

**Enrolled Minutes of the Twenty-Second Regular Meeting or Special Meeting
For the Thirtieth Highland Town Council Regular Plenary
Business Meeting (In person) Monday, November 25, 2024**

The Thirtieth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, November 25, 2024 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 in person meeting and lived streamed to the Town of Highland Facebook. Facebook permits the public to observe and record the proceedings but allows no interaction between and among the Town Council and members of the public. The public is able to participate in person. Councilor Georgeff, Councilor Doug Turich, Councilor Alex Robertson, Councilor Tom Black and Councilor Philip Scheeringa all participated in person.

Pursuant to HMC Section 2.05.130(A)(2), the Town Council considered and reviewed the agenda in an informal proceeding in the plenary meeting room before the president called the meeting to order.

The Town Council President Philip Scheeringa presided over the meeting. The Town Clerk-Treasurer, Mark Herak, was present to memorialize the proceedings. The meeting was opened with Councilor Philip Scheeringa 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 George Georgeff, Doug Turich, Alex Robertson, Thomas Black, Philip Scheeringa were present. Clerk-Treasurer, Mark Herak was also present. A quorum was attained.

Additional Officials Present: Alex Brown, CPRP Superintendent of Parks; Metropolitan Police Chief Ralph Potesta; Scott Bilse, Attorney with Abrahamson, Reed & Bilse; Mike Pipta, Fire Chief; Ed Dabrowski, Director of Information Technology, Kenneth J. Mika, Building Commissioner, Mark Knesek, Public Works Director, and Redevelopment Director Maria Becerra were present. John Reed, Attorney with Abrahamson, Reed & Bilse was absent.

Guests: Theresa Badovich (remotely) and Robin Carlascio (remotely) of the Idea Factory were also present.

Minutes of the Previous Meetings: The minutes of the November 11, 2024 Plenary meeting were approved by general consent.

Special Orders: None

Comments from the Public or Visitors:

Larry Kondrat, Highland, said it looks like you guys are gonna hire or change the Procurement Ordinance. Are you gonna hire a procurement agent or buyer? The Clerk-Treasurer responded that it was not the intention of the Council to hire a procurement agent or buyer. He explained that since the Town used or spent its ARPA in 2024, the Town could expect a federal audit in 2025. During a recent AIM training seminar, the presenters said the first question the auditors will ask is, show them the Town of Highland's adopted ordinance for procurement of federal grants. They said the most often finding is that town's think the state's purchasing policy is the same as the federal's procurement policy. They said,

whereas they are similar, they are different and you need to have two (2) policies. By adopting ordinance 1803, the Town is compiling with federal requirements.

Mr. Kondrat then asked about the additional appropriation in the amount of \$51,000 for the Fire Department. He said it looks like the money is to be used in buying some gym equipment and some south bay door repairs and south bay card readers? He said, didn't we just get new glass doors at the fire station?

Councilor Turich responded that the request was written wrong. The doors are south station. It was the doors at central that were replaced. He said the gym equipment was about twenty (20) years old and non-functional. The fire department association asked if they could utilize Lincoln Center and give the firefighters free membership. He said the Park Board denied the request saying the fire department association did not meet the requirement of eligibility for free membership. Since they want healthy fire fighters, they decided to go in a different direction.

Larry then asked if south station is utilized for responding to calls.

Councilor Turich said that south station is utilized and when an alarm comes in, the apparatus from south station is dispatched.

Councilor Georgeff said Chief Pipta is doing an assessment to determine upgrades needed for south station.

Staff Reports: None

Communications:

Restaurant Crawl – November 26th – 4 pm to 8 pm
Government Offices closed in observance of Thanksgiving November 28,29th
49th Annual Pumpkin Plod 10k run/5K walk- Thursday November 28
Santa's March – Saturday, November 30th at 4:45 o'clock p.m.
Toys for Tots- drop off boxes at the Central Fire Station and the Police Depart.
Accepting Donations for Shop with a Firefighter and Shop with a Cop
Master Comprehensive Plan Meeting – Friday, December 13th at Lincoln Ctr.
Fireside Frostival – Saturday, December 14th at Main Square- from 4 to 8 pm.
Community Band Concert – December 17th – from 7 to 9 pm – Admission is free
New Year's Eve Fireworks – Tuesday, December 31st at Midnight
All on-street parking is banned when there is more the 2 inches of snow

Appointments:

• **Statutory Boards and Commissions**

Executive Appointments (May be made in meeting or at another time)

Regional Statutory Commissions or Boards

Home Rule Boards and Commissions

Legislative Appointments

Regional Statutory Commissions or Boards

Home Rule Commissions

1. **Main Street Bureau Board:** (17) appointments to be made by the Town Council. Term: Two years ending 1 Jan 2025. *There are currently 10 of the 17 in place and serving. Currently serving are Renee Reinhart, Alex Robertson, Diane Barr-Roumbus, James Roumbus Sandy McKnight, Al Simmons, Ben Reinhart, Sandy Ray, Ben Tomera, Laura Pilewski and Desiree Biro.*

Councilor Robertson moved for the appointment of the following person to a new two month term, expiring on January 1, 2025 on the Main Street Board of Directors, seconded by Councilor Black. Upon a roll call vote, there were five (5) and no negatives. The motion passed. The following person was appointed to the Main Street Board of Directors:

(1) Desiree Biro, 2732 41st Street, Highland

2. **Community Events Commission** *Multi-year positions:* (4) appointments to be made by the Town Council. **Term: 4 years.** *(Note: Currently there is one vacancy)*

Single year positions: (9) appointments to be made by the Town Council. **Term: 1 year.** *There are currently 6 of the 9 in place and serving. (Note: Currently serving, Jack Rowe, Linda Carter, Rachael Carter, Kathy Burke, Olga Briseno and Kelly Bridges)*

General Orders and Unfinished Business: None

New Business:

1. **Proposed Ordinance 1803:** An Ordinance to Amend the Current Ordinances for the Town of Highland, creating a new Chapter 3.70, to be Styled the Procurement – Federal Grants/Funds of the Town of Highland, all Pursuant to IC 36-1-5 and IC 36-1-27 ET SEQ. (Introduce Only)

Councilor Georgeff introduced and filed. There was no further action.

