

**Enrolled Minutes of the Twelfth Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, June 11, 2012**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, June 11, 2012 at 6:45 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

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

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Town Council discussed the provisions of the Compensation and Benefits Ordinance regarding paid time off or compensation time for salaried FSLA Exempt Supervisory workers.

The study session ended at 7:00 O'clock p.m.

Regular meeting. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, June 11, 2012 at 7:01 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Bernie Zemen, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Mark Herak 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 Mark Herak, Dan Vassar, and Bernie Zemen. Councilors Konnie Kuiper and Brian Novak were absent owing to work-related travel. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

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

Also present: Ed Dabrowski IT Director (Contract); Dennis Adams, Town Board of Metropolitan Police Commissioners; and Lisa Gauthier, Community Events Commission were also present.

Minutes of the Previous Meetings:

The minutes of the regular meeting of May 14, 2012 were approved by general consent.

Staff Reports:

- **Building & Inspection Report for May 2012**

The report from May 2012 was unavailable.

- **Fire Department Report for May 2012**

	Month	Y.T.D.
General Alarms	14	48
Still Alarms	7	28
Paid still alarms	1	15
Total:	22	17

- **Workplace Safety Report for May 2012**

There were two incidents. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2012	Total in 2011	Restricted Days 2012	Lost Workdays This Year	Restricted Days Last Year (2011)	Lost Workdays Last Year (2011)
Parks	0	0	0	0	0	0	0
Fire	0	0	1	0	0	1	0
Police	1	5	3	0	0	0	0
Street	0	1	5	0	0	2	0
Water & Sewer	1	2	4	0	0	4	77
Maint.	0	0	1	0	0	0	0
Other	0	0	2	0	0	0	0
TOTALS	2	8	16	0	0	7	77

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

Unfinished Business and General Orders:

1. **Proposed Ordinance No. 1512:** An Ordinance to Amend Sections of Chapter Fifty-One of the Highland Municipal Code, Particularly Amending Several Service Charges, Pursuant to IC 36-1-3 et seq. and other relevant Statutes.

Councilor Herak introduced and filed Ordinance No. 1512. There was no other action.

2. **Resolution No. 2012-23:** A Resolution Adopting an Addendum to the Interlocal Cooperation Agreement for Construction, Use and Management of the Griffith Police Department Gun Range.

Councilor Vassar moved, seconded by Councilor Herak to pass and adopt Resolution No. 2012-23. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN OF HIGHLAND
 TOWN COUNCIL RESOLUTION No. 2012-23

A Resolution Adopting an Addendum to the Interlocal Cooperation Agreement for Construction, Use and Management of the Griffith Police Department Gun Range

THIS ADDENDUM, to the previously adopted Interlocal Cooperation Agreement for Construction, Use and Management of the Griffith Police Department Gun Range and entered into by and between the Town of Griffith, Indiana, the Town of Highland, Indiana, the Town of Munster, Indiana, and the Town of Schererville, Indiana, collectively referred to as "parties".

WHEREAS, The parties currently operate and maintain a gun range accessible to all citizens located in the Town of Griffith; and

WHEREAS, The parties desire to enter into a joint addendum for the fees charged for the facilities provide at the gun range; and

WHEREAS, The parties desire to enter into a joint addendum for the fees charged for the facilities provided at the gun range; and

WHEREAS, The parties desire to set a salary for the Gun Range Manager to be \$200.00 per month, which is to be divided and payable evenly by all parties; and

THEREFORE BE IT RESOLVED, by the parties to adopt the following fees:

- | | | |
|----|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| 1. | Range A, B and Classroom | \$25.00 per person
max \$500.00 per day |
| 2. | Firearms Training Simulator | \$25.00 per person
max \$500.00 per day |
| 3. | Classroom | \$25.00 per person
max \$500.00 per day |
| 4. | Gun Range Manager | \$200.00 per month |
| 5. | Current police personnel in good standing from the Town of Griffith, Town of Highland, Town of Munster, and Town of Schererville | No charge |
| 6. | Retired police personnel from the Town of Griffith, Town of Highland, Town of Munster, and Town of Schererville | No charge |
| 7. | Retired police personnel not from one of the above Towns. | \$25.00 per person |

Now, Therefore be it Further Resolved, in consideration of the mutual covenants and promises contained herein, it is agreed as follows:

1. **Authorization.** Each of the parties hereto, by ordinance or resolution, have been authorized to enter into this Addendum.
2. **Effective Date.** This Addendum shall be effective on the ___ day of _____, 2012.
3. **Administration of this Addendum.** This addendum shall be administered by the Town of Griffith who is the overseeing agency of the gun range.
4. **Recording and Filing of This Addendum.** Before its takes effect, this Addendum shall be recorded with the Recorder of Lake County, Indiana and within sixty (60) days thereafter, it shall be filed with the Indiana State Board of accounts.
5. **Partial Invalidity.** If any section, clause, provision or portion of this Addendum shall be held invalid or constitutional by any court or competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Addendum.

