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CH30 30 .0 - 2021 Resolutions

RESOLUTIONS PASSED IN 2021

#1-2021

WHEREAS, the Lapel Town Council needs to set the amount for mileage reimbursement for employees for use of their personal vehicles for work related trips.

NOW THEREFORE BE IT RESOLVED, that the Lapel Town Council does hereby establish the mileage rate as:

.56 cents per mile effective date of January 01, 2021 per IRS Standard Mileage Rates.

DULY ADOPTED by the Council of the Town of Lapel on the 21st day of January, 2011 at which meeting a quorum was present.

#2-2021

A RESOLUTION OF THE TOWN OF LAPEL, INDIANA APPROVING THE PURCHASE OF AN AED AND CORRESPONDING EQUIPMENT FROM STRYKER AND RELATED EQUIPMENT FROM PENN CARE AND THE DONATION OF SAID AED AND ALL EQUIPMENT TO THE LAPEL STONEY CREEK TOWNSHIP FIRE TERRITORY

WHEREAS, the Lapel Stoney Creek Township Fire Territory ("Stoney Creek") is the fire department that services the Town of Lapel ("Town" or "Lapel"); and,

WHEREAS, the Town desires to utilize funds donated to the Town and held in the Cascadden Fund to purchase an AED and all corresponding and related equipment ("AED and Equipment") and donate it to Stoney Creek;

and,

WHEREAS, the estimated cost of the AED and Equipment falls within the small purchasing guidelines as set forth in Indiana Code I.C. [5-22-8-2](#) as the total cost of the AED and Equipment is less than \$50,000; and,

WHEREAS, furthermore, Stryker is the sole source for the AED as set forth in Exhibit A attached hereto and incorporated herein; and,

WHEREAS, Indiana Code I.C. [5-22-10-13](#) allows a purchasing agent to "award a contract for a supply where there is only one (1) source for the supply and the purchasing agent determines in writing that there is only one (1) source for the supply."

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Lapel, Madison County, Indiana, as follows:

Section 1: That the recitals stated herein are hereby incorporated by reference.

Section 2: That the Town determines that Stryker is the sole source for the AED.

Section 3: That the Town further determines that the total purchase cost of the AED and Equipment falls within the small purchasing guidelines set forth in Indiana Code I.C. [5-22-8-2](#).

Section 4: That the Town authorizes the purchase of the AED and awards the contract to Stryker in the amount of approximately \$32,554.12.

Section 5: That the Town authorizes the purchase of related equipment from Penn Care in the amount of approximately \$1,205.00.

Section 6: That the AED and Equipment, as purchased by the Town from Stryker and Penn Care, shall be paid for from the Cascadden Fund.

Section 7: That the AED and Equipment, as purchased by the Town from Stryker and Penn Care, shall be donated to the Lapel Stoney Creek Township Fire Territor for the use and benefit of Stoney Creek which services the Town of Lapel.

Section 8: This Resolution shall become effective upon the adoption and signature of the Town Council of the Town of Lapel and publication as may be required by law.

Approved by the Lapel Town Council this 18th day of February, 2021.

A RESOLUTION OF THE TOWN OF LAPEL, INDIANA APPROVING THE TOWN OF LAPEL COMPREHENSIVE PLAN

WHEREAS, Indiana Code I.C. [36-7-4-500](#) (500 Series - Comprehensive Plan) sets forth the statutory requirements for a comprehensive plan; and,

WHEREAS, the Town of Lapel ("Town" or "Lapel") determined it was necessary to amend its current comprehensive plan and adopt a new Comprehensive Plan for the Town of Lapel ("Lapel Comprehensive Plan"); and,

WHEREAS, the Town put together a steering committee who worked alongside the planning team to gather public input and develop the Lapel Comprehensive Plan; and,

WHEREAS, the Lapel Plan Commission held public hearings on the Lapel Comprehensive Plan on March 11th, 2021 and April 14th, 2021 pursuant to I.C. [36-7-4-507](#); and,

WHEREAS, following the public hearing, the Lapel Plan Commission voted to approve the Lapel Comprehensive Plan pursuant to I.C. [36-7-4-508](#); and,

WHEREAS, the Lapel Plan Commission has certified the comprehensive plan to the Lapel Town Council; and,

WHEREAS, the Lapel Town Council now desires to consider the comprehensive plan for approval.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Lapel, Madison County, Indiana, as follows:

Section 1: That the recitals stated herein are hereby incorporated by referenced.

Section 2: That the Lapel Comprehensive Plan is for the promotion of the public health, safety, morals, convenience, order or the general welfare and for the sake of efficiency and economy in the process of development as required by I.C. [36-7-4-501](#).

Section 3: That the Lapel Plan Commission has prepared the Lapel Comprehensive Plan in accordance with I.C. [36-7-4-500](#) Series.

Section 4: That the Lapel Comprehensive Plan is hereby approved and adopted.