ORDINANCE No. 1803
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE TO AMEND THE CURRENT CODE OF ORDINANCES FOR THE TOWN OF HIGHLAND, CREATING A NEW CHAPTER, 3.70, TO BE STYLED THE PROCUREMENT – FEDERAL GRANTS/FUNDS OF THE TOWN OF HIGHLAND, 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 creating a new Chapter, 3.70, to be called *Procurement – Federal Grants/Funds of the Town of Highland* which shall read as follows, **subject to section 2 of this ordinance:**

3.70.010 Title

This chapter shall be known as the “Procurement – Federal Grants/Funds of the Town of Highland” and shall be carried out supplementary to and consistent with the provisions of the Indiana Public Purchase Law, codified as IC 5-22 et seq. [Ord. 1089, 1998. Code 2000 § 31.15]

3.70.020 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“Policy” refers to a governmental body’s or purchasing agency’s written statement of:

- (1) purchasing procedure; or
 - (2) substantive purchasing purposes;
- that does not have the force and effect of law.

“Procedures” the purchasing agency of a governmental body may purchase services using any procedure the governmental body or the purchasing agency of the governmental body considers appropriate.

“Rules; written policies” means

- (a) a governmental body may adopt rules to regulate purchases of the governmental body. A rule adopted under this subsection may:
 - (1) supplement this article; and
 - (2) not be inconsistent with this article.

(b) the purchasing agency of a governmental body may establish written policies for purchases made by the purchasing agency. The written policies established under this subsection may apply to all purchases generally or to a specific purchase stated in the solicitation for the purchase. A written policy established under this subsection may;

- (1) supplement this article or a rule adopted by the purchasing agency's governmental body; and
- (2) not be inconsistent with this article or a rule adopted by the purchasing agency's governmental body.

"Services" means the furnishing of labor, time, or effort by a person, not involving the delivery of specific supplies other than printed documents or other items that are merely incidental to the required performance.

"Supplies" means

- (a) any property.
- (b) the term includes equipment, goods, and materials. The term does not include an interest in real property

3.70.050 Rules regarding purchasing of materials and supplies

(A) Procurement

(1) Procurement of all supplies, materials, equipment, and services paid from Federal Funds shall be made in accordance with all applicable Federal, State and local statutes and/or regulations, the terms and conditions of the Federal Grant.

(2) The Town shall have and use a procurement and contract administration system in accordance with the USDOE requirements (2 C.F.R 200.317-.326), including affirmative steps for small and minority businesses and women's business enterprises, for the administration and management of Federal Grants and Federally-funded programs. The Town shall maintain oversight that requires contractors to perform in accordance with the terms, conditions and specifications of their contract or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the Town's documented general purchasing policy Chapter 3.05 of the Municipal Code Purchasing.

(3) All Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, etc. of public buildings or public works must comply with Davis-Bacon and Related Acts prevailing wage requirements.

(4) All Town employees, officers (that is Council members), and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of employees, officers, and agents engaged in the selection, award, and administration of contracts as established under Chapter VI Investment Policy of the Town of Highland's Municipal Code Rule 6.0

(5) The Town shall avoid acquisition of unnecessary or duplication items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal Funds.

(6) To foster greater economy and efficiency, the Town may enter into State and local intergovernmental agreements, where appropriate, for procurement or use of common or shared goods and services.

3.70.060 Rules regarding competition

(A) Competition

(1) All procurement transactions for the acquisition of property, materials or services required under a Federal award paid for from Federal funds or Town matching funds shall be conducted in a manner that encourages full and open competition and is in accordance with good administrative practice and sound business judgment. In order to promote objective contractor performance and eliminate unfair competitive advantage, the Town shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

- A. unreasonable requirements on firms in order for them to qualify to do business;
- B. unnecessary experience and excessive bonding requirements;
- C. noncompetitive pricing practices between firms or between affiliated companies;
- D. noncompetitive contracts to consultants that are on retainer contracts;
- E. organizational conflicts of interest;
- F. specification of only a "brand name" product instead of allowing for an "or equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
- G. any arbitrary action in the procurement process.

(2) Further, the Town shall not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals unless 1) an applicable Federal statute expressly mandates or encourages a geographic preference; or 2) the Town is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(3) To the extent that the Town uses a pre-qualified list of persons, firms or products to acquire goods and services that are subject to policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The Town allows vendors to apply for consideration to be placed on the list following a request for proposals (RFP's).

(4) The Town shall require that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to provide maximum open and free competition. The Town shall not preclude potential bidders from qualifying during the solicitation period.

3.70.070 Rules regarding solution

(A) Solicitation Language (Purchasing Procedures)

(1) The Town shall have written procurement procedures that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

(2) When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and the solicitation shall identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

(3) The Board will not approve any expenditure for an unauthorized purchase or contract.

3.70.080 Rules regarding procurement methods

(A) Procurement Methods

(1) The Town shall have and use documented procedures, consistent with the standards described above, for the following methods of procurement:

A. Formal Procurement Methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in 200.319 or non-competitive procurement. The formal methods of procurement are:

1. Micro-purchases:

Micro purchases are defined in 2 CFR 200.1 as a purchase of supplies or services, the aggregate amount of which does not exceed the micro-purchase threshold, currently \$10,000 by Federal rule. Under this policy and consistent with Federal requirements in 2 CFR 200.320, micro-purchases may be awarded without soliciting competitive price or rate quotations if the Town considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. To the maximum extent practicable, the Town should distribute micro-purchases equitably among qualified suppliers.

2. Small Purchases:

Small purchases are the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold (\$10,000 as described above) but does not exceed the simplified acquisition threshold (SAT - as described below). If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the Town. The Town considers the following procedures appropriate for small purchases:

(A) Small purchases of material, supplies or services, where the aggregate dollar amount will be more than the micro-purchase threshold but less than \$50,000, the Town, in accordance with Indiana statutory provisions:

- (1) will invite quotes from at least three (3) qualified persons known to deal in lines or classes to be purchased;
- (2) will purchase the materials and supplies in the open market without inviting or receiving quotes.
- (3) will not require evidence of financial responsibility when the estimated cost of the material, supplies or services is less than \$50,000.

(B) Small purchases of material, supplies or services, where the aggregate dollar amount will be at least \$50,000 and not more than \$150,000, Town, shall invite quotes from at least three (3) qualified persons known to deal in the lines or classes to be purchased.