6. **Counterparts.** This Addendum may be signed in counterparts and each of said counterparts shall be considered an original.
7. **Effectiveness.** In all other respects all terms and conditions of said Interlocal Cooperation Agreement shall continue in full force and effect. This Addendum shall be effective on the date in which the last of the parties has signed this Addendum.

IN WITNESS WHEREOF, the parties have signed the Addendum on the dates set forth below to be effective on the date in which the last of the parties signs this Addendum. This Addendum has been executed by the executive officer of each of the municipalities who are parties hereto and each such signature shall be attested to by the Clerk-Treasurer of each municipality.

TOWN of GRIFFITH, INDIANA

TOWN of MUNSTER, INDIANA

BY: _____
Its President

BY: _____
Its President

ATTEST:

ATTEST:

Clerk-Treasurer, Town of Griffith

Clerk-Treasurer, Town of Munster

Date: _____

Date: _____

TOWN of HIGHLAND, INDIANA

TOWN of SCHERERVILLE, INDIANA

BY: _____
Its President

BY: _____
Its President

ATTEST:

ATTEST:

Clerk-Treasurer, Town of Highland

Clerk-Treasurer, Town of Schererville

Date: _____

Date: _____

3. **Resolution No. 2012-24:** A Resolution Approving a Memorandum of Understanding for Domestic Highway Enforcement between and among the Town of Highland Metropolitan Police Department, Indiana State Police, City of Crown Point Police Department, and the City of Hobart Police Department for participation in the Domestic Highway Enforcement Initiative of the Lake County High Intensity Drug Trafficking Area (HIDTA).

Councilor Herak moved, seconded by Councilor Vassar to pass and adopt Resolution No. 2012-24. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN OF HIGHLAND
TOWN COUNCIL RESOLUTION No. 2012-24

A Resolution Approving a Memorandum of Understanding for Domestic Highway Enforcement between and among the Town of Highland Metropolitan Police Department, Indiana State Police, City of Crown Point Police Department, and the City of Hobart Police Department for participation in the Domestic Highway Enforcement Initiative of the Lake County High Intensity Drug Trafficking Area (HIDTA)

WHEREAS, Town of Highland Metropolitan Police Department, Indiana State Police, City of Crown Point Police Department, and the City of Hobart Police Department desire to enter into a memorandum of

understanding (joint agreement) to provide for the ability to advance the purposes and objectives of the Domestic Highway Enforcement Initiative of the Lake County High Intensity Drug Trafficking Area (HIDTA);

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Highland, Lake County as follows:

Section 1. A memorandum of understanding (joint agreement), a copy of which is attached and incorporated herein by reference, among and between Lake County High Intensity Drug Trafficking Area (HIDTA) Executive Board, the Town of Highland Metropolitan Police Department, Indiana State Police, City of Crown Point Police Department, and the City of Hobart Police Department, is hereby authorized and approved in each and every respect.

Section 2. The purpose of this agreement is to to advance the purposes and objectives of the *Domestic Highway Enforcement Initiative, creating a multi-agency, multi-jurisdictional Domestic Highway Enforcement Task Force, focusing on the detection and interdiction of illegal drug and weapons on the highways within and leading to Lake County, Indiana as well as the disruption of transportation by criminal organizations by interdiction of proceeds from suspected illegal activities;*

Section 3. The Highland Metropolitan Police Chief is hereby authorized to execute the Memorandum of Understanding (joint agreement) with his signature and any additional documents in order to implement the agreement.

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 11th day of June 2012. Having been passed by a vote of **3** in favor and **0** opposed.

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

Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

4. **Works Board Order No. 2012-16:** An Order Approving and Re-Authorizing the Entry into a Service Agreement with SBC doing business as AT&T for Advanced Centrex Services, under §31.22 of the Municipal Code, for a period of 36 months.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2012-16. Councilor Herak seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2012-16**

**AN ORDER APPROVING AND RE-AUTHORIZING THE ENTRY INTO A SERVICE AGREEMENT WITH SBC FOR
ADVANCED CENTREX SERVICES, UNDER §31.22 OF THE MUNICIPAL CODE.**

Whereas, The Town of Highland Office of Clerk-Treasurer, has elected to seek certain economies for the voice telecommunications services, because no other office by law is specifically directed to perform this function, and, from time to time, it is necessary to purchase and or lease services in order to better carryout the functions of the office and the municipality; and

