

**Enrolled Minutes of the Eighth Regular Meeting or Special Meeting
For the Thirtieth Highland Town Council Regular Plenary
Business Meeting (In person) Monday, April 22, 2024**

The Thirtieth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, April 22, 2024 at 6:30 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

*This meeting was convened as an in person meeting and lived streamed to the Town of Highland Facebook. Facebook permits the public to observe and record the proceedings but allows no interaction between and among the Town Council and members of the public. The public is able to participate in person. Councilor George Georgeff, Councilor Turich, Councilor Alex Robertson, Councilor Tom Black and Councilor Philip Scheeringa all participated in person.

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

The Town Council President Philip Scheeringa presided over the meeting. The Town Clerk-Treasurer, Mark Herak, was present to memorialize the proceedings. The meeting was opened with Councilor George Georgeff reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors George Georgeff, Doug Turich, Alex Robertson, Tom Black and Philip Scheeringa were present. Clerk-Treasurer, Mark Herak was also present. A quorum was attained.

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

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

Minutes of the Previous Meetings: The minutes of the April 8, 2024 Plenary meeting were approved by general consent.

Special Orders:

- 1. Executive Proclamation:** A Proclamation of the Municipal Executive Endorsing and Supporting the Observance of Police Appreciation Week (May 12 – 18, 2024) in the Town of Highland.

- (a) Reading and Execution of Proclamation.
- (b) Action by the Town Council President



2. Consideration of Proposed Additional Appropriations: (controlled and non-controlled funds): Proposed Additional Appropriations in Excess of the 2024 Budget for the American Rescue Plan Fund in the amount of \$5,057,410.83 and the Redevelopment Capital Fund in the amount of \$50,000.

(a) Attorney verification of Proofs of Publication: The TIMES 1 April 2024.



See Proof on Next Page

Northwest Indiana Times
601 W. 45th Ave.
(219) 933-3333

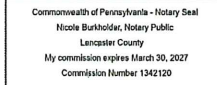
I, Yuade Moore, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Northwest Indiana Times, a publication that is a "legal newspaper" as that phrase is defined for the city of Munster, for the County of Lake, in the state of Indiana, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:
Apr. 1, 2024

Notice ID: CGKX0VImKTEohUdyLR0M
Publisher ID: 91016
Notice Name: Notice Add'l 4.01.2024

PUBLICATION FEE: \$44.57

Yuade Moore
Agent



VERIFICATION

State of Pennsylvania
County of Lancaster

Signed or attested before me on this: 04/01/2024

Nicole Burkholder

Notary Public
Notarized remotely online using communication technology via Proof.

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 22nd day of April 2024, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

Redevelopment Capital Fund

4406-0000-34002 Facade Improvement Grant	\$50,000.00
Total for 300 Series.	\$50,000.00

Total for the Fund	\$50,000.00
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American Rescue Plan Fund

Acct. 2408-0000-40012 Sanitary Overflow Project	\$5,057,410.84
Total:	\$5,057,410.84

TOTAL for the FUND:	\$5,057,410.84
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Funds to support these additional appropriations in the Redevelopment Capital Fund and American Rescue Plan Fund shall be supported by miscellaneous revenue, unreserved unobligated fund balance on deposit to the credit of the fund.

Taxpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its review. The Department of Local Government Finance shall make a written determination of the sufficiency of funds within fifteen days of receipt of a certified copy of the action taken.

TOWN COUNCIL OF HIGHLAND
Phillip Scheeringa, President

By: Mark Herak
Clerk-Treasurer
4/1 - 91016

HSPAXLP

(b) Public Hearing.

Larry Kondrat, Highland, questioned why the advertisement aggregate for the hearing was not \$5,107,410.83 versus the breakdown of \$5,057,410.83 for the American Rescue Plan Fund and \$50,000 for the Redevelopment Capital Fund to be used for Façade Improvement. The Clerk-Treasurer advised that the additional appropriation was for two (2) separate funds and had to be treated as such.

Mr. Kondrat then questioned why the \$50,000 being set aside for façade improvement was being used on private property. These are private businesses that are being offered the grants. He said the Council is appropriating \$50,000 for private businesses.

c) Action on **Appropriation Enactment No. 2024-04**: An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the **American Rescue Plan Fund and the Redevelopment Capital Fund**, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5

Councilor Black introduced and moved for the consideration of Appropriation Enactment No. 2024-04 at the same meeting of its introduction. Councilor Robertson seconded. Upon a roll call vote, a unanimous vote being necessary, there were five (5) affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Black moved for the passage adoption of Appropriation Enactment No. 2024-04 at the same meeting of its introduction. Councilor Robertson seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five (5) affirmatives and no (0) negatives. The motion passed. The enactment was passed and adopted upon the signature of the municipal executive at the same meeting of its introduction.