- (1) The Town shall mail an invitation to quote at least seven (7) days before the time fixed for receiving quotes;
- (2) If the Town receives a satisfactory quote, the Town will award a contract to the lowest responsible and responsive offer or for each line or class of materials, supplies or quotes;
- (3) The Town may reject all quotes;
- (4) If the Town does not receive a quote from a responsible and responsive offer, the Town may purchase material and supplies under provisions of IC 5-22-10-10.
- (5) The solicitation may include a requirement that an offeror provide evidence of financial responsibility. If evidence of financial responsibility is required, the solicitation must indicate the kind of evidence that will be acceptable. If a bond or certified check is required, it may not exceed ten (10) percent of the estimated cost of the purchase.

2. Simplified Acquisition Threshold (Large Purchases)

The Simplified Acquisition Threshold (SAT) is the dollar amount below which the Town may purchase property or services using small purchase methods (as previously discussed). Purchases over the PAT must follow formal procurement methods. The Federal SAT is higher than Indiana statutory provisions for public purchases. The Town is responsible for determining an appropriate SAT threshold based on internal controls, an evaluation of risk, and its documented procurement procedures which must not exceed the threshold established in the Federal Acquisition Regulation.

Federal requirements permit a lower, or more restrictive, amount and procedures. As such and to comply with Indiana statutory provisions, the Town established its SAT at \$150,000. For purchases over this amount (referred to as Large Purchases), the Town shall issue an invitation for bids. An invitation for bids must include a purchase description; all contractual terms and conditions that apply to the purchase; and a statement of the evaluation criteria that will be used, including any of the following:

- (a) Inspection.
- (b) Testing.
- (c) Quality.
- (d) Workmanship.
- (e) Delivery.
- (f) Suitability for a particular purpose.

- (g) The requirement imposed under IC [5-22-3-5](#).
- (h) The time and place for opening the bids.
- (i) A statement concerning whether the bid must be accompanied by a certified check or other evidence of financial responsibility that may be imposed in accordance with rules or policies of the governmental body.
- (j) A statement concerning the conditions under which a bid may be canceled or rejected in whole or in part as specified under IC [5-22-18-2](#).

(2) Evaluation criteria that will affect the bid price and be considered in the evaluation for an award must be objectively measurable.

(3) Only criteria specified in the invitation for bids may be used in bid evaluation.

(4) The purchasing agency shall give notice of the invitation for bids in the manner required by IC [5-3-1](#).

(5) The purchasing agency shall open bids publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids.

(6) Bids must be:

(a) Unconditionally accepted without alteration or correction, except as provided in IC [5-22-7-11](#) through [5-22-7-13](#); and

(b) Evaluated based on the requirements provided in the invitation for bids.

(7) A contract must be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder.

(8) The purchasing agency shall maintain the following information which is subject to public inspection after each contract award:

(a) The name of each bidder;

(b) The amount of each bid;

(c) Other information required by IC [5-22](#), and ordinances and rules adopted pursuant to IC [5-22](#).

(9) The governmental body may adopt rules or establish policies to allow any of the following:

(a) Correction or withdrawal of inadvertently erroneous bids before or after award.

(b) Cancellation of awards or contracts based on a mistake described in subsection (H)(10)(a) of this section.

(10) Except as provided in a rule or policy, a purchasing agency must make a written decision to permit the correction or withdrawal of a bid, or cancel awards or contracts based on bid mistakes.

(11) After bid opening, a purchasing agency may not permit changes in bid prices; or other provisions of bids prejudicial to the interest of the governmental body or fair competition.

(12) If a bidder inserts contract terms or bids on items not specified in the invitation for bids, the purchasing agent shall treat the additional material as a proposal for addition to the contract and may do any of the following:

(a) Declare the bidder nonresponsive;

(b) Permit the bidder to withdraw the proposed additions to the contract in order to meet the requirements and criteria provided in the invitation for bids;

(c) Accept any of the proposed additions to the contract, subject to this subsection.

(13) The purchasing agent may not accept proposed additions to the contract that are prejudicial to the interest of the governmental body or fair competition. Further, a decision of the purchasing agent to permit a change to the requirements of the invitation for bids must be supported by a written determination by the purchasing agency.

(14) The solicitation may include a requirement that an offeror provide evidence of financial responsibility. If evidence of financial responsibility is required, the solicitation must indicate the kind of

evidence that will be acceptable. If a bond or certified check is required, it may not exceed ten (10) percent of the estimated cost of the purchase.

3.70.085 Rules regarding offers – status of documents as public records

(A) Offers – Status of Public Records

- (1) Protection of Offers Prior to Opening. The Town shall retain all offers received in a secure location prior to the date and time at which offers will be opened in order to prevent disclosure of the contents prior to the opening of the offers.
- (2) Unobstructed Evaluation of Offers. After offers have been opened, the Town shall be responsible for maintaining the offers in such a manner as to permit evaluation of the offers by the persons responsible for evaluating the offers.
- (3) Public Records Status of Bids. Bids submitted in response to an invitation for bids must be available for public inspection and copying after the time of the bid opening.
- (4) Register of Proposals. The Town shall prepare a register of proposals for each request for proposals issued which shall contain information concerning the proposals available for public inspection and copying. Proposals may not be disclosed.

(B) Rules Regarding Offers – Discussions with Offerors Responding to a Request for Proposals. The Town may conduct discussions with, and best and final offers may be obtained from, responsible offerors who submit proposals determined to be reasonably susceptible of being selected for a contract award.

(C) Rules Regarding Offers – Delay of Opening of Offers. When the Town makes a written determination that it is in the municipality's best interest, offers may be opened after the time stated in the solicitation. The date, time and place of the rescheduled opening must be announced at the time and place of the originally scheduled opening.

(D) Rules Regarding Evidences of Financial Responsibility.

- (1) Purchases Less Than \$50,000. The Town may not require evidence of financial responsibility when the estimated cost of a purchase is less than \$50,000.
- (2) Purchases Between \$50,000 and \$150,000. The solicitation may include a requirement that an offeror provide evidence of financial responsibility. If evidence of financial responsibility is required, the solicitation must indicate the kind of evidence that will be acceptable. If a bond or certified check is required, it may not exceed 10 percent of the estimated cost of the purchase.
- (3) Purchases Over \$150,000. The solicitation shall include a requirement that an offeror provide evidence of financial responsibility and must indicate the kind of evidence that will be acceptable. If a bond or certified check is required, it may not exceed 10 percent of the estimated cost of the purchase.
- (4) Small Business Set-Asides. The purchasing agent may determine that no evidence of financial responsibility shall be required for a small business set-aside purchase.

