate cancellation would apply.

In Closing, Crowel Agency has been in business in Highland for over 58 years and every one of our family members lives in this community. We support the Town of Highland every opportunity we get.

Crowel Agency has serviced the Town of Highland’s insurance program for the past 10 years. I believe the Town is in a better position because of the work we’ve done with the help of Bliss McKnight/GIE. If you should have any questions, please do not hesitate to call me. Thank you.

PS. I am available to quote the Town’s WC program as well.

Trident Coverage / Premium Summary

Line of Business	Subject	Limits	Deductible	Proposed Premium
Property	Blanket Bldg. & Contents	\$62,935,275	\$10,000	\$84,581
	Property Off Premises	\$3,711,587	\$10,000	
	Business Inc. / Extra Expense/ Rental Value	\$4,700,000	24 Hours	
	Earthquake	\$10,000,000	\$50,000	
	Flood	\$10,000,000	\$50,000	
Equipment	Blanket Contractors Scheduled Equipment	\$1,200,000	\$2,500	\$11,396
	Blanket Unscheduled Property	\$4,716,447	\$2,500	
	Leased, Rented or Borrowed Equipment	\$100,000	\$2,500	
	Computer Hardware	\$1,113,685	\$10,000	
Crime	Employee Theft	\$100,000	\$1,000	\$901
	Forgery or Alteration	\$100,000	\$1,000	
	Money/Securities – In & Out	\$10,000	\$1,000	
	Computer Fraud	\$100,000	\$1,000	
	Funds Transfer Fraud	Included	\$1,000	
General Liability	CGL incl. Abuse, Molestation, EMT & Medic	\$1MM / \$2MM	\$10,000	\$47,147
Professional Liabilities	Public Officials Errors & Omission	\$1MM / \$2MM	\$10,000	\$51,291
	Employment Practices	\$1MM / \$2MM	\$10,000	
	Employee Benefits	\$1MM / \$3MM	\$10,000	
	Law Enforcement	\$1MM / \$2MM	\$10,000	
Commercial Automobile	Auto Liability	\$1MM / \$2MM	\$0	\$74,989
	Auto Physical Damage	111 Vehicles	\$1,000 / \$1,000	
Excess Liability	Following Form over GL, Auto, E&O, EPL, EBL, LEL, Sex. Abuse, ER's	\$9MM / \$9MM	\$0	\$24,980
Cyber Liability	Cyber Liability, Expense & Reimbursement	\$1MM / \$1MM	\$25,000	\$20,726
Total Premium:				\$316,011
IPEP WC Premium:	Workers Compensation & Employers Liability	\$1MM/\$1MM/\$1MM	\$0	\$90,299

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

Notice is hereby given the taxpayers of the Town of Highland, Lake County, Indiana, that the Town Council of said Municipality in said Municipal Building, 3333 Ridge Road, at 6:30 p.m. on the 24th day of January 2022, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

REDEVELOPMENT CAPITAL FUND

Increase accounts:

096-0000-31005 Engineering & Architecture	\$	31,500.00
096-0000-31007 Maintenance & Repair	\$	27,000.00
096-0000-31008 Tree Replacement	\$	5,000.00
096-0000-31009 Landscape Services	\$	11,000.00
096-0000-34002 Facade Improvement Grant	\$	100,000.00
096-0000-39019 Legal Services Land Acquisition	\$	32,414.00
096-0000-39025 Property Appraisal Services	\$	47,200.00
096-0000-39026 Demolition Services	\$	<u>38,000.00</u>
<i>Total for 300 Series:</i>	\$	292,114.00

Increase accounts:

096-0000-40001 Land purchases	\$	1,352,529.00
096-0000-42001 Wayfinding Signs	\$	<u>76,000.00</u>
<i>Total for 400 Series:</i>	\$	1,428,529.00

TOTAL for FUND: \$ 1,720,643.00

Funds to support these additional appropriations in the **Redevelopment Capital Fund** shall be supported by the unobligated undesignated fund balance on deposit to the credit of the fund.

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

**TOWN COUNCIL of HIGHLAND
President**

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

ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

TOWN OF HIGHLAND, INDIANA

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

DATED THIS 12th DAY OF January, 2022
FISCAL OFFICER

ALLOWANCE OF VOUCHERS

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 4 pages and except for accounts payables not allowed as shown on the Register such accounts payables are hereby allowed in the total amount of \$ 564,585.31.