Whereas, The Information Technology Director (contractual) has recommended a renewal for the existing telecommunications services and has secured a quote from SBC, the current provider, for Centrex services for 31 lines in the total monthly amount of \$232.50, for a period of 36 months, based upon a State of Indiana QPA Contract;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A) and (B) of the Code serves as purchasing agency for the executive departments of the municipality, and the utilities when costs are to be shared; and

Whereas, The value of the agreement does **not** exceed ten thousand (\$10,000) but is for a term of greater than one year, pursuant to §31.18(C) of the HMC, requires the express approval of the purchasing agency; and

Whereas, The Highland Municipal Code Section §31.22 provides that the purchase of services may in a manner that the purchasing agency determines to be reasonable; and

Whereas, The payments will be supported by an appropriations and funds of the **Information and Communications Technology Fund**; and

Whereas, The Town Council now desires to approve and authorize the Clerk-Treasurer to enter a service agreement 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 of Municipality as follows:

Section 1. That the Clerk-Treasurer is hereby directed and authorized to execute the necessary documents to support the acceptance and approval of the following telecommunications Advanced Centrex services, for a term not to exceed 36 months, offered by SBC Global Services d.b.a AT&T Global Services in the monthly amounts set forth and identified as follows:

SBC Centrex Line Services	(31 @ \$7.50 ea.)	\$232.50 monthly
Total:		\$232.50 monthly

Section 2. That purchase agency believes the manner of this purchase of services is reasonable, as are the charges for the term of thirty-six months.

Section 3. That the Clerk-Treasurer is authorized and directed to execute the agreement and any additional documents in order to implement Advance Centrex services.

Section 4. That the Clerk-Treasurer be directed to cause the charges approved under this Works Board Order to be posted to and supported by an appropriation in the **Information and Communications Technology Fund**.

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 11th day of June 2012 having passed by a vote of 5 in favor and 0 opposed.

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

Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

- 5. Works Board Order No. 2012-17:** An Order Approving and Authorizing the Entry into a Service Agreement with AT&T for Certain Telecommunications and Broadband Services, under §31.22 of the Municipal Code, for a period of 36 Months

Councilor Herak moved the passage and adoption of Works Board Order No. 2012-17. Councilor Vassar seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2012-17**

AN ORDER APPROVING AND AUTHORIZING THE ENTRY INTO A SERVICE AGREEMENT WITH AT&T FOR CERTAIN TELECOMMUNICATIONS AND BROADBAND SERVICES, UNDER §31.22 OF THE MUNICIPAL CODE, FOR A PERIOD OF 60 MONTHS.

Whereas, The Town of Highland, has elected to maintain certain telecommunications and broadband services, because no other office by law is specifically directed to perform this function, and, from time to time, it is necessary to purchase and or lease services in order to better carryout the functions of the office and the municipality; and

Whereas, The IT Director (contractual) has recommended renewal of an agreement for certain telecommunications and broadband services from AT&T, the current provider, for the monthly ISDN PRI Port, Unlimited Local Usage, ISDN Calling Name ID and DID numbers services in the total monthly amount of \$536.30, for a period of ___ months; and

Whereas, The recommended revision to services will greatly improve the access times and speeds in the unit's broadband services; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A) and (B) of the Municipal Code serves as purchasing agency for the executive departments of the municipality, and the utilities when costs are to be shared; and

Whereas, The amount exceeds ten thousand (\$10,000) over the life of the proposed agreement and is for a term of greater than one year, pursuant to §31.18(C) of the Municipal Code, requires the express approval of the purchasing agency; and

Whereas, The Highland Municipal Code Section §31.22 provides that the purchase of services may in a manner that the purchasing agency determines to be reasonable and appropriate; and

Whereas, The payments will be supported by an appropriation in the Information and Communications Technology Fund; and

Whereas, The Town Council now desires to approve and authorize the Clerk-Treasurer to enter a service agreement 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 of Municipality as follows:

Section 1. That the Clerk-Treasurer is hereby directed and authorized to execute the necessary documents to support the acceptance and approval of the telecommunications and broadband services, ISDN PRI Port, Unlimited Local Usage, ISDN Calling Name ID and DID numbers for a term not to exceed 60 months, offered by AT&T in the monthly amount of \$536.30;

Section 2. That purchase agency believes the manner of this purchase of service is reasonable and appropriate, as are the charges for the term of sixty months.

Section 3. That the Clerk-Treasurer or proper officer is authorized and directed to execute the agreement and any additional documents in order to implement the enhancements to services.