1. Sealed Bids:

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment amounts to more than \$250,000 and when the Council determines to build, repair, enlarge, improve, or demolish a public

building/facility the cost of which will exceed the amount allowed by Indiana statute.

2. Proposals

3. Non-competitive

3.70.090 Rules regarding domestic preference for procurement

(A) Domestic Preference for Procurement

(1) As appropriate and to the extent consistent with law, the Town shall, to the extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Such requirements shall be included in all subawards including all contracts and purchase orders for work or products under the Federal award.

3.70.095 Rules regarding procurement of non-domestic materials and supplies

(A) Procurement of Non-Domestic Materials and Supplies

- (1) The materials and supplies are not manufactured in the United States in reasonable available quantities;
- (2) The prices of the materials and supplies manufactured in the United States exceed by an unreasonable amount the price of available and comparable materials and supplies manufactured elsewhere;
- (3) The quality of the materials and supplies manufactured in the United States is substantially less than the quality of comparably materials and supplies manufactured elsewhere;
- (4) The purchase of materials and supplies manufactured in the United States is not in the public interest;

3.70.100 Rules regarding contract/price analysis

(A) Contract/Price Contract/Price Analysis

- (1) The Town or Designee shall perform a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price without looking at the individual cost elements.
- (2) The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Town or Designee shall come to an independent estimate prior to receiving bids or proposals.
- (3) When performing a cost analysis, the Town or Designee shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

3.70.110 Rules regarding time and materials contracts

(A) Time and Materials Contracts

(1) The Town uses a time and materials type contract only 1) after a determination that no other contract is suitable, and 2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the Town is the sum of the actual costs of materials and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the Town sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the Town shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

3.70.120 Rules regarding suspension and debarment

(A) Suspension and Debarment

(1) The Town shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the Town and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the Town shall consider such factors as 1) contractor integrity; 2) compliance with public policy; 3) record of past performance; and 4) financial and technical resources.

(2) The Town shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The Town is subject to and shall abide by the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. Part 180.

(3) Suspension is an action taken by the Town that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R Chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 C.F.R. Part 180 Subpart G)

(4) Debarment is an action taken by the Town to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. Chapter 1). A person so excluded is debarred. (2 C.F.R. Part 180 Subpart H)

(5) The Town shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the Town shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor.(2 C.F.R. Part 180 Subpart C)

3.70.130 Rules regarding bid protest

(A) Bid Protest

- (1) The Town maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.
- (2) A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package for resolution. Bid protests shall be filed in writing with the Town within seventy-two (72) hours of the opening of the bids in protest.
- (3) Within five (5) days of receipt of a protest, the Council shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.
- (4) Failure to file a notice of intent to protest or failure to file a formal written protest within the time prescribed shall constitute a waiver of proceedings.

3.70.140 Rules regarding maintenance of procurement records

(A) Maintenance of Procurement Records

- (1) The Town shall maintain records sufficient to detail the history of all procurements. These records shall include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

Legal I.C. 5-22-2-21
I.C. 5-22-2-30
I.C. 5-22-2-38
I.C. 5-22-3-3
I.C. 5-22-6-1
I.C. 5-22-6-2
I.C. 5-22-7-1 et seq.
I.C. 5-22-8-2
I.C. 5-22-8-3
I.C. 5-22-10-1 et seq.
I.C. 5-22-16-1
I.C. 5-22-16-2
I.C. 20-26-4-6
I.C. 20-26-4-8
I.C. 20-26-5-4
2 C.F.R. 200.317 - .326
2 C.F.R. 200.520

Preamble: That the Town acknowledges that Title VII of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin, in any program service or activity that receives federal assistance. It is the policy of the Town and all its executive departments that discrimination based

upon the foregoing is further proscribed for activities and enterprises of the municipality, its executive departments, special taxing districts and enterprises, according to the provisions of this chapter.

The exhibit attached is adopted and made of essence of this ordinance.

Section 2. That the provisions of HMC Section 1.01.040 still pertain, ...“the clerk-treasurer is authorized and instructed to communicate with the codifier to assign any ordinances of a general and permanent nature and pertaining to a subject or subjects contained in or covered by the code, that were passed and adopted from and after January 22, 2001, and up to and until the passage and adoption of a replacement or successor code, to the appropriate title and section in the code herein adopted, according to its numbering and citation protocols, within a timetable that the clerk-treasurer determines to be reasonable.” The Clerk-Treasurer is instructed and authorized to codify the finally adopted provisions of the Procurement, Federal Grants/Funds, pursuant to the Section cited herein;

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

Introduced and Filed on 25th day of November 2024. Consideration on same day or at same meeting of introduction did not sustain any vote pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 9th Day of December 2024, 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**

Philip Scheeringa, President (IC 36-5-2-10)

Attest:

Mark Herak
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

2. Works Board Order 2024-52: An Order of the Works Board Accepting the Performance Agreement for Professional Entertainment and Stage Services for the Town of Highland, Associated with the Santa March and Tree Lighting and to Comply with the Provisions of IC 22-5-1.7 ET SEQ.

Councilor Black moved the passage and adoption of Works Board No. 2024-52. Councilor Robertson seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The order was adopted pending the signature of the Town Executive.

Town of Highland
Board of Works
Order of the Works Board 2024-52

An Order of the Works Board Accepting the Performance Agreement for Professional Entertainment and Stage Services for the Town of Highland, Associated with the Santa March and Tree Lighting, and to Comply with the Provisions of IC 22-5-1.7 et seq.

