

**Enrolled Memorandum of the Meeting
Study Session/Meeting (Convened Electronically/Hybrid)
Twenty-Ninth Town Council of Highland
Monday, August 7, 2023**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in a study session on **Monday, August 7 2023**, 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 both an in person and an electronic meeting. Some persons were participating remotely on a Zoom platform that allowed for real time interaction between and among all of the Town Council and supported the public's ability to observe and record the proceedings. People were able to participate in person and remotely, allowing for all councilors to be simultaneously seen and heard. When the agenda item provided for public comment, this was supported as well. Councilor Zemen, Councilor Toya Smith, Councilor Mark Schocke, Councilor Tom Black, Councilor Roger Sheeman all participated in person.

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

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

Officials Present: Redevelopment Director Maria Becerra; Metropolitan Police Chief Ralph Potesta, IT Director Ed Dabrowski were in person.

General Substance of Matters Discussed.

- x. Discussion: Appointments.
- **Statutory Boards and Commissions**
 - Executive Appointments (May be made in meeting or at another time)*

Regional Statutory Commissions or Boards

1. **Economic Development Commission.** (1) Appointment to be made by the municipal executive, but requiring nomination from the Town Council. Term ends just before February 1st. *(Currently vacant)*
 - a. Nomination by the Town Council. *(The council would pass a motion to nominate.)*
 - b. Appointment by executive. *(If nominee is acceptable, the Town Council President may appoint.)*

Home Rule Boards and Commissions

2. **Community Events Commission Multi-Year position:** (1) appointment to be made by the Town Council President. **Term: 4 years.**
Currently serving: *Jacqui Herrera, Sandy McKnight*
3. • **Tree Board:** (1) appointments, to be made by the municipal executive, but requiring nomination from the Town Council. *(Position currently held by Natalie Stromberg.)*
 - a. Nomination by the Town Council. *(The council would pass a motion to nominate.)*
 - b. Appointment by executive. *(If nominee is acceptable, the Town Council President may appoint.)*
4. **Municipal Plan Commission** (1) (vacancy) appointment to be made by Town Council President. *(Note: Unexpired term of Hunter Balczo, Esq., (D), term ending 1st Monday January 2025) No more than two of any party. Current composition is 2 Republicans, 1 Democrat.*
5. **Redevelopment Commission:** (1) appointment to be made by Town Council President. *(Note: vacancy created by the resignation of Bill Leep – term expires 1st Monday in 2024)*

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 2023. *There are currently 11 of the 17 in place and serving. Currently serving are Teri Yovkovich, Rhonda Bloch, Alex Robertson, Renee Reinhart, Diane Barr- Roumbus, James Roumbus, Sandy McKnight, Al Simmons and Ben Reinhart, Sandy Ray and Kathy Smailis..*
3. **Community Events Commission Multi-year positions:** (4) appointment to be made by the Town Council. **Term: 4 years.** *(Note: Currently vacant)*

Single year positions: (1) appointment to be made by the Town Council. **Term: 1 year.** *(Note: Currently serving, Jack Rowe, Carol Parker, Linda Carter, Rachael Carter, Maria Armagast, Michelle Coon and Erica Fizer Katepas)*
- x. Discussion: Board of Sanitary Commissioners Rate Ratification. The Board of Sanitary Commissioners at a its Regular Meeting of 18 July 2023 did introduce and set for a hearing Sanitary District Resolution No. 2023-16: A Resolution Modifying and Establishing User Fees for the Collection, Treatment and Disposal of Waste water pursuant to IC 36-9-25-11. The public hearing on the introduced Resolution and rates

was conducted on August 1, 2023. There were no remonstrances filed. The Board passed and adopted Resolution No. 2023-16 on August 1, 2023. For the rates and charges to take effect for all partially or fully taxable properties, the legislative body must approve the rates by ordinance, pursuant to IC 36-9-25-9(c).

The Clerk-Treasurer began by introducing those individuals present to assist in the presentation. Rich Garcia, President of the Highland Sanitary Board, Robert Tweedle, Attorney for the Highland Sanitary Board, Jim Higgins, Financial Analyst for the Highland Sanitary Board and a partner in LWGcpa out of Indianapolis and Damon Tsouklis, Senior Economic Development Specialist for Short Elliott Hendrickson, Inc.

Attorney Tweedle began by saying the purpose of this meeting to explain to the Council exactly what's going on and ask that proposed ordinance 1783 be placed and adopted on the August 14, 2023 Town Council plenary meeting. Ordinance 1783 is for a proposed rate increase for the sanitary sewer rates. The primary reason or the reason for the rate increase goes back to the last time the Sanitary Board presented to the Council. It was to get the Council's sign off in regard to amendment to the sewage treatment agreement with the Hammond Sanitary District. We were finally able to resolve our differences with Hammond on what it takes to provide treatment and the cost of service to treat sanitary sewage. A consultant was retained and based upon that process and the resulting cost of service study, it was determined that the customer communities of the Hammond Sanitary District, being Highland, Griffith and Whiting needed to substantially increase what they're were paying the Hammond Sanitary District to treat the sewage and for the maintenance and upkeep of the current system. The Sanitary Board wanted the Council to understand that there's no other component in this increase other than just passing on the increase from Hammond. He said he heard some people use the term tracker, which is used on the water side to pass along the costs from Hammond to our residents. There is no tracker on the sewage side. A tracker isn't necessary at this time because the agreement with Hammond is for 5 years. As we near the end of the 5 years, we will want to do another cost of service study but the agreement is good through 2026. One of the things the Council will note, that the rates don't change every year as in years past, we've sort of staggered the rate increases. We've left the same the fixed component of the bill, as well as, the volume metric component of the bill because the only changes is passing on volume metric rate which reflect the Hammond Sanitary District increased costs. You'll see that the fix rate which is on page 2 of the ordinance stays the same and doesn't change. It's just the volume metric rate, as shown on the page 3, which increases in 2023, 2024, 2025 and 2026.

Councilman Sheeman asked if this ordinance ties into the consent decree or the EPA agreement?

Attorney Tweedle said it did not. We thought that it might because you might remember that there were multiple issues that needed to be resolved. The settlement with Hammond was not only about the increase in sewer rates but Highland agreed to pay Hammond a one-time to increase the volume Highland could send to

Hammond. We also had to settle up on some past capital improvements and we also agreed on the true up which dates back to the original 2017 agreement. After LWG did their rate study, they determined that we were in a pretty good financial shape and rather than having to raise rates to cover those costs, based upon current reserves, the Sanitary Board could accept option 3. The Board opted for the lowest increase which is solely the treatment cost being passed along by Hammond.

HIGHLAND SANITARY DISTRICT
Highland, Indiana

Estimated Funding Requirements and Rate Impacts due to Hammond Sanitary District Funding Agreement

	Scenario 1	Scenario 2	Scenario 3
Funding Requirements (1)			
Capacity Increase	\$ 2,286,500	\$ 2,286,500	\$ 2,286,500
Capital Payments	2,022,252	2,022,252	2,022,252
Pre 2023 True Up	2,380,000	2,380,000	2,380,000
2023 True Up (Estimated)	858,668	858,668	858,668
Total Funding Requirements	<u>\$ 7,547,420</u>	<u>\$ 7,547,420</u>	<u>\$ 7,547,420</u>
Month Payments From Cash on Hand (2)			
Capacity Increase	\$ -	\$ -	\$ 2,286,500
Capital Payments	-	2,022,252	2,022,252
Pre 2023 True Up	-	-	2,380,000
2023 True Up (Estimated)	-	858,668	858,668
Total Payments From Cash on Hand	<u>\$ -</u>	<u>\$ 2,880,920</u>	<u>\$ 7,547,420</u>
Remaining Funding Requirements	<u>\$ 7,547,420</u>	<u>\$ 4,666,500</u>	<u>\$ -</u>
Rate Increase Required - Per 4,000 Gallons (After Cash Funding)			
Capacity Increase	\$ 17.42	\$ 17.42	\$ -
Capital Payments	7.70	-	-
Pre 2023 True	3.20	3.20	-
2023 True Up	6.54	-	-
Subtotal: Monthly Payment Increase	<u>34.86</u>	<u>20.62</u>	<u>-</u>
2023 Treatment Increase (3)	9.14	9.14	9.14
Increase Required - Per 4,000 Gallons	<u>\$ 44.00</u>	<u>\$ 29.76</u>	<u>\$ 9.14</u>
Percentage Increase	158.15%	106.96%	32.87%

Notes and Assumptions

- (1) Funding requirements are to be paid to Hammond on a monthly basis.
- (2) Assumes ARPA funds will be used to pay for allowable operating and capital needs for the Sanitary District. Available funds generated from such use of ARPA funds and funding available in the Improvement Fund will be used to make monthly payments.
- (3) Represents rate increase required due to Hammond increasing sewer treatment rate to \$2.344.