Dated this _____ day of _____, _____

TOWN COUNCIL

MARK A. HERAK

ROGER SHEEMAN

BERNIE ZEMEN

MARK SCHOCKE

TOM BLACK

INVOICE GL DISTRIBUTION REPORT FOR TOWN OF HIGHLAND
 EXP CHECK RUN DATES 12/29/2021 - 01/11/2022
 BOTH JOURNALIZED AND UNJOURNALIZED

01/06/2022 12:36 PM
 User: CRK
 DB: Highland

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 001 GENERAL						
Dept 0000						
001-0000-45200	GEN FUND TRANSFERS GROSS	95788	PAYROLL ACCOUNT	12-31PRL D/S TRANSFER GENERAL	173,186.95	46808
			Total For Dept 0000		173,186.95	
Dept 0001 TOWN COUNCIL						
001-0001-38004	NEW PAGES	95801	CODE PUBLISHING COMPANY INC	MUNICIPAL CODE ORDINANCE 1758	381.25	
001-0001-39004	INSERTING GAZEBO INTO BILLS	95798	LITHOGRAPHIC COMMUNICATIONS	DEC 2021 GAZEBO EXPRESS INSERT	1,153.15	
001-0001-39004	GAZEBO EXPRESS DEC 2021	95797	THE IDEA FACTORY, INC	GAZEBO EXPRESS DEC/WEBSITE UPDATE	2,693.71	
			Total For Dept 0001 TOWN COUNCIL		4,228.11	
Dept 0007 FIRE DEPARTMENT						
001-0007-23004	ENCUMBER FHU-DYN-DUO AXE	95826	FIRE SERVICE, INC.	ENCUMBER FORCIBLE ENTRY TOOLS	1,856.00	
001-0007-23004	ENCUMBER CLASS A FOAM 8 - 5 G	95828	FIRE SERVICE, INC.	ENCUMBER CLASS A FOAM	706.00	
001-0007-23004	ENCUMBER AMKUS SHORT RESCUE R	95827	GARNER SALES & SERVICE	ENCUMBER AMKUS SHORT RESCUE RAM	995.00	
			Total For Dept 0007 FIRE DEPARTMENT		3,557.00	
Dept 0009 POLICE DEPARTMENT						
001-0009-21001	GAS DELIVERY 12/24	95874	WARREN OIL COMPANY	GAS DELIVERY 12/24	2,666.24	
001-0009-21004	CLEANING SUPPLIES	95855	ABLE PAPER & JANITORIAL	CLEANING SUPPLIES	1,984.22	
001-0009-23004	10 LAW LOK 111 GUN LOCKS	95858	CONCEPT DEVELOPMENT CORP	10 LAW-LOK111 GUN LOCKS	509.50	
001-0009-31001	LEGAL MATTERS FOR DEC	95867	ABRAHAMSON, REED & BILSE	LEGAL MATTERS FOR DEC	304.00	
001-0009-32004	IDACS INTERNET 12/28-1/27	95857	COMCAST CABLE	IDACS INTERNET 12/28-1/27	126.85	
001-0009-32004	CID INTERNET SEARCHES FOR DEC	95873	TLO, LLC	CID INTERNET SEARCHES FOR DEC	75.00	
001-0009-34003	REIMBURSE FOR 3 CAR TITLE FEE	95860	PATRICK L VASSAR (R)	REIMBURSE FOR 3 NEW CAR TITLE FEE	45.00	
001-0009-35001	ELEC SERV AT 3315 RIDGE	95868	NISOURCE INC.	ELC SERV AT 3315 RIDGE RD	6,477.71	
001-0009-35001	LPR CAMERA AT 10221 INDPLS	95869	NISOURCE INC.	LPR CAMERA AT 10221 INDPLS	42.25	
001-0009-35001	LPR AT 2000 RIDGE RD	95870	NISOURCE INC.	LPR CAMERA AT 2000 RIDGE RD	32.25	
001-0009-35001	LPR CAMERA AT 8200 INDPLS	95871	NISOURCE INC.	LPR CAMERA AT 8200 INDPLS	44.75	
001-0009-35001	LPR AT 3949 HWY	95872	NISOURCE INC.	LPR CAMERA AT 3949 HWAY	39.76	
001-0009-36004	GEN OFFICE CLEANING FOR DEC	95859	GAYLE THARP	GEN OFFICE CLEANING FOR DEC	2,666.66	
001-0009-38006	MAT CHANGE AT PD ON 12/28	95856	CINTAS CORPORATION #319	MAT CHANGE AT PD ON 12/28	37.10	
001-0009-43012	PARTIAL PAYMENT	95880	BOSAK IMPORTS OF CHESTERTON	D/S NEW FORD TRUCK	3,246.00	
			Total For Dept 0009 POLICE DEPARTMENT		18,297.29	
Dept 0011 SERVICES & WORKS						
001-0011-31003	LEGAL FEES FOR DEC 2021-JOHN	95800	ABRAHAMSON, REED & BILSE	TOWN COUNCIL LEGAL FEES FOR DEC 2	4,094.50	
001-0011-32008	ACCT. SERVICE FEES	95808	FIRST FINANCIAL BANK CORP S	DEC 2021 ACCT ANALYSIS CHARGE	1,273.55	999462
001-0011-32008	ACCT. SERVICE FEES	95807	INVOICE CLOUD, INC	NOV2021 ACCOUNT SERVICE FEES	398.10	999463
001-0011-34006	SV INSURANCE DEDUCTIBLE	95808	FIRST FINANCIAL BANK CORP S	DEC 2021 ACCT ANALYSIS CHARGE	412.75	999462
001-0011-35001	583000064, SE CONOR 6 & 41	95772	NISOURCE INC.	MISC.(INDPLS BLVD)	198.35	999459
001-0011-35001	000-901-005-4 9217 LIABLE	95773	NISOURCE INC.	MISC TH,VIP 198-801-002-1,000-901	122.15	999459
001-0011-35001	7502010024,8001 KENNEDY-ELECT	95775	NISOURCE INC.	MISC (TH,GARAGE)-CT	315.14	999459
001-0011-35002	0514000055, 2705HIGHWAY AVE	95774	NISOURCE INC.	STREET/TRAFFIC LIGHTS- DEC 2021 N	15,988.69	999459
001-0011-35003	130-850-001-0,3333 RIDGE RD A	95773	NISOURCE INC.	MISC TH,VIP 198-801-002-1,000-901	1,132.43	999459
001-0011-35003	7502010024,8001 KENNEDY-GAS	95775	NISOURCE INC.	MISC (TH,GARAGE)-CT	536.91	999459
			Total For Dept 0011 SERVICES & WORKS		24,472.57	
Dept 0012 TOWN HALL						
001-0012-35002	3074860092.8201 INDY BLVD BLD	95772	NISOURCE INC.	MISC.(INDPLS BLVD)	47.76	999459
			Total For Dept 0012 TOWN HALL		47.76	
Fund 002 MVH			Total For Fund 001 GENERAL		223,789.68	