Whereas, The Town of Highland, as part of its exercise of public powers related to culture and recreation, generally conferred in IC 36-10-2, with appropriate festivals including live musical performance as entertainment;

Whereas, The Community Events Commission has received a Performance Agreement for professional entertainment and stage services for the Town of Highland to be conducted during the 2024 Santa March and Tree Lighting;

Whereas, The Community Events Commission favorably recommends to the purchasing agency, the approval of a Performance Agreement for professional entertainment and stage services for the Town of Highland to be conducted during the 2024 Santa March and Tree Lighting;

Whereas, These professional services owing to their unique requirements and character, as a service, may be purchased in a manner that is determined to be reasonable, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1) of the HMC serves as purchasing agency for the Municipality and its executive departments except

those executive departments which are expressly subject to the purchasing authority of a relevant governing board of jurisdiction; and

Whereas, The aggregate fee for Professional Entertainment and Stage Services for the Town of Highland's 2024 Santa March and Tree Lighting requires the express approval of the purchasing agency; and

Whereas, The purchase of services will be supported by the several funds of the Town and there is sufficient appropriation or resources in order to support the purchase of services; and

Whereas, The Town Council now desires to approve, authorize and allow the purchase of services pursuant to the terms stated herein,

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

Section 1. That the Performance Agreement for professional entertainment services as set forth in the agreements, for the Santa March and Tree Lighting, for: Vincent P. Mancich; is hereby accepted, approved and adopted;

Section 2. That the Town Council finds and determines that the manner of purchase for these professional services owing to their unique requirements and character as a service, are both reasonable and appropriate, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

Section 3. That the Clerk-Treasurer is hereby authorized to issue and to execute all documents necessary to implement the purchase of services thereof;

Section 4. That the proper officers of the municipality are hereby authorized to identify the proper funds of the municipality that may be lawfully expended in order to support and implement the purchase of these services.

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 25th day of November 2024 having passed by a vote of 5 in favor and 0 opposed.

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

Philip Scheeringa, President (IC 36-5-2-10)

Attest:

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

PERFORMANCE AGREEMENT

Town of Highland - Town Council
3333 Ridge Road
Highland, IN 46322

Date: November 7, 2024

Entertainer:
DJ Name: Vincent Mancich
Address: 2049 38th Street
City, State Zip: Highland, IN 46322

For:
Santa Parade & Tree Lighting
Highland Main Square
3001 Ridge Road, Highland, IN 46322
Date: November 30, 2024
Time: 4:30-6:30
Highland Council of Community Events

Phone: 219-512-2163

Description

This agreement is for the personal services of performers on the engagement described below, is made on November 30, 2024 between Town of Highland - Town Council (hereinafter "Purchaser") and Vincent Mancich (hereinafter "Artist").

1. Name and address of place of performance: Santa Parade & Tree Lighting
Highland Main Square Park, 3001 Ridge Road, (5th & Ridge Road & Highway),
Highland, IN 46322.
2. Date of Performance: November 30, 2024
3. Performance time: 4:30 p.m. - 6:30 p.m.
4. Artist Contact: Vincent Mancich
5. Contact: Sandy McKnight (219) 545-3800
6. Type of Event: Santa Parade & Tree Lighting
7. Sound System and Lighting will be provided by: Vincent Mancich
8. Special provisions: None
9. Contract price: \$200.00.
10. It is understood that this contract agreement is binding on both Purchaser and Artist. If Purchaser cancels the engagement for any reason other than an Act of God, including, but not limited to, a pandemic, the full amount is due to the Artist. If the engagement is cancelled by the Artist for any reason other than an Act of God, they are to provide alternate entertainment.
11. No Reliance on Outside Representations. The Parties represent and warrant that in making their decision to enter into this Agreement they have been represented by their own counsel and that they have not, except as herein stated, relied upon any express or implied representations of the other's agents or representatives concerning any matter related to this Agreement. The Parties acknowledge that they either: (a) have fully obtained whatever information and advice they desire regarding the effect

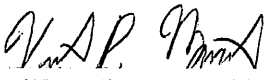
of this Agreement; or (b) are willing to go forward with this Agreement without that information or advice and to assume whatever risks that decision may entail.

12. **Binding Effect:** This Agreement will be binding on the parties and will inure to the benefit of and bind their respective heirs, personal representatives, successors and assigns.
13. **Attorneys' Fees:** In any action brought by any party to enforce the obligations of the other party or parties under this Agreement, the prevailing party will be entitled to collect such party's or parties' reasonable outside counsel fees, costs and other litigation expenses in such action. The prevailing party is the party who receives substantially the relief sought by said party, whether by final un-appealable order, dismissal or settlement, including any mediation or arbitration.
14. **Severability:** If any provision of this Agreement is determined by a court having jurisdiction to be illegal, invalid or unenforceable under any present or future law, the remainder of this Agreement will not be affected thereby. It is the intention of the parties that if any provision is so held to be illegal, invalid or unenforceable, there will be added in lieu thereof a provision agreed to by the parties that is similar in terms to such provision as is possible that is legal, valid and enforceable.
15. **Headings:** The headings used in this Agreement are for ease in reference only and are not intended to affect the interpretation of this Agreement in any way.
16. **Counterpart Execution:** This Agreement may be executed in multiple counterparts with the same effect as if the parties had signed the same document. All counterparts will be construed together and will constitute one agreement. This document will not be binding on or constitute evidence of a contract among the parties until such time as a counterpart of this document has been executed by each party and a copy thereof delivered to each other party to this Agreement.
17. **Governing Law, Venue & Jurisdiction:** This Agreement is being executed, delivered and is intended to be performed in Lake County, Indiana, and the substantive laws of Indiana will govern the validity, construction and enforcement of this Agreement. This Agreement is to be construed according to the laws of the State of Indiana applicable to contracts and workmanship to be performed entirely within the State of Indiana. The parties irrevocably and unconditionally consent to the venue and jurisdiction (both subject matter and personal) of any Indiana State Court sitting in Lake County, Indiana, in any action brought to enforce the terms of this Agreement. The parties irrevocably and unconditionally waive: (a) any objection any party might now or hereafter have to the venue in any such court; and (b) any claim that any action or proceeding brought in any such court has been brought in an inconvenient forum.

WHEREFORE, the Parties hereunto set their hands and seals on the dates written below:

Purchaser: Town of Highland – Town Council Artist/Manager

By: _____
Philip Scheeringa, President

By: 
Printed Name: Vincent P. Mancich

Dated: _____

Dated: 11-10-2024

Name of Act	Contract Price
Vincent P. Mancich	\$200

3. Authorizing the proper officer to publish legal notice of a public hearing: A Public Hearing to consider additional appropriations in the amount of \$51,000.00 in the General Fund. If approved, the public hearing will be held on December 9, 2024, at 6:30 P.M. O'clock in the Municipal Building, 3333 Ridge Road, Highland.