Note: The above rate impacts does take in to effect any additional rate increases that may be necessary due to inflation and other capital needs.

Jim Higgins of the LWG said that after they concluded their study, they felt the only increase we're proposing to the users is the increase in the treatment cost being charged by Hammond.

Attorney Tweedle said the treatment increase not only applies to Highland but Griffith and Whiting as well. Griffith just increased their rates based upon the newspaper articles.

Jim Higgins said the average increase to users is based upon 4,000 gallons of monthly usage equates to an additional \$9 per month or roughly a 32% increase. If the Sanitary Board had put all of the settlement into rates, the average user's bill would increase by \$44 dollars or roughly a 158% increase. The metered rate in 2023 is \$7.27 per 1,000 gallons, in 2024 it is \$7.56 per 1,000 gallons, in 2025 it is \$7.86 per 1,000 gallons and in 2026 it is \$8.16 per 1,000 gallons.

Councilor Sheeman asked about the cost of service study as he wanted to make sure a cost of service study was completed.

Attorney Tweedle said a cost of service study was completed. All of the customer communities agreed to retain the same consultant and part of the agreement was that everyone would abide by the results of the study. The verbiage is from the interim agreement which dates back to 2017. The end result, roughly 7 years later, is what we are putting before the Council tonight. The Sanitary Board felt with the interim rate Highland was paying Hammond, no increase would be required or maybe a little increase but what the Sanitary Board soon learned, whenever a cost of service study is done, always expect a rate increase.

Jim Higgins explained to the Council that there were 2 studies performed. The cost of study with Hammond was not performed by LWG, only reviewed by them. LWG reviewed the Highland rates to determine the funding mechanisms necessary to repay Hammond for the capital improvements and the true-ups. It was determined that these costs could be paid out of current operating funds and reserves. He re-emphasized that the increase is only the cost Hammond is passing along to Highland for the additional treatment cost. The increase is not a tracker but just what its costing us because of the increased cost Hammond is charging Highland to treat the sewage. It simply a pass through that acts like a tracker. The nice thing is that we don't have to do a complex calculation for the next 5 years, as those costs are already outlined in the agreement.

Councilor Sheeman asked if the other communities were looking to bond for their repayments to Hammond versus increasing rates.

Attorney Tweedle said you typically wouldn't bond for operations. Bonds are mainly used for capital items. As we'll discuss later, we'll be asking the Council to approve a \$9MM bond which is totally separate from the proposed rate increase we're talking about now.

Councilor Black asked if the rate increase was delayed, could it be sustained?

Jim Higgins responded in the negative. He said if the rate increase was delayed, it would not only exhaust the reserves but the other settlement items (capital and treatment expenses) that need to be repaid, would not be able to be repaid. The Sanitary Board would find themselves in a constant deficit where it would be costing us more to treat the affluent that we're sending to Hammond. Then we'd be raising from the ratepayers to pay for it.

Attorney Tweedle reminded Councilor Black that one of the reasons why we didn't have to raise rates higher and go with option 3, is that the Sanitary Board had the reserves to cover the true-up and capital costs. He also said there is a very sizeable capital project that Highland agreed to as part of the consent decree.

Jim Higgins said one of the reasons that the rates were not higher is that Hammond has agreed to accept these payments for these past costs over a period of depending on what the costs were anywhere from 12 to 68 months. Highland is to make monthly payments to settle past costs. So, we're just drawing on the reserves for additional funds and not laying out \$7.5MM in a lump sum. We actually offered Hammond during the conversations that we would make a lump sum payment if they would give us a discount. I don't think they liked our discount factor that we offered. So basically, we're getting interest free financing. We're paying off our debt over a 12 to 68 month payment without any additional cost. Those costs are highlighted below.

HIGHLAND SANITARY DISTRICT
Highland, Indiana

Estimated Monthly Payments by Function
Due to Hammond Sanitary District Funding Agreement

Function	Estimated Monthly Payments to Hammond						Total Payments
	Year 1 (9/23 - 8/24)	Year 2 (9/24 - 8/25)	Year 3 (9/25 - 8/26)	Year 4 (9/26 - 8/27)	Year 5 (9/27 - 8/28)	Year 6 (1) (9/28 - 4/29)	
Capacity Increase	\$ 190,542	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,286,500
Capital Payments	84,261	84,261	-	-	-	-	2,022,252
Pre 2023 True Up (1)	35,000	35,000	35,000	35,000	35,000	35,000	2,380,000
2023 True Up (Estimated)	71,556	-	-	-	-	-	858,668
Monthly Total Payments	\$ 381,358	\$ 119,261	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 7,547,420
Annual Total Payments	\$ 4,576,294	\$ 1,431,126	\$ 420,000	\$ 420,000	\$ 420,000	\$ 280,000	\$ 7,547,420

(1) Pre 2023 True up is to be repaid over 68 months. 8 monthly payments are anticipated to occur in year 6.

Councilor Schocke asked if the proposed rate in 2023 of \$7.27, is that on top of the current rate of \$15.22?

Jim Higgins directed the Council to the middle of the chart listed above, labelled Highland Sanitary District, subsection rate increase required per 4,000 gallons. He said after the cash funding of these other items, you'll see that the rate increases roughly, \$9.14 which is a 33% increase to a user who uses 4,000 gallons in a month. So, the net in scenario 3, the average customer of the sanitary district that uses 4,000 gallons of water, will see an increase to their bill of \$9.14, which is roughly a 33% increase in their bill for the treatment cost Hammond has passed along to Highland. He reminded the Council, that is strictly for volume metric and when you look at what is being shown in the ordinance, that is the total charge per 1,000 gallons of water used, so if you use 4,000 gallons, you take that number and multiply by 4 and then compare the current charges with the proposed charges and it will be an increase of \$9.14. He said all of the base rates remain the same. The only rate that is changing, as mentioned before, is found on the second page of the proposed ordinance which is the volume metric. If you notice, the rate difference is \$0.29 between years 2023 and 2024. If the average user uses 4,000 gallons, multiply 29 x 4 and the rate increase is \$1.14. Do that for all of the remaining years of the contract to determine the monthly increase. He thought that sometime in 2025, he was certain that Highland and the other customer communities will start talking about the new rates and a cost of service study that will go into effect in 2027. He said the sanitary rate is based upon 2 components. There's a fixed rate component which covers the fixed charges, which are going to remain the same and then there's the volume metric rate which varies depending on how much the customer uses.

Councilor Sheeman asked if all of the customer communities agreed on the firm to perform the cost of service study?

Attorney Tweedle said they did. He said it was a painstaking process that took a long time to agree on the language of the RFQ. The RFQ was sent to known providers of cost of service studies. Unfortunately, we only got one response back. It was right in the middle of the pandemic. It was really a hard time to get a consultant to provide a quote. A company out of Texas, called Neu Gen Technologies, was the only company that responded and all the communities agreed to award the contract to them. They conducted the study which resulted in these current increases. All the communities agreed that whatever the cost of service study concluded, we would accept.

(a) **Proposed Ordinance No. 1783:** An Ordinance to Amend Chapter 12.20.350 of the Municipal Code regarding wastewater rates and charges of the Sanitary District.

ORDINANCE No. 1783
of the
TOWN of HIGHLAND, INDIANA

An Ordinance to Amend Chapter 12.20 of the Highland Municipal Code Regarding Modifying and Establishing User Fees for the Collection, Treatment and Disposal of Wastewater Pursuant to IC 36-9-25 Et Sequitur.