Town of Highland
Appropriation Enactment
Enactment No. 2024-04

AN ENACTMENT APPROPRIATING ADDITIONAL MONIES IN EXCESS OF THE ANNUAL BUDGET for the AMERICAN RESCUE PLAN FUND AND THE REDEVELOPMENT CAPITAL 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 **AMERICAN RESCUE PLAN Fund** and the **REDEVELOPMENT CAPITAL 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 **American Rescue Plan Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

AMERICAN RESCUE PLAN FUND

Acct. No. 2408-0000-40012 SANITARY OVERFLOW PROJECT	\$5,057,410.83
<i>Total 400 Series:</i>	\$5,057,410.83

Fund Total: \$5,057,410.83

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** and for the purposes herein specified, subject to the laws governing the same:

REDEVELOPMENT CAPITAL FUND

4406-0000-34002 Facade Improvement Grant	\$	50,000.00
<i>Total for 300 Series:</i>	\$	50,000.00
Fund Total:	\$	50,000.00

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

Introduced and Filed on 22nd day of April 2024. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 22nd Day of April 2024, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

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

ATTEST:

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

Comments from the Public or Visitors:

Connie Wachala, Highland, thanked the Council for approving the additional appropriation for the façade improvement. She said, some may say this is for private owners but that is only partly true and it is kind of misrepresenting. The private owners referenced are small businesses owned by men and women who these grants will affect and help by allowing them to put money into their buildings, many which are old.

Carol Parker, Highland, said she wanted add to what Connie Wachala had the façade program. She said these same small businesses have donated over \$3,700 to the Council of Community Events to help defray the costs of the various events put on by the Council of Community Events. She said the HCCE is planning on putting a large banner in front of the gazebo listing all of the sponsors names. This banner will be displayed at the various events. She then asked why only the names of the legislative annual appointments to the HCCE are listed on the agenda. The Clerk-Treasurer explained that the executive multi-year appointments were filled and those listed on the agenda are the openings yet to be filled.

Staff Reports: None

Communications:

Bicycle Auction – May 4th – Behind the Town Hall
Police/Fire Pancake Breakfast – May 4th – Central Fire Station
Police Memorial – May 11 – In front of Police Station
Shred Day – May 18 – Public Works Facility
Park Dept. & HCCE Garage Sale – May 18
Girls on the Run – May 18
Spring Clean Up Day – May 21

The Lake County Solid Waste Management District is no longer accepting batteries at individual sites due to a fire at the Lowell Town Hall. Batteries should be disposed on during the Town's Hazard Waste Day at the Public Works Facility on July 27 or drop off the batteries at one of the Hazard Collection Sites

Appointments:

• Statutory Boards and Commissions

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

Regional Statutory Commissions or Boards

1. **Waterworks Board of Directors:** (1) appointment to be made by Town Council President. *(Note: Formerly held by Curt Schroeder (D), term ending 1st Monday January 2025). Current composition of the board is two Republicans and two Democrats. No more than three of any one party under state law.*

Home Rule Boards and Commissions

2. **Shared Ethics Advisory Commission.** (1) appointment to be made by Town Council President. *(Note: Fill vacancy made by resignation of Rev. Tim Huizenga.) (Made pursuant to Article 5, Subdivision (A) of the Interlocal Cooperation Agreement Establishing the Shared Ethics Entity. Qualifications are to be persons who live work or hold property in the county. Further persons appointed must be of good character and not hold any positions within the local government.)*

Legislative Appointments

Regional Statutory Commissions or Boards

Home Rule Commissions

1. **Main Street Bureau Board:** (17) appointments to be made by the Town Council. Term: Two years ending 1 Jan 2025. *There are currently 13 of the 17 in place and serving. Currently serving are Rhonda Bloch, Teri Yookovich, Renee Reinhart, Alex Robertson, Diane Barr-Roumbus, James Roumbus Sandy McKnight, Al Simmons, Ben Reinhart, Sandy Ray, Kathy Smailis, Ben Tomera and Laura Pilewski.*
2. **Community Events Commission Multi-year positions:** (4) appointments to be made by the Town Council. **Term: 4 years.** *(Note: Currently vacant)*