INVOICE GL DISTRIBUTION REPORT FOR TOWN OF HIGHLAND
 EXP CHECK RUN DATES 12/29/2021 - 01/11/2022
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 002 MVH Dept 0000 002-0000-45200	MVH TRANSFERS GROSS	95789	PAYROLL ACCOUNT	12/31PRL D/S TRANSFER MVH	13,640.10	46809
	Total For Dept 0000				13,640.10	
Dept 0017 MVH RECONSTRUCTION/MAINTENANCE						
002-0017-39007	30" 3038 HESS	95804	DAVE'S TREE SERVICE, INC	DEAD TREE REMOVAL PER LIST	2,250.00	
002-0017-39007	TREE AND STUMP REMOVAL	95805	DAVE'S TREE SERVICE, INC	TREE AND STUMP REMOVAL PER LIST	370.00	
002-0017-39007	DEAD TREE REMOVAL	95806	DAVE'S TREE SERVICE, INC	DEAD TREE REMOVAL PER ATTACHED LI	4,500.00	
	Total For Dept 0017 MVH RECONSTRUCTION/MAINTENANCE				7,120.00	
	Total For Fund 002 MVH				20,760.10	
Fund 027 INSURANCE PREMIUM						
Dept 0000	INSURANCE PREMIUM HEALTH/DENT	95786	METLIFE GROUP BENEFITS	KM05-958227 JAN 2022 DENTAL PREMI	8,588.93	46803
027-0000-34002	INSURANCE PREMIUM HEALTH JAN	95809	AIM MEDICAL TRUST	JAN 2022 MEDICAL AND LIFE INSURAN	203,642.94	999461
	Total For Dept 0000				212,231.87	
	Total For Fund 027 INSURANCE PREMIUM				212,231.87	
Fund 030 ICT FUND						
Dept 0000	FIRE DEPT	95849	AT&T MOBILITY	FIRE DEPT 666-4120 ACT 2872990949	86.06	46811
030-0000-32003	MONTHLY CELL PHONE 642004646-	95851	VERIZON	PD CELL PHONE USE PD- 642004646-0	1,416.75	46812
030-0000-32003	PW/B&I/PARK/FD WIRELESS 78032	95852	VERIZON	PW/B&I/PARK/FD WIRELESS 780324475	1,144.57	46812
030-0000-32003	642004646-00002 BROADBAND	95850	VERIZON	642004646-00002 D/S BROADBAND	330.17	46813
030-0000-32003	3001 RIDGE MAIN SQUARE 8771140	95853	COMCAST CABLE	3001 RIDGE MAIN SQUARE 8771400250	166.30	999464
030-0000-32003	MO INTERNET SVC 8771400250188	95854	COMCAST CABLE	TOWN HALL ACCT 8771400250188267	235.77	999465
030-0000-38006	WEB SECURITY MONTHLY	95797	THE IDEA FACTORY, INC	GAZEBO EXPRESS DEC/WEBSITE UPDATE	899.99	
030-0000-39024	WEB UPDATE WEEKLY	95797	THE IDEA FACTORY, INC	GAZEBO EXPRESS DEC/WEBSITE UPDATE	541.08	46810
030-0000-45200	ICT TRANSFERS GROSS	95790	PAYROLL ACCOUNT	12/31PRL D/S TRANSFER ICT	4,303.50	
	Total For Dept 0000				9,124.19	
	Total For Fund 030 ICT FUND				9,124.19	
Fund 036 SPECIAL EVENTS						
Dept 0000	DONATION FROM SPECIAL EVENTS	95783	BRIAN CRISTOFARO	DONATION FROM SPECIAL EVENTS	250.00	46799
036-0000-39003	DONATION FROM SPECIAL EVENTS	95781	FIRE DEPT DONATION FUND	DONATION FROM SPECIAL EVENTS	250.00	46800
036-0000-39003	DONATION FROM SPECIAL EVENTS	95778	HIGHLAND PARKS & RECREATION	DONATION FROM SPECIAL EVENTS	500.00	46801
036-0000-39003	DONATION FROM SPECIAL EVENTS	95780	POLICE DEPT DONATION FUND	DONATION FROM SPECIAL EVENTS	250.00	46805
036-0000-39003	DONATION FROM SPECIAL EVENTS	95782	PUBLIC WORKS DEPARTMENT(AGE	DONATION FROM SPECIAL EVENTS	300.00	46806
036-0000-39003	DONATION FROM SPECIAL EVENTS	95779	VIPS DONATION FUND	DONATION FROM SPECIAL EVENTS	100.00	46807
	Total For Dept 0000				1,650.00	
	Total For Fund 036 SPECIAL EVENTS				1,650.00	
Fund 050 POLICE PENSION						
Dept 0000	POLICE PENSION TRANSFERS GROS	95795	PAYROLL ACCOUNT	12/31PRL D/S TRANSFER POLICE PENS	68,529.47	34771
050-0000-45200					68,529.47	
	Total For Dept 0000				68,529.47	
	Total For Fund 050 POLICE PENSION				68,529.47	