Whereas, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

Whereas, IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

Whereas, The Town of Highland, is a Municipal Government which may pass and codify ordinances for the operation of the government, all pursuant to IC 36-1-4 and IC 36-1-5;

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

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

Whereas, The Town of Highland, is a municipality located in Lake County which operates a Department of Public Sanitation, which has been continuously governed by the provisions of IC 36-9-25 et seq. at least since 1970; and,

Whereas, The Board of Sanitary Commissioners, following a public hearing conducted on August 1, 2023, passed and adopted its Resolution No. 2023-16 recommending desirable and necessary changes to Chapter 12.20 of the Highland Municipal Code and recommended to the Town Council for its favor and action; and,

Whereas, The Board of Sanitary Commissioners, has requested that the Town Council of the Town of Highland as the legislative body favor approve and adopt these rates and charges pursuant to IC 36-9-25-11 and thereby put them into force and effect; and,

Whereas, The Town of Highland, through its Town Council now wishes to still further perfect its own organization as well as that of the Department of Public Sanitation and make certain amendments to the ordinance establishing and governing the rates and charges of the Sanitary District pursuant to IC 36-9-25-11; and

Whereas, the Town Council now desires to favor the recommendations for amendment to the Highland Municipal Code as recommended by the board of Sanitary Commissioners for Chapter 12.20 by making these amendments as commended,

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

Section 1. That Section 12.20.350 (C) of the Highland Municipal Code be hereby amended by repealing in its entirety that section and replacing it with a new section to be numbered as Section 12.20.350 (C), which shall read as follows:

12.20.350 WASTEWATER RATES AND CHARGES; COLLECTION AND BILLING CHARGES.

(C) Rates and charges for wastewater treatment and management user fees are hereby fixed and shall be comprised of the following metered rates and base charges to be effective beginning **September 1, 2023 for year 2023 and beginning January 1 for years 2024, 2025 and 2026;**

(1) A Monthly Base rate as set forth in this schedule, which shall be charged unrelated to metered usage:

Meter Size	Base Rate Total
5/8"	\$8.42
3/4"	\$12.62
1"	\$21.43
1 1/4"	\$33.52
1 1/2"	\$47.40
2"	\$82.15
3"	\$186.49
4"	\$331.37

(2) A monthly rate based upon metered usage:

<u>Year</u>	<u>Metered Rate</u>
2023	\$7.27 per 1,000 metered gallons
2024	\$7.56 per 1,000 metered gallons
2025	\$7.86 per 1,000 metered gallons
2026	\$8.16 per 1,000 metered gallons

(3) For users of the sewage works that are unmetered users of the municipal water works, the monthly charge shall be determined by equivalent single-family residential units, except as otherwise herein provided. Sewage service bills shall be rendered pursuant to Section 12.20.350 (A). The schedule on which said rates shall be determined is as follows:

<u>Year</u>	<u>Unmetered monthly User Charge:</u>
2023	\$56.01 per unit.
2024	\$57.17 per unit.
2025	\$58.37 per unit.

2026 \$59.57 per unit

- (4) An additional surcharge for each dwelling unit over one serviced through a single water meter shall be added to the above rates and charged according to the following schedule:

<u>Year</u>	<u>Monthly surcharge:</u>
2023	\$8.49 per unit.
2024	\$8.49 per unit.
2025	\$8.49 per unit.
2026	\$8.49 per unit.

Section 2. The provisions of this Ordinance amending the municipal code shall become and be in full force and effect from and after the date of its passage and adoption upon its signature by the executive in the manner prescribed by IC 36-5-2-10(a), provided as follows:

(A) That the fees and charges set forth herein shall be made effective from September 1, 2023 and thereafter, until their repeal or modification by passage and adoption of the necessary enabling instruments;

(B) That pursuant to 36-9-25-11(c) the fees and charges imposed by the passage and adoption of this ordinance shall become and be effective upon all users whose property is within the District, having been approved by the Board of Sanitary Commissioners and hereby adopted by the Town Council, which is the legislative body.

Introduced before the Board of Sanitary Commissioners as a resolution on July 18, 2023. The resolution was ordered for a public hearing on August 1, 2023. Following the hearing, the Board passed the resolution as amended and directed that the matter be set before the Town Council for its consideration, all pursuant to IC 36-9-25-11.

Introduced and Filed on the 14th day of August 2023. Consideration on same day or at same meeting of introduction sustained a vote of ___in favor and ___ opposed, pursuant to IC 36-5-2-9.8

DULY ORDAINED and ADOPTED this 14th Day of August 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**

Tom Black, President (IC 36-5-2-10)

Attest:

Mark Herak, Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

HIGHLAND SANITARY DISTRICT
Highland, Indiana

Estimated Funding Requirements and Rate Impacts due to Hammond Sanitary District Funding Agreement

	Scenario 1	Scenario 2	Scenario 3
Funding Requirements (1)			
Capacity Increase	\$ 2,286,500	\$ 2,286,500	\$ 2,286,500
Capital Payments	2,022,252	2,022,252	2,022,252
Pre 2023 True Up	2,380,000	2,380,000	2,380,000
2023 True Up (Estimated)	858,668	858,668	858,668
Total Funding Requirements	\$ 7,547,420	\$ 7,547,420	\$ 7,547,420

	Scenario 1	Scenario 2	Scenario 3
Month Payments From Cash on Hand (2)			
Capacity Increase	\$ -	\$ -	\$ 2,286,500
Capital Payments	-	2,022,252	2,022,252
Pre 2023 True Up	-	-	2,380,000
2023 True Up (Estimated)	-	858,668	858,668
Total Payments From Cash on Hand	\$ -	\$ 2,880,920	\$ 7,547,420
Remaining Funding Requirements	\$ 7,547,420	\$ 4,666,500	\$ -

	Scenario 1	Scenario 2	Scenario 3
Rate Increase Required - Per 4,000 Gallons (After Cash Funding)			
Capacity Increase	\$ 17.42	\$ 17.42	\$ -
Capital Payments	7.70	-	-
Pre 2023 True Up	3.20	3.20	-
2023 True Up	6.54	-	-
Subtotal: Monthly Payment Increase	34.86	20.62	-
2023 Treatment Increase (3)	9.14	9.14	9.14
Increase Required - Per 4,000 Gallons	\$ 44.00	\$ 29.76	\$ 9.14
Percentage Increase	158.15%	106.96%	32.87%

Notes and Assumptions

(1) Funding requirements are to be paid to Hammond on a monthly basis.

(2) Assumes ARPA funds will be used to pay for allowable operating and capital needs for the Sanitary District. Available funds generated from such use of ARPA funds and funding available in the Improvement Fund will be used to make monthly payments.

(3) Represents rate increase required due to Hammond increasing sewer treatment rate to \$2.344.

Note: The above rate impacts does take in to effect any additional rate increases that may be necessary due to inflation and other capital needs.

Prepared by: LWG CPAs & Advisors

May 16, 2023

DRAFT
For Discussion Purposes Only

Memorandum of Meeting
Monday, August 7, 2023

HIGHLAND SANITARY DISTRICT
Highland, Indiana
Estimated Monthly Payments by Function
Due to Hammond Sanitary District Funding Agreement

Function	Estimated Monthly Payments to Hammond						Total Payments
	Year 1 (9/23 - 8/24)	Year 2 (9/24 - 8/25)	Year 3 (9/25 - 8/26)	Year 4 (9/26 - 8/27)	Year 5 (9/27 - 8/28)	Year 6 (1) (9/28 - 4/29)	
Capacity Increase	\$ 190,542	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,286,500
Capital Payments	84,261	84,261	-	-	-	-	2,022,252
Pre 2023 True Up (1)	35,000	35,000	35,000	35,000	35,000	35,000	2,380,000
2023 True Up (Estimated)	71,556	-	-	-	-	-	858,668
Monthly Total Payments	<u>\$ 381,358</u>	<u>\$ 119,261</u>	<u>\$ 35,000</u>	<u>\$ 35,000</u>	<u>\$ 35,000</u>	<u>\$ 35,000</u>	<u>\$ 7,547,420</u>
Annual Total Payments	<u>\$ 4,576,294</u>	<u>\$ 1,431,126</u>	<u>\$ 420,000</u>	<u>\$ 420,000</u>	<u>\$ 420,000</u>	<u>\$ 280,000</u>	<u>\$ 7,547,420</u>

(1) Pre 2023 True up is to be repaid over 68 months. 8 monthly payments are anticipated to occur in year 6.

Prepared by: LWG CPAs & Advisors

May 16, 2023

DRAFT
For Discussion Purposes Only

RESOLUTION No. 2023-16

A PROPOSED RESOLUTION OF THE SANITARY DISTRICT OF HIGHLAND, LAKE
COUNTY, INDIANA

A RESOLUTION MODIFYING AND ESTABLISHING USER FEES FOR THE
COLLECTION, TREATMENT AND DISPOSAL OF WASTEWATER PURSUANT TO I.C.
36-9-25 ET SEQ.