Councilor Georgeff moved to authorize the proper officer to publish legal notice of a public hearing to consider proposed additional appropriations as indicated. Councilor Black seconded. Upon a roll call vote, there were four (4) affirmatives and no negatives and 1 abstention, with Councilors Georgeff, Robertson, Black and Scheeringa voting in the affirmative and Councilor Turich abstaining. The motion passed. The proper officer was authorized to publish the legal notice.

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 9th day of December 2024, will consider the following additional appropriations in excess of the budget for the current year in the following fund:

General Fund

Acct. 1101-0007-36001	Fire Depart Equipment Repairs	\$22,246.36
Acct. 1101-0007-36003	Fire Depart Building Repairs	\$28,753.64

TOTAL for the FUND: \$51,000.00

Funds to support these additional appropriations in the General Fund shall be supported by miscellaneous revenue, unreserved unobligated fund balance on deposit to the credit of the fund.

Taxpayers appearing at such meeting shall have a right to be heard thereon. 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
Phillip Scheeringa, President

By: Mark Herak
Clerk-Treasurer

Mark Herak

From: Denise Beck
Sent: Monday, November 18, 2024 8:40 AM
To: Mark Herak
Cc: Chief Michael Pipta; George Georgeff; Phil Scheeringa
Subject: RE: Truck Sales Money

Importance: High

Mark,

I made a mistake. Please use these amounts.

Gym:	\$15,370.36
South Bay Doors:	\$16,595.00
Lockers:	\$ 6,876.00
South Door Card Readers:	<u>\$12,106.21</u>
	\$50,947.57

I am so sorry for the mix up on my end.

Thanks again for all your help,

Denise Beck

Highland Fire Department
2901 Highway Ave.
Highland, IN 46322
(219)-923-9876

From: Denise Beck
Sent: Monday, November 18, 2024 8:14 AM
To: Mark Herak <mherak@highland.in.gov>
Cc: Chief Michael Pipta <m.pipta@highland.in.gov>; George Georgeff <g.georgeff@highland.in.gov>; Phil Scheeringa <pscheeringa@highland.in.gov>
Subject: Truck Sales Money

Good morning Mark,

Per Chief Pipta, can you please transfer \$58,403.57 from the truck sales money to accounts for the following:

Gym:	\$15,370.36
South Bay Doors :	\$16,595.00
Lockers:	\$ 6,876.00
South Door Card Readers:	\$12,106.21
Equipment:	\$ 5,900.00
Boots:	<u>\$ 1,556.00</u>
	\$58,403.57

4. Consideration of a Special Event with Alcohol Permit (SEAP): The permit was approved by the Park and Recreation Board at its meeting November 20, 2024, pursuant to Section 11.10.225 of the Highland Municipal Code. (The Highland Park and Recreation Board *requires a permit to support the beer garden as part of the Park Department's Fireside Frostival. This being the first regular meeting of the Town Council following the receipt of the action of the Park and Recreation Board, the Town Council must consider the permit, pursuant to HMC Section 11.10.225(F)(4)*)

When the applicant is the municipality, through its executive departments, its administrative bodies, or agencies, no formal application is required provided that a request shall be filed in sufficient time to permit the Town Council to act in a regular or special meeting in advance of the event.

The Town Council must act in a regular or special meeting upon the application or request, where it may, in its discretion, issue such permit and likewise, in its discretion, may refuse the issuance of a permit.

***The motion should be to move to approve the special event with alcohol permit (SEAP) for the Park Department's Fireside Frostival to be held in Main Square on December 14, 2024, from 4:00 o'clock p.m. to 8:00 o'clock p.m.*

Councilor Turich moved to approve the request from the Park Department to conduct a controlled event, where alcohol will be dispensed at Main Square, on December 14, 2024 from 4:00 o'clock p.m. to 8:00 o'clock p.m. Robertson seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The controlled event permit was granted.

Comments from the Town Council:

(Good of the order)

• **Councilor George Georgeff:** *Chamber of Commerce; • Liaison to the Board of Water Works • Co-Chair Town Board of Metropolitan Police Commission • Redevelopment Commission Member*

Councilor Georgeff acknowledged Metropolitan Police Chief Ralph Potesta went over the last two (2) weeks crime statistics:

Town Council Meeting notes for 11/25/2024 – Police Department

0 – Robberies / 0 – Rapes / 0 – Auto Thefts

1 – Residential Garage Burglary – 3300 Block of Glenwood - \$550.00 in tools and a TV

1 week time frame – No suspects

2 Assaults – Both involving juveniles at the Middle School – 2 Juveniles charged

Scams:

Resident tried using his debit card at a business and it was declined. Upon investigating he discovered his checking account was overdrawn. Further investigation revealed that someone had intercepted 2 personal checks he had mailed to pay bills and the names and amounts on the checks were changed. \$8,752.76 loss.

Resident attempted to cancel her Amazon subscription. When she clicked on the Amazon app on her computer, she obtained a phone number. She called that number and spoke with someone and they advised that two of her accounts have been placed on hold due to no payments. The subject talked her into obtaining two money cards in the amount of \$500 each. She gave the code number on the back of the cards. Once she realized this was a scam she was able to get one of the cards cancelled. The other had already cleared. \$500.00 loss.

Responded to 3 Domestic Disturbance related calls – 1 Arrest made

9 DUI Arrests made

35 Accidents Handled – 4 of these involved Personal Injury

5 reports of vehicles broken into – all on the north end of town – Mostly tools stolen from work trucks - \$850 / \$1,000 – 1 vehicle broken into at Wicker Park (Purse stolen) – Attempted purchases on her Cash App card at local Targets – No suspects

Couple “Porch Pirate” Thefts in the 2800 Block of Garfield – Suspect identified – Charges Pending

Responded to 10 Retail Thefts – Mostly South 41 retail corridor – 6 Arrests made

Losses ranged from \$50.00 all the way up to \$2370

No Highland residents involved – East Chicago / Gary / Calumet City / 2 Migrants with New York / New Jersey addresses.

We will be having Extra Patrols of our retail corridors during the holiday season. This will be on top of the officer that patrols our Highland Grove Mall every day. The extra officers will be focusing on patrolling the parking lots of the stores where we have our biggest theft problems.