Single year positions: (9) appointments to be made by the Town Council. **Term: 1 year.** *There are currently 5 of the 9 in place and serving. (Note: Currently serving, Jack Rowe, Linda Carter, Rachael Carter, Kathy Burke and Olga Briseno)*

General Orders and Unfinished Business: None

New Business:

1. Action regarding the May 6, 2024 Highland Town Council Study Session. Due to the unavailability of the plenary meeting room because of the May 7, 2024 primary election, the Council should adopt from one of the 3 options. It should be noted that the Redevelopment Commission must also consider one of the 3 options:

Councilor Georgeff moved, seconded by Councilor Turich that the Town Council Study Session meeting of Monday, May 6, 2024 be moved to the Police Department Community Room, starting at the same time of 6:30 o'clock p.m. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed.

2. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of \$75,000.00 in the **Local Road and Street Fund;**

Councilor Turich moved to authorize the proper officer to publish legal notice of a public hearing to consider proposed additional appropriations as indicated. Councilor Black seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The proper officer was authorized to publish the legal notice.

3. **Works Board Order Number 2024-24:** An Order Finding And Determining Certain Personal Property Of The Municipality As No Longer Needed For The Purposes For Which Originally Acquired Or Have Been Left In The Custody Of An Officer Or Employee Of The Town Of Highland And Have Remained Unclaimed For More Than One (1) Year Or Have Been Deemed Worthless And Of No Market Value.

Councilor Black moved the passage and adoption of Works Board Order No. 2024-24, inclusive of the exhibit and approving the sale at salvage value. Councilor Georgeff seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The order was adopted.

**The Town of Highland
Board of Works Order No. 2024-24**

An Order Finding and Determining Certain Personal Property of the Municipality as No Longer Needed for the Purposes for which Originally Acquired or Have Been Left in the Custody of an Officer or Employee of the Town of Highland and Have Remained Unclaimed for More Than One (1) year or Have Been Deemed Worthless and of No Market Value.

Whereas, The Town Council for the Town of Highland is the Works Board of the Municipality pursuant to IC 36-1-2-24(3) and

Whereas, The Town Council has been advised by the IT Director that several items of personal property, and which all owned by the municipality are no longer needed for the purposes of which it was originally acquired, pursuant to IC 5-22-22; and

Whereas, The IT Director has recommended and requested that disposal of certain personal property be authorized, all pursuant to the provisions of IC 5-22-22 et seq.; and,

Whereas, The Town Council now desires to favor the recommendation and take those steps necessary to authorize and approve a disposal of personal property of the municipality pursuant to the applicable law,

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

Section 1. That the Town Council of the Town of Highland acting as the works board, hereby finds and determines the following:

- (A) That there are certain articles of personal property possessed or owned by the municipality that are no longer needed, unfit for the purposes for which they were acquired, pursuant to IC 5-22-22-3; or,
- (B) That these same articles of personal property possessed or owned by the municipality that have been left in the custody of an officer or employee of the Town of Highland and have remained unclaimed for more than one (1) year, pursuant to IC 5-22-22-3; or,
- (C) That these same articles of personal property possessed or owned by the municipality, that may be deemed worthless or no market value as the estimated costs the sale and transaction of the property exceed the property value, pursuant to IC 5-22-22-8;
- (D) That these items of personal property are more particularly described in an exhibit attached to and incorporated in this works board order;
- (E) That both of these units, which are used, were purchased in 2020 during the covid pandemic and have little or no worth and disposing of them will be more costly than simple private transfer.
- (F) That the value of any single item of personal property is less than one thousand dollars (\$1,000) and that all the items of personal property together are less than \$5,000, all pursuant to IC 5-22-22; and

Section 2. That the IT Director is hereby authorized and instructed to cause a lawful disposal or transfer of the personal property identified in this Works Board Order by private transfer without advertising pursuant to IC 5-22-22-6 at the salvage cost of \$75.00 each;

Section 3. That proceeds expected from the lawful disposal or transfer authorized by this order shall be deposited with the Office of the Clerk-Treasurer, where such proceeds shall be deposited to the credit of the Corporation General Fund.

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 22nd day of April 2024 having passed by a vote of 5 in favor and 0 opposed.

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

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

Attest:

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

4. Resolution No. 2024-08: A Resolution Authorizing Execution of an Employment Agreement With Mark Knesek For The Position Of Public Works Director.