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 11th day of June 2012 having passed by a vote of 3 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**
Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

6. **Works Board Order No. 2012-19:** An Order Authorizing and Approving a Contribution of 25 Recycling Bins to the Highland High School in support of its Classroom Recycling Initiative.

Councilor Herak moved the passage and adoption of Works Board Order No. 2012-19. Councilor Vassar seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

THE TOWN OF HIGHLAND
WORKS BOARD ORDER NO. 2012-19

AN ORDER AUTHORIZING and APPROVING a CONTRIBUTION OF 25 RECYCLING BINS to the
HIGHLAND HIGH SCHOOL in support of its CLASSROOM RECYCLING INITIATIVE.

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., and

Whereas, Highland High School of the School Town of Highland, through its Principal has requested that a voluntary contribution of 25 recycling bins be made by the Town of Highland to the school to support its efforts at recycling and waste stream reduction in each of classroom; and

Whereas, Under its authority of IC 36-1-3, The Town passed and adopted Section §33.03 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, Section §31.04(B) of the Highland Municipal Code, which references the purposes of the resources of the Solid Waste District Grant Fund, provides in pertinent part that the *“... fund is dedicated and established to provide funds for programs of the municipality that are consistent with the terms of the Lake County Solid Waste District Management Twenty-Year Plan, and to support the on-going integrated, community-based solid waste management program, combining elements of residential solid waste collection, promoting waste stream reduction through recycling, and encouraging the use of recycled materials”*; and

Whereas, The Town Council has reviewed the matter, and in the interest of goodwill, comity and the promotion of waste stream reduction, now desires to make an elective contribution to Highland High School as requested by its principal;

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

Section 1. That Highland High School, 9135 Erie Street, Highland, Indiana, in the interest of goodwill, comity and in support of all efforts promoting waste stream reduction through recycling, now be granted, as requested, an elective contribution of twenty-five (25) recycling bins used by the town as part of its curb side recycling program, and valued in the amount of two hundred nineteen dollars and fifty cents (\$219.50) in support Highland High School’s classroom recycling initiative;

Section 2. That the Public Works Director be authorized and instructed to deliver to Highland High School twenty-five (25) recycling bins, either from existing supply on hand or obtained from a future order, paid from the resources of the Solid Waste District Grant Fund;

Section 3. That the Town Council hereby finds and determines that such an expense promotes the laudable interests of the Town, supports more perfect relations with other participating member units of government and is a lawful expense supporting activities which are of a civic or governmental nature;

Section 4. That the Town Council further finds and determines that the activities and expenses as described herein, while not paid from the Corporation General Fund, are uses and expenditures consistent with the purposes of the **Solid Waste District Grant Fund, but such expenditures may be posted to any lawful fund**, and are accordingly approved;

Section 5. That the proper officers are hereby authorized and directed to take such lawful measures as may be necessary and desirable to carryout the purposes of this order.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11th day of June 2012 having passed by a vote of 3 in favor and 0 opposed.

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

Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

7. **Works Board Order No. 2012-20:** An Order Approving and Authorizing the Proper Officer to Enter into a Purchase with CBL Associates for Dell OptiPlex 790 Personal Desktop Computers, defining this as a Special Purchase under §31.20(I)(6) & (13) of the Municipal Code.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2012-20. Councilor Herak seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2012-20**

AN ORDER APPROVING AND AUTHORIZING THE PROPER OFFICER TO ENTER INTO A PURCHASE WITH CBL ASSOCIATES FOR DELL OPTI PLEX 790 PERSONAL DESKTOP COMPUTERS, DEFINING THIS AS A SPECIAL PURCHASE UNDER §31.20(I)(6) & (13) OF THE MUNICIPAL CODE.

Whereas, The Town of Highland Office of Clerk-Treasurer, as part of its public duties, has responsibility for the preservation, maintenance and public access to certain public records of the Town Legislative Body and of the municipality, except where another office by law is specifically directed to perform this function, and, from time to time, it is necessary to purchase and or lease materials and supplies in order to better carryout the functions of the department; and

Whereas, The Town of Highland, through its several departments, as part of its public duties, utilizes desktops computers as part of carrying out its public services and related duties in the Town of Highland; and

Whereas, The IT Director has determined a need to obtain certain computer equipment and software supplies and has secured a quote from CBL Associates for the purchase of twenty-two (22) Dell OptiPlex 790 Desktops Computers at the unit price of \$1,250.00 each, in the total amount of \$27,500.00; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(9) of the HMC serves as purchasing agency for the Office of the Clerk-Treasurer; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(3) of the HMC serves as purchasing agency for the Office of the Clerk-Treasurer and the Metropolitan Police Department; and