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

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

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

WHEREAS, IC 36-9-25-11 and Section 12.10.050 of the Highland Municipal Code, specifically provides that the Board of Sanitary Commissioners may fix fees for disposal of sewage and other waste discharged into the sewerage system, which includes structures necessary or useful for the collection, treatment, purification, and sanitary disposal of the liquid waste, solid waste, sewage, storm drainage, and other drainage of a municipality, and may change fees from time to time in order to produce revenues sufficient to pay operation, maintenance and Administrative expenses; and

WHEREAS, Pursuant to HMC Section 12.20.360 *Annual Review*, the Board of Sanitary Commissioners has studied the current rates and charges of the district and has determined that the revenues are insufficient to provide reasonable funds for operation, maintenance, and replacements to the sewerage systems or that the rates need to better consistently recover fixed costs associated with the operation, maintenance and replacements to systems; and

WHEREAS, The Board has determined that changing rates and charges over all classes of users over the next four (4) years beginning on September 1, 2023, is necessary to provide sufficient revenues for operation, maintenance, and replacements to the sewerage systems; and

WHEREAS, The Board now desires to change the currently established sewer use rates for all classes of users,

NOW, THEREFORE, BE IT RESOLVED by the Board of Sanitary Commissioners of the Sanitary District of the Town of Highland, Indiana, and the Department of Public Sanitation that the following provisions and associated rates and charges for the disposal of sewage and other waste discharged into the sewerage system be changed subject to IC 36-9-25-11(c):

Section 1. That Section 12.20.350 (C) of the Highland Municipal Code be hereby repealed in its entirety and amended to add a new section to be numbered Section 12.20.350 (C), which shall read as follows:

12.20.350 Wastewater Rates and Charges; Collection and Billing.

(C) Rates and charges for wastewater treatment and management services are hereby fixed and shall be comprised of the following metered rates and base charges to be effective beginning September 1, 2023 for year 2023 and beginning January 1 for years 2024, 2025 and 2026:

(1) A Monthly Base rate as set forth in this schedule, which shall be charged unrelated to metered usage:

Meter Size	Base Rate Total
5/8"	\$8.42
3/4"	\$12.62
1"	\$21.43
1 1/4"	\$33.52
1 1/2"	\$47.40
2"	\$82.15
3"	\$186.49
4"	\$331.37

(2) A monthly rate based upon metered usage:

<u>Year</u>	<u>Metered Rate</u>
2023	\$7.27 per 1,000 metered gallons
2024	\$7.56 per 1,000 metered gallons
2025	\$7.86 per 1,000 metered gallons
2026	\$8.16 per 1,000 metered gallons

(3) For users of the sewage works that are unmetered users of the municipal water works, the monthly charge shall be determined by equivalent single-family residential units, except as otherwise herein provided. Sewage service bills shall be rendered pursuant to Section 12.20.350 (A). The schedule on which said rates shall be determined is as follows:

<u>Year</u>	<u>Unmetered monthly User Charge:</u>
2023	\$56.01 per unit.
2024	\$57.17 per unit.
2025	\$58.37 per unit.
2026	\$59.57 per unit.

(4) An additional surcharge for each dwelling unit over one serviced through a single water meter shall be added to the above rates and charged according to the following schedule:

<u>Year</u>	<u>Monthly surcharge:</u>
2023	\$8.49 per unit.
2024	\$8.49 per unit.
2025	\$8.49 per unit.
2026	\$8.49 per unit.

Section 2. That pursuant to IC 36-9-25-11(c), the fees and charges imposed by the passage and adoption of this resolution shall become and be effective upon all users whose property is within the district, upon approval by ordinance passed and approved by the municipal legislative body, which is the Highland Town Council;

Section 3. That the Secretary of the Board of Sanitary Commissioners is hereby directed to forward a copy of this resolution to the Office of the Clerk-Treasurer as clerk of the legislative body, with a request that the Town Council of the Town of Highland, take up the matter for consideration and action at its earliest opportunity.

Introduced on July 18, 2023. Ordered for a public hearing on August 1, 2023, all, pursuant to IC 36-9-25-11.

Duly Adopted and approved this ____ Day of _____, 2023, by the Board of Sanitary Commissioners of the Town of Highland Sanitary District, Lake County, Indiana by a vote of ___ in favor and ___ opposed.

SANITARY DISTRICT OF HIGHLAND
By Its BOARD of COMMISSIONERS:

Richard Garcia, President

Attest:

David Jones, Secretary

Page 4 of 4

The discussion then turned to the proposed \$9MM bond proposal.

Attorney Tweedle said we came to the Council several months ago, seeking the Council's signature on the amendment to the sewage treatment agreement, which was a culmination of all the negotiations over the past several years with Hammond. This bond issue is based on our obligations with the settlement agreement with Hammond for infrastructure improvements. Again, the sewage treatment rates were a result of the cost of service study. Our initial contract calls for Highland to send to Hammond 7-1/2 MGD on a daily basis. In wet weather conditions, we regularly exceed that amount. With the new agreement, Highland will be able to send 32.2 MGD to Hammond. Included in the bond issue is a brand new pump station. We'll have a massive deep tunnel that will eliminate the cost to maintain and operate lift stations and we'll be basically switching most of our system to gravity flow.

Councilor Black asked Rich Garcia, President of the Sanitary Board, if Highland experienced an SSO during the recent heavy rainstorms. He said he asked the Sanitary Board Engineer, Derek Snyder who said we did not have a SSO.

Attorney Tweedle said that the Town has to turn into the federal government a log of the SSO's experienced in the prior 6 months. This report has to be turned in every 6 months. The required list of the SSO's are on the Town's website. Anyone can go to the Town's website and under the Sanitary District Tab look up any SSO's. Also, the consent decree is also listed in its entirety. The \$9MM bond issue, the new pump station, is part of a bigger project that is projected to cost in excess of \$75MM. Again, this is all part of the

consent decree. The project will not be completed to sometime in 2032. The idea is to eliminate points where the Town has SSO's or sanitary over flows. The brand new lift station is the next part of the project and won't be completed until 2027. The Ordinance 1784 which the Council received tonight, we're asking the Council to introduce only at your August 14th meeting is basically a ministerial act. The second reading won't be until your September meeting. In the interim, the Sanitary District, which is a special taxing district, is taking all the various steps and holding the various hearings necessary to be able to have authority to purchase the bonds.

Councilor Sheeman asked the proposed bond issue is \$9MM and previously we said we were going to use the \$5.2MM money from the Cares Act. Does this mean we are going to spend \$14MM?

Attorney Tweedle said the Ordinance is only seeking maximum authority to borrow \$9MM. It hasn't been decided yet how the roughly \$5.2MM from the Cares Act will be used. Also, all the costs are not in yet and it is possible that the initial bond will be less than \$9MM and the Care Act money could be used to reduce that amount further.

Councilor Sheeman was concerned about extending ourselves too much with all of these proposed bonds and having to make bond payments, when we have Cares Act money available. What's going to happen to the Sanitary District bonding capacity? .

Jim Higgins explained that the engineers estimated the 1st phase, the pump station, to be roughly \$9MM. The plan would be to deploy that Cares Act money of roughly \$5.2MM to offset the need for additional funding, which would leave us at about a \$4MM balance or just slightly under that. The reason we want to make sure we have some cushion is because the engineers have not yet finalized their bid documents and requested bid, so that number may fluctuate. This first phase at \$4MM to \$6MM, wherever that number winds up. The district has substantial debt that's falling off over the next 4 years and so the thought would be that this bond would be a shorter term, not a 20 year financing but more like a 12 year financing or less and we would plug the holes where the debt services falling off to kind of backfill and to maintain a constant debt service levy so that we're not spiking. He felt by the Council's meeting on the 14th, we should have that information for you at the time of introduction. In fact, I'll try to get that to you in advance of the meeting but we're looking to take advantage of the rates for the debt service that is falling off. And remember, this is a multi-phase project, which is gonna take place over the next 10 to 13 years so we don't want to start loading up debt over the long term. We think there's an opportunity to fund this short term need in a very economical and efficient way and that that's what we're proposing for this particular phase of the project financing.

Councilor Sheeman asked if there was an estimate for the next phase of the project?

The Clerk-Treasurer said roughly between \$25MM and \$27MM.

The Council asked Jim Higgins about the bonding capacity for the Sanitary District versus the Town.

Jim Higgins said the Sanitary District has substantial larger bonding capacity than the Town. The Town's bonding capacity is 2% of one-third of its total assessed value. The Sanitary District is either 8% or 10%. Part of our negotiation with the Government when we negotiated the consent decree, the Town had to prepare a financial capabilities analysis which essentially let them determine how much they believe you can pay for the project.

(b) **Proposed Ordinance No. 1784:** An Ordinance approving the issuance of bonds by the Highland Sanitary District and the appropriation of the proceeds thereof.