Councilor Black moved the passage and adoption of Resolution No. 2020-04. Councilor Robertson seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted pending the signature of the municipal executive.

TOWN OF HIGHLAND, INDIANA
RESOLUTION NO. 2024-08

A RESOLUTION AUTHORIZING AND APPROVING AN EMPLOYMENT AGREEMENT WITH Mark Knesek FOR THE POSITION OF PUBLIC WORKS DIRECTOR.

Whereas, The Town of Highland, through its Town Council has therefore determined that a need exists to create the Office of Director of Public Works;

Whereas, The Town Council has approved a job description for the Office of Director of Public Works;

Whereas, Said approved job description for the Office of the Director of Public Works is on file in office of the Clerk-Treasurer;

Whereas, § 2.20.020 of the Highland Municipal Code provides the Office of Director of Public Works is to be filled by the appointment of a single person by the Town Council; and

Whereas, Mark Knesek has qualifications and experience required for the Highland Public Works Director as prescribed in a job description; and

Whereas, Mark Knesek has indicated his intention and interest to serve as the Highland Public Works Director;

Whereas, The Town of Highland, through its Town Council, now desires to obtain and receive the benefit of Mark Knesek knowledge, training, experience and certifications by engaging his employment as Public Works Director and to approve and authorize such employment agreement between the Town of Highland as employer and Mark Knesek as employee,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA:

Section 1. That the employment agreement between the Town of Highland a Municipal Corporation, as employer and Mark Knesek, as employee, is hereby approved in each and every respect;

Section 2. That the Town Council President and Clerk-Treasurer are hereby authorized to sign the employment agreement with Mark Knesek, a copy of which is attached and incorporated herein, in order to evidence its approval.

DULY PASSED AND ADOPTED by the Town Council of the Town of Highland, Lake County, Indiana, this 22nd Day of April 2024. Having passed by a vote of 5 in favor and 0 opposed.

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

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

Attest:

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

5. Proposed Ordinance No. 1792.1578-E: An Ordinance to Amend Ordinance No. 1578, an Ordinance to Establish the Wage and Salary Rates of the Elected Officers, the Non-Elected Officers, and the Employees of the Town of Highland, Indiana, particularly regarding Change to the Staffing Authority and Job Titles in the Metropolitan Police Department.

Councilor Robertson introduced and moved the consideration of Ordinance No. 1792.1578-E at the same meeting of introduction. Councilor Georgeff seconded. Upon a roll call vote, a unanimous vote being necessary to consider the Ordinance on the same night of introduction, there were five (5) affirmatives and no negatives. The motion passed. The Ordinance could be considered at the same meeting of its introduction.

Councilor Black moved the passage and adoption of Ordinance No. 1792.1578-E at the same meeting of its introduction. Councilor Robertson seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five (5) affirmative votes and no negatives. The motion passed. Ordinance No. 1792.1578-E was passed and adopted upon the signature of the municipal executive at the same meeting of its introduction.

ORDINANCE No. 1792.1578-E
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE to AMEND ORDINANCE No. 1578, AN ORDINANCE TO ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA, PARTICULARLY REGARDING CHANGE TO THE STAFFING AUTHORITY and JOB TITLES in the METROPOLITAN POLICE DEPARTMENT.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

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

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

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

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

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to amend the ordinance that was adopted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year 2024;

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

Section 1. That Section 10 (E)(5) of Ordinance No. 1578 be amended by repealing Section 10(E)(5) of that Ordinance in its entirety and replacing with the following section, which shall be numbered as Section 10(E)(5) and read as follows:

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

(E) Other Police Officers and Assignments.

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

	Starting Rate	Incumbent Rate
Assistant Chief (1)**	\$ 3,778.97	\$ 3,778.97
Patrol Commander (1)	\$ 3,778.97	\$ 3,778.97
Division Commander (2)	\$ 3,505.03	\$ 3,505.03
Deputy Commander* (1)	\$ 3,411.99	\$ 3,411.99

**If position of deputy commander or Division Commander is filled, the equivalent number of sergeants must remain unfilled.*

*** Once the current Assistant Chief has used all accrued vacation days, personal business days, comp time hours and unpaid holiday leave are exhausted, the staffing authority for the Metropolitan Police Department Assistant Chief will revert back to zero (0). Severance, if any, cannot be used to extend time.*

For initial appointments the appointing authority may start employees at the incumbent rate. All subsequent appointments shall be subject to the starting rate.