GL Number Invoice Line Desc Ref # Vendor Invoice Description Amount Check #

Fund 055 MCCD
 Dept 0000
 055-0000-30002

PARTIAL PAYMENT

95879 BOSAK IMPORTS OF CHESTERTON D/S NEW FORD TRUCK

7,930.00

Total For Dept 0000

7,930.00

Total For Fund 055 MCCD

7,930.00

Fund 085 TRAFFIC VIOLATIONS

Dept 0001 TOWN COUNCIL
 085-0001-00400

CASH BOND FEES

95785 LAKE COUNTY CLERK CASH BOND FEES

500.00

46802

Total For Dept 0001 TOWN COUNCIL

500.00

Total For Fund 085 TRAFFIC VIOLATIONS

500.00

Fund 249 PUBLIC SAFETY INCOME TAX FUND

Dept 0000
 249-0000-43002

PARTIAL PAYMENT

95878 BOSAK IMPORTS OF CHESTERTON D/S NEW FORD TRUCK

20,070.00

Total For Dept 0000

20,070.00

Total For Fund 249 PUBLIC SAFETY INCOME TAX FUND

20,070.00

GL Number Invoice Line Desc Ref # Vendor Invoice Description Amount Check #

Fund Totals:

Fund 001	GENERAL			223,789.68	
Fund 002	MVH			20,760.10	
Fund 027	INSURANCE PREMIUM			212,231.87	
Fund 030	ICT FUND			9,124.19	
Fund 036	SPECIAL EVENTS			1,650.00	
Fund 050	POLICE PENSION			68,529.47	
Fund 055	MCCD			7,930.00	
Fund 085	TRAFFIC VIOLATIONS			500.00	
Fund 249	PUBLIC SAFETY INCOME TAX			20,070.00	

564,585.31