ORDINANCE NO. 1784

of the

TOWN of HIGHLAND, INDIANA

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND,
INDIANA, APPROVING THE ISSUANCE OF BONDS BY THE TOWN OF
HIGHLAND SANITARY DISTRICT AND THE APPROPRIATION OF THE
PROCEEDS THEREOF, AND ADDRESSING OTHER MATTERS RELATED
THERE TO**

WHEREAS, the Board of Sanitary Commissioners (the "Board") of the Sanitary District of the Town of Highland, Indiana (the "District") proposes to issue bonds pursuant to IC 36-9-25 (the "Bonds"), in order to finance a project consisting of sanitary district sewer improvements, and all costs related thereto, including expenses in connection with or on account of the issuance of the Bonds (collectively, the "Project"); and

WHEREAS, the Town Council of the Town of Highland, Indiana (the "Town Council"), as the fiscal body and the legislative body of the Town of Highland, Indiana, now desires to approve the issuance of the Bonds and the appropriation of the proceeds thereof (the "Additional Appropriation");

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, INDIANA, as follows:

Approval of Bonds. The Town Council hereby approves the issuance by the District of not to exceed \$9,000,000 in aggregate principal amount of its Bonds to provide for the financing of the Project and related costs, and the Additional Appropriation of the proceeds of the Bonds and any investment earnings thereon for such purposes. The interest rate on the Bonds to be issued by the District shall not exceed five percent (5.0%) per annum. A portion of the Bond proceeds may be applied to pay capitalized interest on the Bonds if determined to be necessary or appropriate by the President of the Board with the advice the Board's financial advisor. The final maturity date of the Bonds shall not be later than twelve (12) years after their date of issuance. The Bonds may be subject to redemption prior to maturity on terms determined by the Board prior to the sale of the

Bonds, with the advice of the Board's financial advisor. The Bonds shall be payable from a special tax levy of the District.

Section 1. Authorization of Other Actions. The President of the Town Council, any member of the Town Council, and the Clerk-Treasurer of the Town, and any other officer, employee or agent of the Town, is hereby authorized and directed, for and on behalf of the Town, to execute and deliver any contract, agreement, certificate, instrument or other document and to take any action as such person determines to be necessary or appropriate to accomplish the purposes of this Ordinance, such determination to be conclusively evidenced by such person's execution of such contract, agreement, certificate, instrument or other document or such person's taking of such action.

Section 2. Effective Date. This Ordinance shall be in full force and effect from and after its passage by the Town Council as required by law.

Introduced and Filed on the 14th day of August 2023.

DULY ORDAINED and ADOPTED this Day of August 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**

Tom Black, President (IC 36-5-2-10)

ATTEST:

Mark Herak, Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

The next discussion centered around the Storm Water Fees. Damon Tsouklis of SEH said storm water fees will be charged to all customers (exempt and non-exempt) and collected on the users Lake County Property Tax Bill. It is estimated that the annual storm water revenue will be \$2.6MM. If the Town has a collection rate of 95%, the Town can expect to receive annual storm water revenues of approximately \$2.5MM. He said what Highland is doing is in line with what a lot of other communities in the county are doing and trending towards which is providing for some administrative efficiency and how we bill and collect the storm water portion of our rates. Currently, Highland bills storm water as a component on its utility bill. Because of the current method of billing, Highland can only assess the properties that receive utility bills but as the Council knows it rains on all parcels of

properties in the Town. What is being proposed by the Sanitary Board allows the Town to spread out the revenue requirement over all the parcels in Town by having the County collect the storm water fees with the user's property tax bills which is in 2 installments over the course of the year. The storm water fees include parcels that are tax exempt. The result should be a higher collection of fees. This is not a rate increase but is intended to be a change in how the Town apportions and collects its storm water fees.

Jim Higgins said it may result in a very slight increase of maybe \$10 a year for an average household. The point is that this is not an increase in rates but the way the fees are assessed and collected.

Damon passed out the following report and began to explain it.

TOWN OF HIGHLAND, INDIANA

Schedule of Proposed Storm Water Rates and Estimated Annual Revenues for Pay 2024

Property Class Code	Description	No. of Parcels	ERU Factor	Monthly Rate	Estimated Annual Revenue
100 - 199	Non-Exempt Properties				
	Agriculture				
	Category 1 (0.0000-20.0000 acres)	4	0.50	\$ 8.00	\$ 384
	Category 2 (Over 20.0000 acres)	2	1.00	\$ 16.00	\$ 384
300	Industrial Vacant Land	-	0.50	\$ 8.00	\$ -
301 - 399	Industrial				
	Category 1 (0.0000-0.2500 acres)	-	1.00	\$ 16.00	\$ -
	Category 2 (0.2501-0.7500 acres)	15	4.00	\$ 64.00	\$ 11,520
	Category 3 (0.7501-2.2500 acres)	13	12.00	\$ 192.00	\$ 29,952
	Category 4 (Over 2.2500 acres)	3	20.00	\$ 320.00	\$ 11,520
400	Commercial Vacant Land	40	0.50	\$ 8.00	\$ 3,840
401 - 499	Commercial				
	Category 1 (0.0000-0.3000 acres)	166	1.00	\$ 16.00	\$ 31,872
	Category 2 (0.3001-0.9000 acres)	202	4.00	\$ 64.00	\$ 155,136
	Category 3 (0.9001-2.7000 acres)	111	12.00	\$ 192.00	\$ 255,744
	Category 4 (Over 2.7000 acres)	38	20.00	\$ 320.00	\$ 145,920
500	Residential Vacant Land	203	0.50	\$ 8.00	\$ 19,488
501 - 515	Residential One-Family	8,030	1.00	\$ 16.00	\$ 1,541,760
520 - 525	Residential Two-Family	186	1.50	\$ 24.00	\$ 53,568
530 - 535	Residential Three-Family	10	2.25	\$ 36.00	\$ 4,320
550	Residential Condo	858	1.00	\$ 16.00	\$ 164,736
599	Other Residential Structures	11	1.00	\$ 16.00	\$ 2,112
	Total Non-Exempt Properties	9,892			\$ 2,432,256
	Exempt Properties				
	State, County, Municipal, Township, School, Library, Church, Cemetery and Other Exempt Properties				
600 - 699	Category 1 (0.0000 - 1.2000 acres)	120	1.00	\$ 16.00	\$ 23,040
	Category 2 (1.2001 - 3.6000 acres)	30	4.00	\$ 64.00	\$ 23,040
	Category 3 (3.6001 - 10.8000 acres)	20	12.00	\$ 192.00	\$ 46,080
	Category 4 (Over 10.8000 acres)	17	20.00	\$ 320.00	\$ 65,280
800 - 875	Utility, State Assessed LHP, Railroad, Pipeline and Telephone				
	Category 1 (0.0000 - 2.4000 acres)	20	1.00	\$ 16.00	\$ 3,840
	Category 2 (2.4001 - 7.2000 acres)	18	4.00	\$ 64.00	\$ 13,824
	Category 3 (7.2001 - 21.6000 acres)	13	12.00	\$ 192.00	\$ 29,952
	Category 4 (Over 21.6000 acres)	-	20.00	\$ 320.00	\$ -
	Total Exempt Properties	238			\$ 205,656
	Grand Total	10,130			\$ 2,637,912

Notes:

1. Stormwater utility user fee to be imposed on real estate parcels and lots in the Town of Highland based on the Lake County Property Class Code.
2. Stormwater utility user fee to be added to the property tax bill in 2024.
3. The Town of Highland collected stormwater fees of \$2,232,275 in 2022 per the Gateway Annual Financial Report.
4. It is estimated that the Town of Highland will collect stormwater fees of \$2,505,446 in 2024 based on a 95% collection rate.



Dated:
7/27/2023

The sheet in front of you is based on the property class code from the County. The ERU factors are almost the same between the old and new method of assessing storm water fees, with the exception of including non-exempt parcels. If the Council will look at the column called ERU Factor and if we just ran the numbers at \$16, the Town would collect roughly, \$2.5 million dollars in storm water fees.

Councilor Black asked if the users would see this line drop off their utility bills? If this proposal is adopted will the storm water fee drops off their utility bill, and the users would see their monthly utility bill go down. He was advised yes.

Damon said the storm water fee will be collected as part of user's property tax bill and yes, the storm water fee on the user's utility bill would disappear. He described it as when a tax payer sees the Little Cal River Basin fee of \$45 on their property tax bill. The difference, the storm water fee will be collected twice a year.

Councilor Sheeman wanted to make sure the County wasn't charging the Town for this service. He was told it's basically free.

Damon said many communities in the County are adopting the same approach. Hammond, Gary, Lake Station and Merrillville are already doing it. Highland based their ordinance off of Merrillville.

The Clerk-Treasurer asked about properties owned by the pipe line companies or Nipsco or the railroads. Would they now receive a storm water bill?

Damon directed the Council to the bottom portion of the Storm Water rates, which was labelled non-exempt properties. He said even the non-exempt properties would receive a property tax bill for the storm water fees.