For the purpose of training or special assistance, retired senior staff or separated staff

may be paid as part-time workers at the hourly rate equivalent of the approved position held at separation including longevity and certification pay prior to retirement or separation.

Section 2 That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 3. That the provisions set forth in Section 1, shall be effective from April 1, 2024 and continue thereafter until amended , modified or repealed by passage and adoption of a successor ordinance.

Section 4. That a job description be on file for any position created and authorized by this ordinance and maintained on file with the Metropolitan Police Department and the Office of the Clerk-Treasurer;

Section 5. (A) That an emergency exists for the immediate taking effect of this Ordinance, which, subject to the provisions of this ordinance, shall become effective and shall remain in full force and effect from and *after the date of its passage and adoption* pursuant to any constraints currently in force in Ordinance 1758 and until its repeal or amendment by subsequent enactment;

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

Introduced and Filed on the 22nd day of April 2024. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 22nd Day of April 2024 , by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

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

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

Attest:

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

6. **Appropriation Transfer Resolution No. 2024-09:** : An Exigent Resolution Providing For The Transfer Of Appropriation Balances From and Among Major Budget Classifications In the MCCD Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6.

Councilor Turich moved the passage and adoption of Appropriation Transfer Resolution No. 2024-09. Councilor Robertson seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The order was adopted pending the signature of the municipal executive.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER
RESOLUTION NO. 2024-09**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS to the Municipal Cumulative Capital Development FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions to the **Municipal Cumulative Capital Fund:**

NOW, THEREFORE BE IT RESOLVED 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 appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That is has been shown that certain existing unobligated appropriations of the **Municipal Cumulative Capital Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

Municipal Cumulative Capital Fund:

MCCD Fund

Reduce Account:	#4402-0000-43.083 IT Festival Equip.	<u>\$500.00</u>
	<i>Total 400 Series Reductions</i>	<i>\$500.00</i>

Municipal Cumulative Capital Fund:

Increase Account:	#4402-0000-111.33 Rehab Labor	\$450.00
	#4402-0000-112.01 Gen FICA & Medicare	\$50.00
	<i>Total 100 Series Increase</i>	\$500.00
	Total of All Fund Decreases:	\$500.00
	Total of All Fund Increases:	\$500.00

DULY RESOLVED and ADOPTED this 22nd Day of April 2024 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

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

Attest:

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

7. **Proposed Ordinance Number 1792-B:** An Ordinance to Amend Ordinance No. 1792, an Ordinance to Establish the Wage and Salary Rates of the Elected Officers, the Non-Elected Officers, and the Employee of the Town of Highland, Indiana particularly regarding the change to the Staffing Authority and Creation of a Lead Pump Station Operator in the Public Works Department (Agency).

Councilor Georgeff introduced and moved the consideration of Ordinance No. 1792-B at the same meeting of introduction. Councilor Georgeff's motion failed to receive a second. The motion died for a lack of a second.

**ORDINANCE No. 1792-B
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE to AMEND ORDINANCE No. 1792 to ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA PARTICULARLY REGARDING CHANGE TO THE STAFFING AUTHORITY AND CREATION OF A LEAD PUMP

STATION OPERATOR IN THE PUBLIC WORKS DEPARTMENT (AGENCY).

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

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

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

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

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

WHEREAS, The Town Council of the Town of Highland, as the Town Legislative body, now desires to amend the ordinance that was adopted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year 2024 and thereafter as amended;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, has been advised that it is necessary create the position of Lead Pump Station Operator; and

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, has been advised that it is necessary and desirable to modify and fix the rates for this position based upon the needs of the Public Works Department (Agency); and

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to amend the wage and salary ordinance as requested by the Public Works Director; and,

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

Section 1. That Section 9 (A)(4) of Ordinance No. 1792 be amended by repealing Section 9(A)(4) of that Ordinance in its entirety and replacing with the following section, which shall read as follows:

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

(A) Supervisory Employees Incumbent	Starting	
	Rate	Rate
(4) Division Supervisors		
Supervisor Streets (1)	\$ 2,998.45	\$ 2,998.45
Supervisor Water & Sewer (1)	\$ 2,998.45	\$ 2,998.45
Supervisor Maintenance(1)	\$ 2,998.45	\$ 2,998.45
Supervisor Facilities (1)*	\$ 2,998.45	\$ 2,998.45

**If position of Lead Pump Operator is filled, the position of Supervisor Facilities must be vacant.*

Section 2. That Section 9 (B)(8) of Ordinance No. 1792 be amended by repealing Section 9(B)(8) of that Ordinance in its entirety and replacing with the following section, which shall read as follows:

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

(B) Associate Staff and Employees	Starting Incumbent	
	Rate	Rate
(8) Lead Pump Station Operator	(1)	\$25.41
Pump Station Operator	(1)	\$23.10

Section 3. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 4. That a job description be on file for any position created and authorized by this ordinance and maintained on file with the Public Works Department (Agency) and the Office of the Clerk-Treasurer;

Section 5. That except where otherwise noted herein, other compensation and benefits matters not expressly provided herein for salaried and hourly employees and the Clerk-Treasurer shall be as set forth in the Compensation and Benefits Ordinance, commonly called the Employee Handbook as amended from time to time;

Section 6. (A) That an emergency exists for the immediate taking effect of this Ordinance which, shall become effective and shall remain in full force and effect from

and *after the date of its passage and adoption* pursuant to any constrains currently in force in Ordinance No. 1792 and until its repeal or amendment by subsequent enactment;

Section 7. That the provisions set forth in Section 1 and Section 2, shall be effective from April 28, 2024 and continue thereafter until amended , modified or repealed by passage and adoption of a successor ordinance.

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

Introduced and Filed on the 22nd day of April 2024. Consideration on same day or at same meeting of introduction sustained a vote of in favor and a vote of opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 22nd Day of April 2024, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

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

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

Attest:

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

Comments from the Town Council:

(Good of the order)

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

Councilor Georgeff began by saying that he had an opportunity to attend the Water Board Conference in Indianapolis. He said he spoke to several vendors and attended several training sessions. He brought some information back which he plans on discussing at the next Water Board Meeting. He said he noticed that Cardinal Campus is moving ahead as he saw the developer is going out for bids.

He then recognized Metropolitan Police Chief Ralph Potesta who provided the following statistics since the April 8, 2024 plenary meeting.

Last 2 weeks – PD activity:

1 Burglary – same retail clothing shop on Kennedy Avenue got hit again. Our detectives are trying to work with the business owners to come up with ways to protect the business better. This store has been hit 3 times already this year.

Detective Perez is working with other agencies on this and is following up on some promising leads.

2 Disturbance calls at the High School football field last week Sunday during a flag football game.

One was between parents with a possible firearm being involved. Determined to be verbal only. No firearm located.

Second call was for a fight between juveniles on the field who were playing in the game.

No arrests were made in either incident due to conflicting stories and participants already departing as officers arrived.

4 Domestic Disturbance calls – No arrests

5 Calls for intoxicated drivers. 4 of those drivers were arrested for DUI.

Scam - Elderly female resident fell for a scam where a caller convinced her he was Steve Burton, an actor on the soap opera General Hospital. "Mr. Burton" talked our resident into getting engaged and then proceeded to attempt to con her into sending him \$20,700.00. Our victim's son thankfully noticed what was going on and was able to stop a \$500 and \$20,000 transaction his mother was in the process of sending. Victim at this time is only out \$200.00. Still believes she is engaged to Steve Burton.

Please keep an eye on your elderly relatives. These types of sweetheart scams are becoming more and more common.

31 accidents handled – only 3 involved injury.

4 Retail Thefts – 3 arrests

2 EC residents were arrested after they stole \$570 in merchandise from Kohl's

1 Male from Valparaiso arrested - stole \$380 in trading cards from Meijer

1 IL resident dropped merchandise inside the store as she ran out after being confronted by Loss prevention – Not charged – Trespassed.

Kudo's to the Loss Prevention officers from these stores. We have a great working relationship with them and try to assist them in any way we can! These stores provide their LP with phenomenal cameras and tools to do their job.

Theft out of a locker at one of our gyms. Be wary of placing valuable items inside lockers while you are working out. This crime is becoming quite common.

1 SWAT callout (Ofc. Mullins) for suicidal subject in Winfield – ended peacefully.

Police Memorial coming up on May 11th – will take place in front of the police department starting at 9am

Police Auction is May 6th - the same morning as the Pancake Breakfast.

Bikes – Tools – Fishing Poles – other items

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

Councilor Turich began by saying Ken Mika, Building Commissioner is still. He said the Plan Commission did not have a meeting in the month of April. He did say the BZA will be meeting this Wednesday. He then call upon Dave Byers, Recreation Director who gave the following update:

Parks update for town council meeting 4/22/24

Park Cleanup Day was on Saturday morning. A huge thank you to the over 200 volunteers who came out to help us clean up our parks and get them ready for everyone to enjoy.