SAT Dec 7 and 14. Sp-7 on 14th 7th
Police/Fire Spreading Sp-9p on 14th After Frostival SEE OUR FACEBOOK
HOLIDAY CHEER

CODE

9 DAYS CODE - 2 DAYS ROAD DUTY

* 10 Reciprocity - APARTMENT BUILDINGS

* Remember - Prosec. office told us no.

(AT private DRIVES - At homes
IF YOU WANT TO TALK ABOUT
THAT SUBJECT)

Helped Comm. Bangsiak AT Mc'Donald's
ON WED'S NOV 20th WITH Turkey GIVEAWAY

* 64 self INT. CASES

* 84 TOTAL CASES

* 27 Junk vehicles Tagged

* 38 F.U.'s ON Junk vehicles

Recess EveryDAY

School Bus assignments >
either Following
OR WATCHING AN
INTERSECTION

Councilor Georgeff then acknowledged Redevelopment Director Maria Becerra who gave the following report:

TOWN COUNCIL MTG 11-25-24 **MARIA BECERRA, REDEVELOPMENT DIRECTOR**

SAFE STREETS FOR ALL GRANT UPDATE

Virtual Meetings were held with a representative from Northern Indiana Regional Planning Commission (NIRPC) and Indiana Department of Transportation (INDOT).

A PRESENTATION WAS MADE TO THE TOWN COUNCIL NOV 18TH STUDY SESSION IN PREPARATION TO PASS A RESOLUTION % GOAL TO REDUCE ACCIDENTS & FATALITIES.

A VIRTUAL MEETING WAS CONDUCTED TO DISCUSS SAFE PEDESTRIAN, ACCESSIBLE STREET CROSSINGS. THE TRAFFIC ENGINEERS ARE FINALIZING THE ANALYSIS OF THE HIGH-INJURY TRAFFIC INCIDENT HOT SPOTS

MASTER COMPREHENSIVE PLAN

DECEMBER 13TH FROM 6:00 to 7:30 AT THE LINCOLN CENTER, RESIDNET ARE ENCOURAGED TO ATTEND THE PUBLIC MEETING TO DISCUSS THE FUTURE VISION FOR HIGHLAND AS WE UPDATE THE MASTER COMPREHENSIVE PLAN.

AMENDMENT OF THE REDEV. PLAN OF THE CONSOLIDATED REDEVELOPMENT AREA - KENNEDY AVE.

SOUTH SUBAREA EXPANSION – THE PLANNING COMMISSION HAS PASSED A RESOLUTION FOR THE EXPANSION. THE NEXT STEP IS FOR THE TOWN COUNCIL TO APPROVE A RESOLUTION AND THEN THE REDEVELOPMENT COMMISSION WILL HOLD A PUBLIC MEETING FOR PASSAGE OF A CONFIRMATORY RESOLUTION

REDEVELOPMENT COMMISSION 2025 SPENDING PLAN WAS APPROVED BY THE REDEVELOPMENT COMMISSION AT THE 11/18 MTG.

NORTH KENNEDY PARCEL ACQUISITIONS IS PENDING THE SURVEY REPORT\$

INDIANAPOLIS PARCEL DISPOSITION – WAITING FOR ONE APPRAISAL REVIEW THEN THE LEGAL OFFERING WILL BE PUBLISHED.

THE WELCOME TO THE TOWN HIGHLAND FREE VIDEO DRAFT IS BEING CIRCULATED FOR PROOFING.

- **Councilor Doug Turich:** *Park and Recreation Board Liaison • Liaison and Plan Commission Member • Advisory Board of Zoning Appeals Liaison • Redevelopment Commission Member*

Councilor Turich acknowledged Building Commissioner Ken Mika who provided the following report:

Town Council 11/25/24

- BZA - Reminder - there will not be a BZA meeting this month. It will be combined with the December meeting to be held on 12/11 same time. Findings of Fact/Approval.

- P.C. ^{last in week} Met last week to review and vote on a resolution 2024-3 to consider Redevelopment Commission Resolution No. HRC2024-21 concerning an amendment to the Redevelopment Plan for the Highland Consolidated Redevelopment Area (Kenady Ave. South Subarea Expansion Area). Plan Commission Resolution 2024-3 was passed unanimously acknowledging RD 2024-21.

We have several outstanding projects some of which will be coming down to the wire reference weather.

Osborne Street improvements including them applying the tack coat today, hopefully with finish coat completed tomorrow. Also have to restripe and mark the street.

Councilor Turich then acknowledged the Superintendent of Parks and Recreation Alex Brown. He said not too many construction projects are going on right now. The Pop Warner storage building is supposed to be erected either next Tuesday or Wednesday weather permitting. The ADA concession stand project is still on going. There's been a delay, as the doors are back ordered and won't be available for at least eight (8) weeks. We won't see completion of that project till around February of 2025. They are assuring it will be done before any of those youth organizations start their spring seasons. He said the park crews are busy winterizing everything. He said everything's been winterized except the depot building at the

downtown parking lot. They are trying to keep that open till after the Pumpkin Plod and the Santa's March. He said the Santa's March and the tree lighting is this Saturday. The park crew has been working overtime to make sure all the new Christmas decorations are installed and working. He said the 49th Annual Pumpkin Plod is Thursday, Thanksgiving morning at 9 o'clock a.m. As of today, 818 runners have pre-registered. He anticipates the number to be closer to 1,200 participants come race day. He said the big Winter Dance Showcase will be next Friday night in the field house. It is an annual event and it is really neat as the youth dance classes worked really hard preparing for the event. Its usually attended by hundreds of people.

Councilor Turich commented that at the last Park Board meeting, there were a lot of great comments about the pickleball courts. He said the number of people waiting in line to enjoy the courts continue to grow.

Alex said the Sporting Goods Foundation said pickleballs has grown 225%. He said pickleball was always associated with the senior crowd however, statistics show the biggest group is from 25 to 35 and the second biggest group is 18 and under.