Attorney Tweedle said that the Sanitary Board has taken into consideration that the non-exempt are not used to getting a tax bill and when they receive a tax bill from the County will probably toss it. The Sanitary Board has a plan in place to send out a correspondence to all of these properties giving them a heads up that they will be receiving a bill twice a year from the County, not as a property tax bill but a storm water fee.

Jim Higgins said it would be removed from their utility bill and applied to their tax bill. It should be a wash to the average customer but because of some of the other parcels the Town is going to be able to assess, along with the improvement in collection, you should see a slight increase in revenue. It's just because it's more efficient and more effective on the on the capture and collection.

Councilor Schocke asked why would we want to change this? He understood some properties in Town don't currently get a water bill and don't pay a storm water fee. They get the benefit of storm water run-off without having to pay into the system. He gets it that utility easements and others of that nature would be added to the collection pool but otherwise, it seems like there is no change other than the manner and method of collection.

Jim Higgins said I think an added benefit is since it winds up on the property tax bill, it's an assessment and I think you have a greater opportunity for collection, even in an expanded or extracted kind of the timeline because those unpaid assessments wind up becoming liens on those properties and so when there is a transfer of properties and there is a lien, the lien has to be paid. So, the transfer of property, enhances the

collection. It will also ease some of the work in the Clerk's office relative to collections and record keeping.

Councilor Schocke then asked out of curiosity, has anyone done a calculation on how much additional revenues we would get?

Jim Higgins said the Sanitary District collected just over \$2.2 million dollars annually in stormwater revenues. To date, through June thirtieth of this year, it's \$1.1 million. So that's a pretty consistent track record of \$2.2MM a year. It is estimated that we could be seeing \$2.5MM or \$2.6MM so roughly a \$300,000 increase in additional revenue that may be received.

Councilor Schocke then asked about easements owned by large corporation. I'm wondering, if I'm a large corporation that owns an easement and I've got the little Town of Highland saying, pay me, I don't know if I'm intimidated by that. I'm wondering how all that works? If they don't pay, does the property go on a tax sale as it isn't really a tax. If you don't pay your property tax, the property goes on a tax sale. This isn't a tax but a user fee. But if the user fee is not collected, would those properties be treated under the same mechanism as property taxes?

Damon said by not paying the storm water fee, a lean is put against the property and the County could essentially sell the property to collect the lean.

The Clerk-Treasurer said in talking with other communities who tried to sue the railroads or oil companies to collect fees, they were not very successful.

Dan Botich of SEH reminded the Council that if a fee is assessed and not paid, it is treated as though it were unpaid taxes and the property owner is penalized an additional 10%.

Attorney Tweedle said the Sanitary Board didn't approve the storm water fees at the same time as the waste water fees because of a timing issue. The Waste Water fees will be coming to the Council for approval at its August 14th meeting. The storm water fees were introduced at our meeting on August 1st and we'll have a hearing on August 15th. Assuming that it passes, we expect that would come to the Council in the form of an ordinance on the Council's August 28th meeting.

The Clerk-Treasurer asked Damon what revisions to the original storm water fees were made.

Damon said the first option we ran was based on the current billing that other towns use and their ERU factors. At the last Board meeting, it was mentioned that we should bill based on acreage as well, like the City of Hammond does which produced the second option. It's the same results either way, \$2.5MM.

Memorandum of Meeting
Monday, August 7, 2023

The Board didn't think it was fair that large parcels like Meijers should be paying the same storm water fee as a residential home owner. The second option is a little more equitable.

Council Sheeman wanted to make sure the County was going to do it for free and not hold back money like they do with the property taxes. He was advised in the positive.

TOWN OF HIGHLAND, INDIANA
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Total Exempt Properties		238			\$ 205,056
Grand Total		10,130			\$ 2,637,312

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 4. It is estimated that the Town of Highland will collect stormwater fees of \$2,505,446 in 2024 based on a 85% collection rate.



Dated:
7/27/2023

The Town Council President advised the Clerk-Treasurer to proceed and place Ordinance No. 1783 and Ordinance No. 1784 on the Council's August 14th Plenary meeting.

x. **Discussion:** Consideration of Proposed Additional Appropriations: (*controlled funds*) Proposed Additional Appropriations in Excess of the 2023 Budget in the **Public Safety Income Tax Fund – Police Cars** in the amount of \$172,000, in the **Special Events Fund – Public Relations/Donations** in the amount of \$14,000, **Redevelopment Capital Fund – Façade Improvement** in the amount of \$3,289.56.

(a) Attorney verification of Proofs of Publication: awaiting notification from The TIMES

The Clerk-Treasurer provided to the Council an explanation of the additional appropriations.

The Town Council President advised the Clerk-Treasurer to proceed and place Appropriation Enactment No. 2023-13 on the Council's August 14th Plenary meeting.

Memorandum of Meeting
Monday, August 7, 2023

**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 14th day of August 2023, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

Redevelopment Capital Fund

Acct. 4406-0000-34002 Façade Improvement (Parkinson)		\$ 3,289.56
	Total 300 Series:	\$ 3,289.56
TOTAL for the FUND:		\$ 3,289.56

Special Events Fund

Acct. 2505-0000-39003 Public Relations/Donations		\$ 14,000.00
	Total 300 Series:	\$14,000.00
TOTAL for the FUND:		\$14,000.00

Public Safety Income Tax Fund

Acct. 2240-0000-43002 Police Cars		\$172,000.00
	Total 400 Series:	\$172,000.00
TOTAL for the FUND:		\$ 172,000.00

Funds to support these additional appropriations in the Public Safety Income Tax Fund, the Redevelopment Capital Fund and the Special Events 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. Taxpayers are asked to contact the Office of the Clerk-Treasurer at (219) 838-1080 to provide an email address to allow the Zoom platform information to be provided as the meeting is still being conducted as an Electronic/In Person Hybrid. You may also write to the Office of the Clerk-Treasurer if you have concerns. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its review. The Department of Local Government Finance shall make a written determination of the sufficiency of funds within fifteen days of receipt of a certified copy of the action taken.

TOWN COUNCIL OF HIGHLAND
Tom Black, President

By: Mark Herak
Clerk-Treasurer

**Town of Highland
Appropriation Enactment
Enactment No. 2023-13**

AN ENACTMENT APPROPRIATING ADDITIONAL MONIES IN EXCESS OF THE ANNUAL BUDGET for the HAZMAT RESPONSE FUND, ALL PURSUANT TO I.C. 6-1.1-18, and I.C. 36-5-3-5.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was

appropriated in the annual budget for the **Public Safety Income Tax Fund**, the **Redevelopment Capital Fund** and the **Special Events Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

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

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Public Safety Income Tax Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

PUBLIC SAFETY INCOME TAX FUND

Acct. No. 2240-0000-43002 Police Cars	\$172,000.00
<i>Total 400 Series:</i>	\$172,000.00
Fund Total:	\$172,000.00

Section 2. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Redevelopment Capital Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

REDEVELOPMENT CAPITAL FUND

Acct. No. 4406-0000-34002 Façade Improvement	\$3,372.00
<i>Total 300 Series:</i>	\$3,372.00
Fund Total:	\$3,372.00

Section 3. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Special Events Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

SPECIAL EVENTS FUND

Acct. No. 2505-0000-39003 Public Relations/Donation	\$14,000.00
<i>Total 300 Series:</i>	\$14,000.00
Fund Total:	\$14,000.00

Section 4. That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 6-1.1-18.

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

Introduced and Filed on 14th day of August 2023. Consideration on same day or at same meeting of introduction sustained a vote of in favor and opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 14th Day of August 2023, 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

Tom Black, President (IC 36-5-2-10)

ATTEST:

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

- x. Discussion: Interlocal Agreement for the EVP Grant – Resolution 2023-15 of the Town of Highland, Lake County, Indiana, Approving the Interlocal Governmental Agreement with the Town of Munster, Indiana, the City of Hammond, Indiana, the Town of St. John, Indiana and the City of Gary.

Approval and instruction. Action to approve and instruct the Town Council President to affix signature to the Interlocal Agreement between the Town of Highland, Town of Munster, Lake County, Indiana, the City of Hammond, the City of Gary and the Town of St. John.

Resolution No. 2023-15

TOWN OF HIGHLAND, LAKE COUNTY, INDIANA, TOWN OF MUNSTER, LAKE COUNTY, INDIANA, TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, CITY OF HAMMOND, LAKE COUNTY, INDIANA AND THE CITY OF GARY, LAKE COUNTY INDIANA AND LAKE COUNTY, LAKE COUNTY, INDIANA

A RESOLUTION CONFIRMING AND ACKNOWLEDGING AGREEMENTS AND COMMITMENTS OF LAKE COUNTY, INDIANA, OFFICIALS PERTAINING TO AN INTERLOCAL GOVERNMENTAL AGREEMENT FOR THE ACQUISITION AND IMPLEMENTATION OF SIGNAL PREEMPTION, DEVICES FOR EMERGENCY VEHICLES AT INTERSECTIONS THROUGHOUT THEIR JURISDICTIONS IN LAKE COUNTY, INDIANA, AND ALL MATTERS RELATED THERETO.