Whereas, The amount of the purchase exceeds ten thousand (\$10,000) and, pursuant to §31.18(C) of the HMC, requires the express approval of the purchasing agency; and

Whereas, The Clerk-Treasurer, pursuant to §31.19(D)(10), serves as the Purchasing Agent for the Office of the Clerk-Treasurer and all executive offices or departments; and

Whereas, The single payment will be supported by an approved existing appropriation in the Municipal Cumulative Capital Fund and other lawful funds of the unit; and

Whereas, The Town Council now desires to approve and authorize the proper officer to enter a purchase agreement 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 of Municipality:

Section 1. That the proper officer is hereby directed and authorized to purchase thirteen (13) Dell Optiplex 790 Desktop Computers at the unit price of \$1,250.00 each, in the total amount of \$16,250.00, according to the standing retention and replacement schedule, to be used in the Office of the Clerk-Treasurer, Public Works, Building and Inspection, Parks and Recreation and the Fire Department and to purchase nine (9) Dell Optiplex 790 Desktop Computers at the unit price of \$1,250.00 each, in the total amount of \$11,250.00, according to the standing retention and replacement schedule, to be used by the Metropolitan Police Department.

Section 2. That the proper officer is hereby directed and authorized to purchase the forgoing units as a single order of twenty-two (22) Dell Optiplex 790 Desktop Computers at the unit price of \$1,250.00 each, in the total amount of **\$27,500.00** in order to obtain the group discount offered for the total purchase;

Section 3. That the Town Council as Works Board finds and determined that this purchase is a qualified special purchase as the market structure for these items are based on price but the governmental body is able to receive a dollar or percentage discount of the established price, and there exists a unique opportunity to obtain supplies or services at a substantial savings to the governmental body, all pursuant to Section § 31.20(I) (6) and (I) (13) as well as IC 5-22-10 et sequitur;

Section 4. That the Town Council as Works Board further finds and determined there are sufficient and available appropriations balances on hand to support the purchase to the credit of the Municipal Cumulative Capital Development Fund, pursuant to IC 5-22;

Section 5. That the Clerk-Treasurer is authorized and directed to execute the purchase agreement and any additional documents in order to implement the purchase and licensing.

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 11th day of June 2012 having passed by a vote of 3 in favor and 0 opposed.

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

Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

8. **Works Board Order No. 2012-21:** An Order of the Works Board Accepting the Bid of De Boer Golf Corporation for the 3500 block of Garfield Avenue Reconstruction Project Being the Lowest Responsive and Responsible Bid in the amount of Three Hundred Twenty-four Thousand Seven Hundred Forty-nine Dollars and 50/100 Cents (\$324,749.50)

Councilor Herak moved the passage and adoption of Works Board Order No. 2012-21. Councilor Vassar seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

**TOWN of HIGHLAND
Board of Works
Order of the Works Board No. 2012-21**

AN ORDER OF THE WORKS BOARD ACCEPTING THE BID OF DE BOER EGOLF CORPORATION FOR THE 3500 BLOCK OF GARFIELD AVENUE RECONSTRUCTION PROJECT BEING THE LOWEST RESPONSIVE AND RESPONSIBLE BID IN THE AMOUNT OF THREE HUNDRED TWENTY-FOUR THOUSAND SEVEN HUNDRED FORTY-NINE DOLLARS AND 50/100 CENTS (\$324,749.50)

Whereas, the Town Council for the Town of Highland determined that a need exists to improve the 3500 blocks of Garfield Avenue; and

Whereas, Garcia Consulting Engineers had prepared plans and specifications for the 3500 blocks of Garfield Avenue and the project was bid in accordance with I.C. 36-1-12 *et seq.* and notice was published in accordance with I.C. 5-3-1; and

Whereas, the following bids were received at 10:00 a.m. on May 29, 2012:

	<u>Bidder</u>	<u>Base Bid</u>
1.	Walsh & Kelly, Inc.	\$334,323.05
2.	deBoer Egolf Corporation	\$324,749.50
3.	Olthoff, Inc.	\$355,554.34
4.	Rex Construction Co., Inc.	\$327,638.55
5.	Gough, Inc.	\$433,921.85
6.	Rieth-Riley Construction, Inc..	\$333,276.25
7.	Grimmer Construction, Inc.	\$383,734.60
8.	Gariup Construction	\$419,000.00

Whereas, Garcia Consulting Engineers and the Director of Public Works have reviewed the bids and determined that the bid of deBoer Egolf Corporation in the amount of Three Hundred Twenty-four Thousand Seven Hundred Forty-nine Dollars and 50/100 Cents (\$324,749.50) to be the lowest responsive and responsible bid.