- **Councilor Alex Robertson:** *Sanitary Board Liaison • Redevelopment Commission Member • Council of Community Events Commission Liaison • Public Works Liaison • Liaison to Main Street Bureau • Liaison to the Tree Board • Liaison to the Highland Neighbor for Sustainability.*

Councilor Robertson said the tree lighting contest starts this weekend in the downtown. The trees are supposed to decorated by Wednesday. He said he is trying to build a beer keg tree to place on the roof over Fuzzy Line. He said the Highland Video is ready for review. He said it turned out great. He thanked Ben Tomera of Medium Shot Media for helping with the project. He also thanked Councilor Scheeringa for narrating. He said the downtown lighting will go to red and green for the Christmas season.

He then acknowledged Public Works Director Mark Knesek who said the contractor finished paving the roads within the storm water remediation project. He said they finished just in time because with the temperatures are dropping after Tuesday, I don't think we're going to be paving anymore streets. When the temperature drops into the twenty's, the paving plants shut down for the season. Hopefully, Osborne will get completed tomorrow or Wednesday. He said they still have some concrete to complete. He apologized to Alex Brown saying the parking lot off of Parrish will not get paved this year. He said the contractor will level it so that the lot can be plowed in case of snow. He said the trees are being planted on Duluth Street and sod applied. He was happy to report that everyone is able to use their driveways again. The roads are fine to travel on but some of the corners need to be cleaned up. He asked if any of the Council had received their lead form notices in the mail. He wanted to clarify that those receiving the forms didn't mean their pipes coming to their house were made of lead. It simply means that its unknown and the Town is asking the resident to check to see and return the form to the Town so they can enter it into their inventory He said this Saturday garage dumping will be closed this weekend because of the Thanksgiving holiday. He said Saturday dumping will cease beginning in December. He said the public works crews are finished collecting leaves, they will switch back to collecting tree limbs and branches. He said because of the late falling of leaves, they will be extending leaf pick-up two (2) more weeks.

231

- **Councilor Tom Black:** *Redevelopment Commission Liaison and Member • Member of the Lake County Solid Waste Management District Board • Member of the Northwestern Indiana Regional Planning Commission (NIPRC) • Shared Ethics Representative • Liaison Traffic Safety*

Councilor Black began by wishing everyone a happy and safe Thanksgiving. He said to spend time with loved ones and cautioned residents to be careful when using air fryers when cooking their turkeys. He said the Lake County Solid Waste Board did not meet last Thursday due to a lack of a quorum. The meeting has been rescheduled for the 19th of December.

- **Town Council President Philip Scheeringa:** *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) • Budget Committee Chairman • Redevelopment Commission Member • Co-Chair Town Board of Metropolitan Police Commission • Fire Department Liaison • Information Communications and Technology Department Liaison • Building and Inspection Department Liaison.*

Councilor Scheeringa began by acknowledging Fire Chief Mike Pipta who recapped the fire activity since the November 11th meeting. He said they had 24 calls since the last meeting, nothing of significance. He said the agreements are in place for Auto Aid with Griffith, Schererville and Munster. He said when a structural fire is reported in Highland, a page automatically goes out to Griffith, Schererville and Munster. They have used it twice since it became operational. One was for a chimney fire and the other a false alarm. He said they will be decorating Engine 9 for the upcoming Christmas Parade, as well as the parade through Highland with the Police Department. He too wished everyone a Happy Thanksgiving. He said it never fails but they always receive a couple of carbon monoxide calls.

Councilor Scheeringa then acknowledged IT Director Ed Dabrowski who said the downtown lights will be changing to red and green this week for the Christmas Season. He said the Wi-Fi is working from 5th Street to a little past Growlers. He said there was no budget for Wi-Fi but our equipment is good. He simply had to move some of it around with the help of Kevin from Pure Illumination. He said he'll have to work with an electrical contractor to permanently mount the equipment. He said he would answer any questions anyone might have. There were no questions.

That concluded comments from the Council and President Scheeringa then turned it over to comments from visitor's or residents, reminding them to limit it to 2 minutes.

Comments from Visitors or Residents:

Lydia Schotts, Highland, asked Public Works Director Knesek about leaf pick-up. She said her normal pick-up day is this Friday, the day after Thanksgiving and she's guessing public works isn't working and her leaves won't get picked up. She was asking when could she expect her leaves to get picked-up?

Mark Knesek said they hope to pick them up this Wednesday but Arbor Hill took a long time today. If they don't get them this Wednesday, they will pick them up sometime next week. They hope to complete the Town by the end of next week.

Larry Kondrat, Highland, said he has a friend lives on 42nd Street and Grimmer Construction came into his back yard with an auger like device and dug up around his buffalo box. He wanted to know if he should back fill with black dirt and seed or will Public Works restore.

Mr. Knesek said Public Works would restore and they hoped to still get it this year or early in the spring. He said he has crew trailing Grimmer Construction to restore. He said they probably won't plant grass but sand and let it settle over the winter and then next spring top it with black dirt and then plant the seed.

Councilor Scheeringa asked if there were any other comments. Hearing none, he closed comments from the public and brought it back to the Council. He then asked for a motion to pay claims.

Payment of Accounts Payable Vouchers. There being no further comments from visitors or residents, Councilor Robertson moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period November 13, 2024 through November 26, 2024. Councilor Black seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, the payroll dockets listed were ratified and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Accounts payable vouchers November 13,2024- November 26, 2024 in the amount of **\$1,530,584.61.**

General Fund, \$243,192.67; MVH Fund, \$12,934.65; LR&S, \$35,015.02; LAW Enforcement Continuing Education Training and Supply Fund, \$1,418.891; Public Safety Income Tax, \$16,471.20; Community Crossings Grant, \$897,261.14; Special Events \$206.52; MCCD, \$134,884.14; Solid Waste, \$155,200.00; Information and Communications Technology Fund, \$12,573.18; Gasoline Fund, \$21,427.20.;

Payroll Docket for payday of November 15, 2024 by fund:

General, \$325,426.09

Payroll Docket for payday of November 15, 2024;

Office of Clerk-Treasurer, \$16,214.43; Building and Inspection Department, \$8,996.06; Metropolitan Police Department, \$161,954.83; Public Works Department (Agency), \$80,266.70; Fire Department, \$1,944.44 and Information and Technology Department, \$4,205.45;

Total Payroll: \$273,581.91.

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, November 25, 2024, adjourned at 7:10 o'clock p.m.

Mark Herak
Clerk-Treasurer

Approved by the Town Council at its meeting of December 9, 2024.