We also hosted our spring craft show on Saturday in the fieldhouse. Huge turnout with 94 vendors and several hundred shoppers.

Hosting auditions last night and tonight for our summer theater performance of High School Musical.

Hosting an Arbor Day ceremony on Friday morning at Lincoln Center with the tree board. We are planting a tree with the help of our preschool students.

Hoping for our adult softball leagues at Sharp Complex to begin a week from this coming Sunday, weather permitting.

Our summer program guide were delivered to Highland addresses last week. They cover all programs and events through August.

Park board approved a contractor for pickleball court project @ Meadows Park

☛ CCE should add line item for electronics @ festival

☛ Joint meeting w/ CCE + Park board Wed 5/1? To get on same page w/ vendors + electronics.

He said they are in the middle of hosting auditions for our summer theater performance. It's an annual event that is really popular in Town. This year they are doing the High School Musical. Call backs are tonight and we should have the cast list by later this week. They're hosting an Arbor Day ceremony this Friday morning, in conjunction with the Tree Board at Lincoln Center. Our preschool students are gonna help plant a tree. Lastly, the Park Board approved a contractor for pickle ball courts that are going to be put in at Meadows Park. He said he knows a lot of people have been clamoring for some outdoor pickle ball courts in Town.

Councilor Turich complimented the Park Department for hosting the annual park cleanup day as it is always a lot of fun. He said it was a great collaboration between the different departments and groups. He said he would like to schedule a joint meeting between the Park Board and the HCCE. He was looking at possibly May the 3rd. He wanted to work out some details for the upcoming festival, particularly the 1st day.

The Clerk-Treasurer gave a plug to the theater program which began in 1981 with the musical Music Man.

Councilor Scheeringa complimented the park crew on how they maintain the soccer fields at Shepard. He said there are over 500 soccer families playing on those fields each weekend and the fields look great.

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

Councilor Robertson began by saying today is Earth Day and he wanted to thank the Neighbors for Sustainability for everything they have done for our Town. He hopes they will continue their efforts. He said he talked with the Principal at Highland Christian regarding the Drone Show to be held on July 7th. He said he gave the HCCE tentative approval pending the school is named as an additional insurer on the insurance policy. The Clerk-Treasurer advised that once the Council president signs the paperwork, he will forward the paperwork to the insurance carrier. Alex said the RFP for the downtown lighting should go out tomorrow.

He then acknowledged Tim Gembala, Operations Director in Public Works who gave an update on the Sanitary Overflow Project. Tim said if you walked out there today, all you would see is a big hole. He said Grimmer Construction finished drilling a 3 foot diameter hole in the pump station. They then installed a rubber grommet and tomorrow they will put the first piece of pipe in place. The pump station is currently on bypass till after the 1st pipe is in place and back filled.

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

Councilor Black began by acknowledging Redevelopment Director Maria Becerra who gave the following report:

April 22 2024

REDEVELOPMENT

MAIN ST

3 CRAWLS JULY AUG SEPT (ONGOING MONTHLY CRAWLS

COMMUNITY GARDEN – VEGGIE BUCKS \$1 TO \$5 ZANDSTRA AND SCHEERINGAS

THURSDAY MARKET – 18 VENDOR SO FAR MAY 9TH TO SEPT 23RD

SSFA GRANT – RFP MAY 3RD SCORING – 2 COMMISSIONERS/COUNCIL, POLICE AND FIRE CHIEF &
CLERK/TREASURER

ONSITE VISIT OF NEWEST GRANT AWARDEE SITES

READI 2 GRANT POSSIBLY WILL KNOW IN MAY

1 BUSINESS LOOKING TO OPEN A SECOND LOCATION

KENNEDY DEVELOPMENT ONGOING NEGOTIATIONS

Town

• **Town Council President Philip Scheeringa:** *Town Executive (I.C. 36-1-2-5-(4); I.C. 36-5-2-2; I.C. 36-5-2-7); • Board of Trustees of the Police Pension Fund, Chair (By Law) • Budget Committee Chairman • Redevelopment Commission Member • Co-Chair Town Board of Metropolitan Police Commission • Fire Department Liaison • Information Communications and Technology Department Liaison • Building and Inspection Department Liaison.*

Councilor Scheeringa began by acknowledging Fire Chief Mike Pipta began by complimenting Lieutenant Fraley who put together a smoke detector blitz in the Wicker Park Estates subdivision after that fatal fire. This took place on the 13th of April. A total of 47 detectors were passed out. He also complimented the various other fire departments from across the area that helped out. He gave a list of all the various departments and businesses who participated in the blitz, especially the American Red Cross.