Section 5: That upon approval of the Lapel Comprehensive Plan by the Lapel Town Council, pursuant to I.C. [36-7-4-509](#) the Clerk-Treasurer is required to place one copy of the Lapel Comprehensive Plan on file with the Madison County Recorder.

Section 6: That this Resolution and the Lapel Comprehensive Plan shall become effective upon the adoption and signature of the Town Council of the Town of Lapel.

Approved by the Lapel Town Council this 15th day of April 2021.

#4-2021

A RESOLUTION OF THE TOWN OF LAPEL, INDIANA ADOPTING A SMALL PURCHASING POLICY FOR THE TOWN OF LAPEL

WHEREAS, Indiana Code I.C. [5-22-8](#) sets forth the statutory requirements for small purchases for a governmental entity; and,

WHEREAS, small purchases are considered purchases under \$150,000; and,

WHEREAS, I.C. [5-22-8-2](#) states that if the purchasing agent expects that the purchase will be less than \$50,000, then the purchasing agent may make the purchase under the small purchase policies established by the purchasing agency or under rules adopted by the governmental body; and,

WHEREAS, if the purchase agent expects that the purchase will be more than \$50,000 but less than \$150,000 then the purchasing agent is required to follow the process set forth in I.C. [5-22-8-3](#), as may be amended from time to time; and,

WHEREAS, the Town of Lapel ("Town" or "Lapel") desires to adopt rules for the purchase of supplies under \$50,000.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Lapel, Madison County, Indiana, as follows:

Section 1: That the recitals stated herein are hereby incorporated by referenced.

Section 2: That the following rules shall apply for the purchase of supplies under \$50,000.

- α. Less than \$1,000 - Department head consults with Clerk-Treasurer or his/her designee. Clerk-Treasurer or his/her designee can authorize the purchase if funds are available. Purchase should be made from a standard vendor if applicable and available. All requests and authorizations must be in writing on a form provided by the Clerk-Treasurer.
- β. \$1,000 - \$4,999 - Department head consults with Clerk-Treasurer and Council liaison. Council liaison can authorize purchase upon confirmation and approval from Clerk-Treasurer that the funds are available. Purchase should be made from a standard vendor if applicable and available. The Clerk-Treasurer or

Council liaison will notify the Town Council of the approved purchase. All requests and authorizations must be in writing on a form provided by the Clerk-Treasurer.

y. \$5,000 - \$49,999 - Solicit at least 3 quotes from person/companies known to deal in the type of supplies being sought and present quotes to Town Council. Town Council must authorize purchase.

Section 3: That if the purchase is expected to be more than \$50,000 but less than \$150,000, then the purchasing agent shall follow the process set forth in I.C. [5-22-8-3](#) as may be amended from time to time.

Section 4: That this Resolution applies only to the purchase of supplies and does not apply to public works projects or professional service contracts or any other purchases as specifically excluded pursuant to I.C. [5-22-8](#).

Section 5: That the purchasing agents for the Town are the Clerk-Treasurer or his/her designee and the Lapel Town Council, individually or collectively, as more specifically set forth in Section 2 above.

Section 6: That this Resolution shall become effective upon the adoption and signature of the Town Council of the Town of Lapel and publication as may be required by law.

Approved by the Lapel Town Council this 17th day of June 2021.

#5-2021

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#6-2021

A RESOLUTION OF THE TOWN OF LAPEL, INDIANA AUTHORIZING THE TRANSFER OF FUNDS FROM THE CACADDEN ACCOUNT TO THE SIDEWALK REPAIRS ACCOUNT

WHEREAS, the Town of Lapel ("Town" or "Lapel") deems it necessary to transfer Seven Thousand Dollars (\$7,000) from the Cascadden Account to the Sidewalk Repairs Account in order to provide the matching funds for the sidewalk repair projects; and,

WHEREAS, the transfer is necessary to bring the Sidewalk Repairs Account positive.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Lapel, Madison County, Indiana, as follows:

Section 1: That the recitals stated herein are hereby incorporated by reference.

Section 2: That the transfer of Seven Thousand Dollars (\$7,000) from the Cascadden Account, Fund Number 446 001 240, to the Sidewalks Repairs Account, Fund Number 210 001 361, is approved.

Section 3: That this Resolution shall become effective upon the adoption and signature of the Town Council of the Town of Lapel and publication as may be required by law.

Approved by the Lapel Town Council this 17th day of June 2021.

#7-2001

A RESOLUTION ESTABLISHING THE POLICY BY WHICH MEMBERS OF THE LAPEL TOWN COUNCIL MAY PARTICIPATE BY ELECTRONIC MEANS OF COMMUNICATION

WHEREAS, P.L 88-2021 (HEA 1437), SEC. 5, amended I.C. [5-14-1.5-1](#) et seq. (Act), effective April 20, 2021 by amending I.C. [5-14-1.5-3.5](#) to prescribe new requirements by which members of the governing body of a public agency of a political subdivision may participate in a meeting by any electronic means of communication.