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

Whereas, The Town of Highland, through its Town Council, now desires to accept the recommendation of the Public Works Director and award a construction contract to deBoer Egolf Corporation for the 3500 block of Garfield Avenue Reconstruction Project.

Now, Therefore, Be It Ordered, by the Town Council of the Highland, Indiana that the bid of deBoer Egolf Corporation for the 3500 block of Garfield Avenue Reconstruction Project in the amount of Three Hundred Twenty-four Thousand Seven Hundred Forty-nine Dollars and 50/100 Cents (\$324,749.50) is hereby accepted as the lowest responsive and responsible bid. Further, the Public Works Director and Clerk Treasurer are hereby authorized to execute the agreement and all documents necessary to implement the project.

Be it So Ordered.

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 11th day of June 2012. Having been passed by a vote of 3 in favor and 0 opposed.

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

Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

9. **Works Board Order No. 2012-22:** An Order Approving the 3200 block of Condit Street Improvement Project and Approving and Authorizing An agreement between Garcia Consulting and the Town of Highland to perform Preliminary Design Engineering and professional services in support Thereof.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2012-22. Councilor Herak seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

AN ORDER APPROVING THE 3200 BLOCK OF CONDIT STREET IMPROVEMENT PROJECT AND APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN GARCIA CONSULTING AND THE TOWN OF HIGHLAND TO PERFORM PRELIMINARY DESIGN ENGINEERING AND PROFESSIONAL SERVICES IN SUPPORT THEREOF.

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 received a request from the residents in the 3200 block of Condit Street requesting consideration to reconstruct the 3200 block of Condit Street; and

Whereas, Garcia Consulting has offered and presented an agreement to provide and **furnish preliminary or design engineering and professional** services in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the engineering services completed, in an estimated fee of Thirteen Thousand Dollars (\$13,000); and

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

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

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

Section 1. That the Public Works Director is hereby authorized and approved to proceed with the reconstruction the 3200 block of Condit Street to be known as the Condit Street Improvement Project;

Section 2. That the Professional Engineering and Design Services proposal, (incorporated by reference and made a part of this Order) between Garcia Consulting and the Town of Highland, is hereby approved, adopted and ratified in each and every respect;

Section 3. That the terms and charges under the agreement for preliminary design engineering services in the not to exceed fee amount of Thirteen Thousand Dollars (\$13,000.00) is found to be reasonable and fair;

Section 4. That the Town of Highland, through its Board of Works, believes that Garcia Consulting Engineers has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 5. That the Director of Public Works be authorized to execute the Agreement with his signature as attested thereto by the Clerk-Treasurer.

Be it So Ordered.

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 11th day of June, 2012. Having been passed by a vote of 3 in favor and 0 opposed.

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

Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

10. Works Board Order No. 2012-23: An Order Approving and Authorizing An agreement between Garcia Consulting Engineers and the Town of Highland to perform Professional Engineering Services during Construction for the Garfield Avenue Reconstruction Project in the amount not-to-exceed \$21,150

Councilor Herak moved the passage and adoption of Works Board Order No. 2012-23. Councilor Vassar seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2012-23

AN ORDER APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN GARCIA CONSULTING ENGINEERS AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL ENGINEERING SERVICES DURING CONSTRUCTION FOR THE GARFIELD AVENUE RECONSTRUCTION PROJECT IN THE AMOUNT NOT-TO-EXCEED \$21,150

Whereas, The Town Council has heretofore determined that a need exists to reconstruct the 3500 block of Garfield Avenue and has implemented the Garfield Avenue Reconstruction Project; and

Whereas, Garcia Consulting Engineers (Consultant) has offered and presented an agreement to provide and furnish professional engineering services during construction in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the additional services completed, in an amount not to exceed Twenty-one Thousand One Hundred Fifty Dollars and 00/100 cents (\$21,150.00); and

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

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

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

Section 1. That the Professional Engineering Services during Construction Agreement, (incorporated by reference and made a part of this Order) between Garcia Consulting Engineers and the Town of Highland for the Garfield Avenue Reconstruction Project, is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for Professional Engineering Services during Construction in the not to exceed fee amount of Twenty-one Thousand One Hundred Fifty Dollars and 00/100 cents (\$21,150.00) is found to be reasonable and fair;

Section 3. That the Town of Highland, through its Town Council, believes that Garcia Consulting Engineers has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the President of the Town Council be authorized to execute the Agreement with his signature as attested thereto by the Clerk-Treasurer.

Be it So Ordered.

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 11th day of June, 2012. Having been passed by a vote of 3 in favor and 0 opposed.

BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

- 11. Works Board Order No. 2012-24:** An Order of the Works Board Authorizing and Approving an Agreement with Johnny on the Spot to Provide Non-Hazardous Waste Services for the Highland Independence Day Festivals for 2012 and 2013.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2012-24. Councilor Herak seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The Works Board Order was adopted.

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD 2012-24**

AN ORDER OF THE WORKS BOARD AUTHORIZING AND APPROVING AN AGREEMENT WITH JOHNNY ON THE SPOT TO PROVIDE NON-HAZARDOUS WASTE SERVICES FOR THE HIGHLAND INDEPENDENCE DAY FESTIVALS FOR 2012 AND 2013.

Whereas, The Town of Highland, Community Events Commission, as part of its public duties, has responsibility for the planning of special events in the Town of Highland, particularly the annual festival honoring Independence Day, conducted at Main Square Park; and

Whereas, Johnny on the Spot, has provided a proposal to provide non-hazardous waste collection services including providing portable lavatories; and

Whereas, The Clerk-Treasurer, pursuant to §31.19(D)(10) of the HMC, serves as the Purchasing Agent for any department or office for which an agent is not otherwise expressly provided, and for all executive departments of the municipality, which would include the Community Events Commission; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(1) of the HMC serves as purchasing agency for the Community Events Commission; and

Whereas, The service agreement exceeds one year in duration and, pursuant to §31.18(C) as well as §31.19(B)(1)(b) of the HMC, requires the express approval of the purchasing agency; and

Whereas, The purchase will be supported by the Special Events Non Reverting fund and there is sufficient appropriation in order to support the work; and

Whereas, The Town Council now desires to authorize the Clerk-Treasurer to execute the agreement pursuant to the terms stated herein,

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

Section 1. That the proposed non hazardous waste and portable lavatory agreement from Johnny on the Spot, attached hereto and made a part of this Resolution, is approved in each and every respect, pursuant to the terms contained therein, including a term of two years, 2012 and 2013;

Section 2. That the Works Board for the Town of Highland believes that Johnny on the Spot has demonstrated professional competence and qualifications to perform the particular professional services called for in the proposal and associated project;

Section 3. That the terms and charges under the agreement for in the amount of One thousand, four hundred-five Dollars and 00/100 cents (\$1,405.00) per billing cycle, in the amount of One thousand, four hundred-five Dollars and 00/100 cents (\$1,405.00) per event; and in the amount of Thirteen dollars and 00/100 cents (\$13.00) per cleaning, with a 3% cola applied to the same fees for 2013, are found to be reasonable and fair;

Section 4. That the Clerk-Treasurer is hereby authorized to issue a purchase order to Johnny on the Spot and to execute all documents necessary to implement the work;

Section 5. That the Municipal Fiscal Officer is hereby authorized to expend Special Event NonReverting funds in order to support the services approved by this order.

Be it So Ordered.

DULY, PASSED AND ADOPTED by the Board of Works of the Town of Highland, Lake County, Indiana this 11th day of June 2012 having passed by a vote of 3 in favor and 0 opposed.

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

Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

12. Action to authorize and approve the Town Council to execute member signatures on Town Board of Metropolitan Police Commissioner letter commending Lance Corporal Gregory Palmer for his role in a recent arrest of suspected graffiti vandals.

Councilor Herak moved to authorize and permit the Town Council members to sign and affirm a letter of commendation written to Lance Corporal Gregory Palmer. Councilor Vassar seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion carried.

13. Action to approve compensatory time off for Exempt Salaried Personnel, pursuant to Section §4.03.01 of the Compensation and Benefits Ordinance. This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance. The requests are based upon straight hours in excess of the standard 40 work week occurring as follows:

Robert Johnsen	34.75 hours (Incurred February to May 2012)
John Mouratides	13.5 hours (Incurred July to December 2011)
Mike Pipta	43.5 hours (Incurred July to December 2011)
Kevin Huzzie	33.5 hours (Incurred July to December 2011)
	18 hours (incurred January to February 2012)

Councilor Vassar moved to permit and authorize the workers above to use documented hours over the forty in a given week as paid time off, paid at straight time, as indicated. Councilor Herak seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The paid "overtime" for the exempt salaried workers was approved.

14. Authorize the proper officer to publish a notice for proposed additional appropriations in the Special Public Safety Fund, in the amount of \$1,711.50; the Gaming Revenue Sharing Fund in the amount of \$231,880; in the General Improvement Fund in the amount of \$16,769; in the Municipal Cumulative Street Fund in the amount of \$25,000; and in the Select Centennial Commission Fund in the amount of \$3,205.65.