WHEREAS, The Towns of Highland, Munster, St. John, City of Hammond, City of Gary and Lake County, Indiana ("Parties) are each municipal corporate entities organized and existing as units of local government in Lake County, Indiana, in conformance with applicable law; and

WHEREAS, The Towns of Highland, Munster, St. John, City of Hammond, City of Gary and Lake County, Indiana located in Lake County, Indiana, are each governed by a duly elected Legislative Body, known herein after the Parties; and

WHEREAS, The Parties have been informed and advised that each of the Towns of Highland, Munster and St. John, in Lake County, Indiana, the Cities of Hammond, Gary in Lake County Indiana and the County Commissioners of Lake County, Indiana are municipal corporations authorized by the terms and provisions of Indiana Code §36-1-7-1, et seq., as amended from time to time, to enter into agreements with participating governmental units so as to provide better public services and facilities to the residents of the participating Towns and as units of local government; and

WHEREAS, The Parties have been further informed and advised that other like municipalities and units of local government located in Lake County, Indiana, are also units and entities empowered and authorized by the terms and provisions of Indiana Code §36-1-7-1, et seq., as amended from time to time, to enter into agreements with other local governmental units for the purposes of better providing public services and facilities for the mutual benefit of the participating governmental units; and

WHEREAS, It is the desire of the Parties to enter into the Interlocal Governmental Agreement for the purposes of cooperating with one another and setting forth the Parties contribution toward the acquisition and implementation of signal preemption, devices for emergency vehicles at intersections throughout their jurisdictions; and

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WHEREAS, Munster has applied for an award of federal transportation funds from the Northwestern Indiana Regional Planning Commission ("NIRPC") and

WHEREAS, The Parties have agreed to share the cost of the matching portion of the Project as set forth in the Interlocal Governmental Agreement; and

WHEREAS, The Town of Highland, Indiana, the Town of Munster, Indiana, the Town of St. John, Indiana, the City of Hammond, Indiana, the City of Gary, Indiana and the Board of Commissioners, Lake County, Indiana are desirous of entering into this Interlocal Governmental Agreement to memorialize the Parties contributions towards the matching portion of the Project

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF HIGHLAND, IN LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION 1. That the prefatory statements set out above are incorporated herein and made a part hereof. all other terms, provisions and agreements contained within

SECTION 2; The signatories of the Parties participating in this enabling Interlocal Governmental Agreement are authorized and permitted to enter into the Interlocal Agreement for the acquisition and implementation of signal preemption, devices for emergency vehicles at intersections throughout their jurisdictions in Lake County, Indiana, and notably, the Interlocal Agreement version dated June 19, 2023; and,

SECTION 3: The Interlocal Governmental Agreement attached hereto and marked as Exhibit "A" and incorporated herein by referenced by an among the Town of Highland, Indiana, the Town of Munster, Indiana, the Town of St. John, Indiana, the City of Gary, Indiana, the City of Hammond and Lake County, Indiana is hereby and all respects approved after its passage and approval by the Towns of Highland, Munster and St. John, in Lake County, Indiana, the Cities of Hammond and Gary in Lake County, Indiana and the Board of County Commissioners of Lake County, Indiana in conformance with applicable law.

SECTION 4: That each Party in the attached Interlocal Governmental Agreement shall take all actions necessary and required under the provisions of Indiana Code §36-1-7, et seq., pertaining to recordation and filing of said Interlocal Governmental Agreement, upon full execution by duly authorized Officials of each of the participating units of local government upon approval and authorization of same by each unit;

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SECTION 5: Each Party approving the attached Interlocal Agreement verifies that the participating signatory has reviewed and taken all necessary and proper public meeting action for approval and entry into the attached Interlocal Governmental Agreement at a duly scheduled and noticed public meeting pursuant to applicable State law.

SECTION 6: Schedule of Implementation. That this Resolution shall take effect, and be in full force and effect, from and after the date of its passage and adoption upon its signature by the executive in the manner prescribed by IC 36-5-2-10(a) and its publication in the manner provided by IC 36-1-5 and IC 5-3-1 and under the terms found in Section 3 of this agreement.

DULY ORDAINED and ADOPTED this 14th Day of July 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

Tom Black, President (IC 36-5-2-10)

Attest:

Mark Herak, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

INTERLOCAL GOVERNMENTAL AGREEMENT BY AND BETWEEN THE
TOWN OF MUNSTER, INDIANA, THE TOWN OF HIGHLAND, INDIANA, THE CITY
OF HAMMOND, INDIANA, THE TOWN OF ST. JOHN, INDIANA, THE CITY OF
GARY, INDIANA, AND LAKE COUNTY, INDIANA

This Agreement is made and entered into by and between the Town of Munster, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana ("Munster"), the Town of Highland, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana, the City of Hammond, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana, the Town of St. John, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana, the City of Gary, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana, and the Lake County, Indiana, a municipal corporation organizing and existing under the laws of the state of Indiana (Sheriff and Highway Department) (Collectively "Parties").

WHEREAS, the Town of Munster, Indiana, the Town of Highland, Indiana, the City of Hammond, Indiana, the Town of St. John, Indiana, the City of Gary, Indiana, and Lake County are desirous of entering into this Interlocal Government Agreement for the purposes of cooperating with one another and setting forth the Parties contribution toward the acquisition and implementation of signal preemption, devices for emergency vehicles on signals throughout the Parties' jurisdiction (the Project); and

WHEREAS, the Parties agree that the Project will provide benefit to the citizens of the Town of Munster, Indiana, the Town of Highland, Indiana, the City of Hammond, Indiana, the Town of St. John, Indiana, the City of Gary, Indiana and Lake County generally; and

WHEREAS, Munster has applied and the Parties have been awarded \$6,450,000.00 in federal transportation funds from the Northwestern Indiana Regional Planning Commission ("NIRPC"); and

WHEREAS, the Parties have agreed to share the remaining cost of the project pro-rata after receipt of federal transportation funds based on the intersections receiving the signal preemption devices as in each jurisdiction follows:

Munster	30 Intersections – 15 Police Vehicles; 28 Fire Vehicles
Highland	34 Intersections – 15 Police Vehicles; 30 Fire Vehicles
Hammond	127 Intersections – 32 Police Vehicles; 68 Fire Vehicles
Lake County	20 Intersections (Sheriff – 8; Highway – 12) – 80 Police Vehicles
St. John	3 Intersections – 23 Police Vehicles; 22 Fire Vehicles
Gary	57 Intersections – 30 Fire Vehicles

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, IT IS AGREED AS FOLLOWS:

Section 1. That the prefatory statements set out above are incorporated herein and made a part hereof.

Section 2. After receipt of the federal transportation funds set forth above from NIRPC, the Parties agree to contribute their matching portion (not to exceed) for the Project as follows:

Munster	\$291,970.00
Highland	\$323,470.00
Hammond	\$1,086,520.00

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Lake County Sheriff	\$159,200.00
Lake County Highway	\$137,600.00
St. John	\$110,190.00
Gary	\$458,740.00

Section 3: Remedies. Any Party to this agreement may enforce the provisions hereof by any remedy available at law or inequity.

Section 4: Assignment. No Party to this Agreement shall assign its rights or obligations hereunder without the express written consent of the other Parties obtained and delivered under the manner required by law.

Section 5: Entire Agreement. This instrument contains the entire agreement of the Parties. No promise, term, condition or representation which is not contained here shall have no force or effect.

Section 6: Governing Law. This instrument shall be governed by and under the laws of the State of Indiana.

Section 7: Other Provisions. This instrument shall be deemed to be severable, such that, in the event that any provision hereof is deemed to be invalid or unenforceable by any jurisdiction, the remainder of the Agreement shall remain in effect to the extent practicable. This Agreement may be amended only in writing, adopted, and executed in the same manner as the Agreement itself was adopted.

Section 8: Notices. All Notices required to be given here under shall be in writing delivered by courier or U.S. Mail, Certified, Return Receipt Requested and directed to the Town Managers of Munster, Highland, Hammond, and St. John, Indiana,

the Major of Gary, Indiana, and the Lake County Council. Any Party may inform the other Parties in writing of any change of persons and addresses to receive notice from time to time as required.

CERTIFICATE OF APPROVAL BY THE ENTITIES

Adopted and approved this ____ day of _____, 2023.