WHEREAS, a member of the governing body may participate by any means of communication that:

- Allows all participating members of the governing body to simultaneously communicate with each other and,
- Except for a meeting that is an executive session, allows the public to simultaneously attend and observe the meeting;

WHEREAS, the Act requires the governing body to adopt a written policy establishing the procedures that apply to a members participation in a meeting by an electronic means of communication and may adopt procedures that are more restrictive than the procedures established by I.C. [5-14-1.5-3.5\(d\)](#); and,

WHEREAS, the Town Council (Council) is the governing body of the Town of Lapel, Indiana:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF LAPEL, INDIANA:

Section 1. (a) The provisions of the Act, including definitions, apply to this resolution.

(b) This resolution shall be known as the "Electronic Meetings Policy" of the Council and applies to the Council and any committee appointed directly by the Council or its presiding officer.

Section 2. (a) Subject to Sections 3 and 5, any member may participate in a meeting by any electronic means of communication that: (i) allows all participating members of the governing body to simultaneously communicate with each other; and (ii) other than an meeting that is an executive session, allows the public to simultaneously attend and observe the meeting.

(b) A member who participates by an electronic means of communication: (i) shall be considered present for purposes of establishing a quorum; and may participate in final action only if the member can be seen and heard.

(c) All votes taken during a meeting at which at least one (1) members participates by an electronic means of communication must be taken by roll call vote.

Section 3. (a) At least fifty percent (50%) of the members must be physically present at a meeting at which a member will participate by means of electronic communication. Not more than fifty percent (50%) of the members may participate by an electronic means of communication at that same meeting.

(b) A member may not attend more than a fifty percent (50%) of the meetings in a calendar year by an electronic means of communication, unless the members electronic participation is due to:

1. military service;
2. illness or other medical condition;
3. death of a relative; or
4. an emergency involving actual or threatend injury to persons or property.

(c) A member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A member must attend in person at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the members absence is due to:

1. military service;
2. illness or other medical condition;
3. death of a relative; or
4. an emergency involving actual or threatend injury to persons or property.

Section 4. The minutes or memoranda of a meeting at which any member participates by electronic means of communication must:

1. identify each member who
 - a. was physically present at the meetingl
 - b. participated in the meeting by electronic means of communication; and
 - c. was absent; and
2. identify the electronic means of communication by which:

- a. members participated in the meeting; and
- b. members of the public attended and observed the meeting, if the meeting was not an executive session.

Section 5. No member of the Council may participate by means of electronic communication in a meeting at which the Council may take final action to:

1. adopt a budget;
2. make a reduction in personnel;
3. initiate a referendum;
4. impose or increase a fee;
5. impose or increase a penalty;
6. exercise the Councils power of eminent domain; or
7. establish, impose, raise or renew a tax

Section 6. (a) if an emergency is declared by:

1. the governor under I.C. [10-14-3-122](#); or
2. the mayor under I.C. [10-14-3-29](#); members are not required to be physically present for a meeting until the emergency is terminated.

(b) Members may participate in a meeting by any means of communication provided that:

1. At least a quorum of the members participate in the meeting by means of electronic communication or in person.
2. The public may simultaneously attend and observe the meeting unless the meeting is an executive session.
3. The minutes or memoranda of the meeting must comply with Section 4 of this resolution.

(c) All votes taken during a meeting at which at least one member participates by an electronic means of communication must be taken by roll call vote.

Section 7. This resolution shall be effective from and after adoption by this Council and compliance with I.C. [36-4-6-14](#).

Resolved and adopted this 15th day of July, 2021.

#8-2021

A RESOLUTION OF THE TOWN OF LAPEL, INDIANA AUTHORIZING THE TRANSFER OF FUNDS FROM THE SEWER SAVINGS ACCOUNT TO THE SEWER OPERATING ACCOUNT

WHEREAS, the Town of Lapel ("Town" or "Lapel") deems it necessary to transfer Thirty Five Thousand Dollars (\$35,000) from the Sewer Savings Account to the Sewer Operating Account in order to cover a negative appropriation with positive unspent appropriations; and,

WHEREAS, the transfer is necessary to bring the Sewer Operating Account positive.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Lapel, Madison County, Indiana, as follows:

Section 1: That the recitals stated herein are hereby incorporated by reference.

Section 2: That the transfer of Thirty Five Thousand Dollars (\$35,000) from the Sewer Savings Account, Fund Number 902 001 520, to the Sewer Operating Account, Fund Number 606 931, is approved.

Section 3: That this Resolution shall become effective upon the adoption and signature of the Town Council of the Town of Lapel and publication as may be required by law.

Approved by the Lapel Town Council this 15th day of July 2021.