Councilor Vassar moved to authorize the proper officer to advertise for a public hearing on the proposed additional appropriations as depicted. Councilor Herak seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The notice for a hearing for proposed additional appropriations was authorized.

Comments from the Town Council Members
(For the Good of the Order)

- **Councilor Mark Herak:** *Park and Recreation Board Liaison • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Park and Recreation Board.*

Councilor Herak acknowledged the Parks and Recreation Superintendent who reported on a park site visit conducted by the Park and Recreation Board as well as progress on the landscaping at the Lincoln Center site.

Councilor Herak also noted the recent passing of Thurm Ferree, a recent member of the Board of Sanitary Commissioners who also had served on the Highland Town Council, was a Past Town Council President, served in the Lake County Council, the Indiana State Senate and the Board of School Trustees. Councilor Herak offered an extended recollection of Mr. Ferree and his service.

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

Councilor Vassar also offered a recollection of the late Thurm Ferree. He offered his sympathies to the Ferree family.

Councilor Vassar recognized the Redevelopment Director who offered a cursory overview of on-going redevelopment activities and the facade improvement program.

Councilor Vassar also conveyed a favorable report he had been given by a resident regarding the Highland Fire Chief and the Fire Department in consequence of the response to an attic fire.

- **Councilor Bernie Zemen:** *Town Executive • Chamber of Commerce Liaison • Police Pension Board Chairman • Plan Commission member • Liaison to the Board of Waterworks Directors.*

Council President Zemen offered sympathies to the Ferree Family and noted that he had been cut from the basketball team at Our Lady Of Grace School by Mr. Ferree who was the coach.

Council President Zemen recognized the Building Commissioner who offered a brief survey of matters before the Plan Commission.

Payment of Accounts Payable Vouchers. There being no comments from the public, Councilor Vassar moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period May 15, 2012 through June 11, 2012 as well as the Payroll Dockets for the paydays of March 23, April 6 and April 20th of 2012. Councilor Herak seconded. Upon a roll call vote, there were three affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors as well as the payroll dockets were allowed and the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$358,446.60; Motor Vehicle Highway and Street (MVH) Fund, \$71,652.73; Local Roads and Streets Fund, \$6,049.14; Law Enforcement Cont. Education and Supply Fund, \$2,150.76; Capital Projects Retainage Agency Fund, \$68,144.69; FSA Agency Fund, \$354.11; Insurance Agency Fund, \$145,836.26; Gasoline Agency Fund, \$24,354.00; Information and Communications Technology Fund, \$12,242.34; Corporation Donation Fund, \$1,127.04; Special Events Non Reverting Fund, \$428.38; Police Pension Fund, \$69,739.31; Municipal Cumulative Capital Development Fund, \$41,610.37; Traffic Violations and Law Enforcement Agency Fund, \$5,577.00; Safe Neighborhood Grant Fund, \$2,500.00; Sexual

Predator Grant Fund, \$10,585.00; **Corporation Capital Fund**, \$2,485.00; **Special Public Safety Fund**, \$20,104.00; **Payroll Fund**, \$3.63. **Total: \$843,390.36.**

Payroll Docket, payday of March 23, 2012:

Council Boards and Commissions, \$10,537.00; *Office of the Clerk-Treasurer*, \$12,733.91; *Building and Inspection Department*, \$7,473.12; *Metropolitan Police Department*, \$108,568.47; *Fire Department*, \$3,115.05; *Public Works Department (Agency)*, \$55,285.89; and *Police Pension Trust Fund (1925 Act)*, \$58,859.77; **Total: \$256,573.21.**

Payroll Docket, payday of April 6, 2012:

Council Boards and Commissions, \$0.00; *Office of the Clerk-Treasurer*, \$12,368.62; *Building and Inspection Department*, \$6,977.97; *Metropolitan Police Department*, \$ 92,749.56; *Fire Department*, \$2,852.55; *Public Works Department (Agency)*, \$56,069.65; and *Police Pension Trust Fund (1925 Act)*, \$0.00; **Total: \$171,018.35.**

Payroll Docket, payday of April 20, 2012:

Council Boards and Commissions, \$8,477.00; *Office of the Clerk-Treasurer*, \$12,889.70; *Building and Inspection Department*, \$6,803.42; *Metropolitan Police Department*, \$ 90,836.10; *Fire Department*, \$20,803.65; *Public Works Department (Agency)*, \$54,366.48; and *Police Pension Trust Fund (1925 Act)*, \$58,859.77; **Total: \$253,036.12.**

Adjournment. Councilor Vassar moved that the plenary meeting be adjourned. Councilor Herak seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, June 11, 2012 was adjourned at 7:41 O'clock p.m. There was no study session following the plenary meeting.

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