TOWN OF MUNSTER

By: _____

Title: _____

CITY OF HAMMOND

By: _____

Title: _____

CITY OF GARY

By: _____

Title: _____

TOWN OF HIGHLAND

By: _____

Title: _____

TOWN OF ST. JOHN

By: _____

Title: _____

LAKE COUNTY

By: _____

Title: _____

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6100 Southport Road
Portage, Indiana 46368
(219) 763-6060
www.nirpc.org

April 20, 2023

Dustin Anderson
Manager, Town of Munster
1005 Ridge Road
Munster, IN 46321

RE: Award of Federal Funds from the Northwestern Indiana Regional Planning Commission

Congratulations! Town of Munster (et al.) has been awarded \$ 6,450,000.00 in Federal Transportation Funds from the NIRPC (Northwestern Indiana Regional Planning Commission) for the following project:

Signal Modernization, Emergency Vehicle Preemption for Munster and six other LPAs

The following is the project scope required to be completed as a condition of this award letter (as described in the need & purpose in the city's application):

- **Need:** Many signals in the Northwest portion of Lake County do not have signal preemption for emergency vehicles. This can make intersections extremely dangerous for police, fire, ambulances and general public in responding to emergency situations.
- **Purpose:** the municipalities of Gary, Hammond, Highland, Munster, St. John, and Lake County Highway and Sherriff share common interest while responding to emergency calls and transporting the injured to shared nearby hospitals. Implementation of an Emergency Vehicle Preemption provides emergency vehicles a safe means of proceeding through a signalized intersection. This can reduce conflicts, reduce driver confusion, and improve emergency response times.

The project scope provided and all of the elements described must be completed with the project, regardless of what length, phasing, or cost is determined. All awarded projects will be carefully monitored to ensure that the project scope, as provided by the MPO, will be specifically completed.

Please understand that the award amount is contingent upon the availability of funding through Congressional Appropriations to the State of Indiana. Also, it is important to understand that these funds are a part of the Federal Highway Reimbursement Program, which is not a "Grant", thus no funds may be used until the documentation of payment for services is received. Additionally, no project activities conducted prior to a signed LPA-Consultant contract are eligible for reimbursement.

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These funds, administered by the Indiana Department of Transportation (INDOT) in partnership with the Federal Highway Administration (FHWA), may only be used as reimbursement for those work items eligible within Federal Guidelines (unless instructed otherwise by the MPO). However, regardless of the actual phases awarded funding, Federal Guidelines and the INDOT Product Development Process (PDP) must be followed through all phases of the project: Preliminary Engineering (PE), Right-of-Way (RW), and Construction (CN), which includes both Construction (CN) and Construction Engineering/Inspection (CE).

This funding award has been divided among the phases of the project. The following amounts may only be used on the phases identified below:

Total Project Costs: \$8,773,826.00

State Funding Year	Phase	Federal Funds	Required Local Match	Fed Funding Type
2026	PE	\$ 450,000.00	\$ 675,000.00	STBG/HSIP
	RW	\$ 0.00	\$ 0.00	N/A
2028	CN	\$ 6,000,000.00	\$666,667.00	STBG/HSIP
Total Award:		\$ 6,450,000.00	\$ 2,773,826.00	

This funding award must be obligated in the State Funding Year (SFY) identified above, which occurs July 1st to June 30th. Additional funding awards for this project may or may not be available, so the LPA should proceed as if the funds are not available. Any additional costs or cost increases in any phase of this project will be 100% responsibility of the LPA. Any non-participating elements of the project are not eligible for federal funds and therefore, will also be 100% responsibility of the LPA. This award may or may not include funding award for all phases of a project and there is no guarantee that additional funding awards will be available. Therefore, it is important to understand that upon acceptance of this award, if the project does not transpire into construction of the project, this funding award will be required to be paid back to INDOT, per FHWA Guidelines. Additionally, upon receiving a Notice to Proceed (NTP) from INDOT, monthly reimbursement requests must be submitted to INDOT to prove progress to FHWA on the project. The absence of regular reimbursement requests to INDOT proves inactivity and FHWA may close the project without recourse, at which time, the funding award will be revoked and the LPA will be required to pay back any reimbursements to INDOT.

Please note the following for this award: 1) Per NIRPC's policy, the maximum amount of federal funds awarded for construction (and CE) is \$6,000,000.00; 2) NIRPC will seek HSIP determination from INDOT, until then funds will remain programmed as STBG, and all federal guidelines governing STBG funds must be followed. 3) The total funds reimbursed cannot exceed eighty/ninety percent (80/90%) of the total project cost.


Each LPA receiving federal transportation funds will also be required to maintain a detailed project schedule (set at the Early Coordination Meeting with INDOT) to demonstrate your willingness to complete your project in a timely manner or the funding for your project will be withdrawn. This schedule will be established at the Project Scoping Meeting held with INDOT, the MPO, and the contracted consultant. Please Note: Once a letting date has been established, formal approval will be necessary from the MPO and/or INDOT for any changes

to the letting date. It is important to note that any changes to the dates in the project schedule that precede the letting date will affect the letting date.

To maintain eligibility for this award of federal funds, the designated ERC for your community must maintain certification through INDOT. The ERC will be required to actively participate throughout the life of the project, maintain project records on behalf of the LPA, and direct the contracted consultant. The ERC and the contracted consultant will also be required to attend Quarterly Tracking Meetings and follow the Quarterly Tracking Process as outlined by the policies of the NIRPC.

A hard copy of this correspondence will not be sent and it is advised that the ERC keep a copy for their records.

Sincerely,



Charles Bradsky,
Transportation Projects Manager
NIRPC

Ecc: Ty Warner, NIRPC
Tom Vander Woude, NIRPC
Wendy Mis, Town of Munster
Jill DiTommaso, Town of Munster
Marcia Blansett, INDOT
Breanne Freese, INDOT

The Town Council President advised the Clerk-Treasurer to proceed and place Resolution No. 2023-15 and the Interlocal Agreement on the Council's August 14th Plenary meeting pending Attorney Reed's final review and approval.

x. **Discussion:** Reapproval of the bands for the BBQ fest

The Town Council President advised the Clerk-Treasurer to proceed and place Works Board No. 2023-26A on the Council's August 14th Plenary meeting.

Town of Highland
Board of Works
Order of the Works Board 2023-26A

AN ORDER OF THE WORKS BOARD ACCEPTING THE PERFORMANCE AGREEMENTS FOR PROFESSIONAL ENTERTAINMENT AND STAGE SERVICES FOR THE TOWN OF HIGHLAND, ASSOCIATED WITH 2ND ANNUAL BBQ FEST 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 Performance Agreements for professional entertainment and stage services for the Town of Highland to be conducted during the 2023 BBQ Festival;

Whereas, The Community Events Commission favorably recommends to the purchasing agency, the approval of the Performance Agreements for professional entertainment and stage services for the Town of Highland to be conducted during the 2023 BBQ Festival;

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 fees for Professional Entertainment and Stage Services for the two (2) days of The Town of Highland's 2023 BBQ Festival exceeds \$10,000.00, pursuant to Section 3.05.040 (C) and Section 3.05.050(B)(3) of the HMC 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,

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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 Agreements for professional entertainment and stage services as set forth in the agreements, for all of the days of the event, for: Mike Green; Louis Gain of Grindstone; James Cairo of And Beyond Music, LLC of Anthem Classic Rock & Beyond; Mike Mazur for Rockology Chicago; Ellie Anderson; Neil Blankenship/Hail Mary; Idylly Unknown; Bad Medicine/Bon Jovi; Brian Wynn of Sounds Cool Live Audio, LLC; 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 14th day of August 2023 having passed by a vote of _ in favor and _ opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Tom Black, President (IC 36-5-2-10)

Attest:

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

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Band Name	Contract Price
Mike Green	\$400
Grindstone	\$1,000
Anthem	\$2,000
Ellie Anderson	\$150
Neil Blankenship/Hail Mary	\$350
Chicago Rockology	\$1,000
Idylly Unknown	\$1,000
Bad Medicine/Bon Jovi	<u>\$1,800</u>
	\$7,700

x. **Discussion:** Safe Haven Baby Boxes, Inc.,

Councilor Black asked the status of the lease agreement with Safe Haven Baby Box. The Clerk-Treasurer said he is still awaiting on Attorney Reed to finalize the agreement. Attorney Reed was going to arrange a meeting with himself, Fire Chief Timmer and a representative from the Safe Haven Baby Box to iron out the requirements for the maintenance.

Councilor Black asked if there were any additional agenda items. Hearing none, he adjourned the meeting at 7:30 p.m.