Detector Blitz 4/13/2024 THANK YOU LETTERS

Amici Restraurant
Cedar Lake Fire Deparment
Chesterton Fire Department
Clay City Territory
Crown Point Fire Rescue
District 1 Training Council
Dyer Fire Department
East Chicago Fire Departmetn
Gary Fire Department
Griffith Fire Department
Highland PD
Hobart Fire Department
Lake County EMA
Lake County EMA+B4:B29
Liberty Township Fire Department
Lowell Fire Department
Merrillville Fire Department
Mishawaka Fire Department
Munster Fire Department
New Carlisle Fire Department
North Webster/Tippecanoe Fire Territory
Northern Indiana Safety Educators Association
Pepsi
Portage Fire Department
Schererville Fire Department
Valparaiso Fire Department
RED CROSS

DURANGO INNY
T-2 BACK TRAINING
PAWARKS MAY 4TH

He said the Durango is back from the fire show in Indianapolis. He said it was a big hit. He again thanked Federal Signal for donating and installing the lights on the vehicle. Federal Signal thanked us for letting us put the Durango into show. He said Truck 2 is in service and they are going to begin training on it tomorrow night.

Councilor Scheeringa then recognized IT Director Ed Dabrowski who said he was just working on projects. He mentioned one project in particular the surveillance systems and wi-fi at Main Square. One of the complaints of the festival goers is that there is no wi-fi. It was scheduled for last year but it got put on the back burner because of the installation of the sprinkler system.

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

Comments from Visitors or Residents:

Blane Roberts, Highland, a member of the Tree Board, reminded residents if they had trees three (3) years or less in age, certainly guard them against the invasion of the saccades. He said he prior to coming to this meeting, he protected his newly planted trees. He also thanked the Council for their public service to the Town. He then asked about the proposed bridges connecting the Highland Bike Trail with Munster's that were going into Brantwood. He was wondering if there are any plans he could look at or review? Dave Byers, Recreation Director for the Park Department told Blane to stop by Lincoln Center and he would let him look at the plans on file at the Lincoln Center. He concluded by asking if there were any updates on the Marcus Leasing property. He was advised that there was no update. The owner was waiting till the return of Building Commissioner Ken Mika as the building is in an overlay district.

Larry Kondrat, Highland, began by stating that since Councilor Scheeringa has been advised by Town Attorney Reed not to answer his questions, he said it was his understanding you're gonna put eight (8) buildings in that town home development, with four (4) units in each one. If we average them out and pretend that the assessed value of each unit is \$300,000, the maximum tax dollars drawn out each year on each would be \$3,000 for each unit. If you take the 32 units and multiply by \$3,000, you will come up \$96,000 annually in increment. At the last meeting, the Redevelopment Director said the Town had applied for a \$4.5mm state grant, called the Redi Grant and if they got the grant, they would give it to the developer of the town home. \$4.5mm is not a small amount. If you collect \$96,000 a year in property taxes or increment, in order to break even, it will take forty-six (46) year. Forty-six (46) years to break even. Has the Council told the developer to jump in the lake?

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

Payment of Accounts Payable Vouchers. There being no further comments from visitors or residents, Councilor Robertson moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **April 10, 2024 through April 23, 2024**. Councilor Black seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The

accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, the payroll dockets listed were ratified and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Accounts payable vouchers April 10, 2024 April 23, 2024 in the amount
\$473,821.688

General Fund, \$275,429.19; **MVH Fund**, \$88,406.32; **LR&S**, \$3,235.41;
LAW Enforcement Continuing Education Training and Supply Fund, \$2,243.72;
Public Safety Income Tax; \$20,452.35; **Information and Communications
Technology Fund**, \$12,505.65; **Special Events**, \$1,024.53; **MCCD**, 980.77;
Police Pension, \$69,543.74;

Payroll Docket for payday of April 19, 2024 by fund:

General, \$311,426.33

Payroll Docket for payday of April 19, 2024;

Office of Clerk-Treasurer, \$17,165.60; Building and Inspection Department,
\$10,964.72; Metropolitan Police Department, \$131,482.91; Public Works
Department (Agency), \$94,511.83; Fire Department, \$2,161.07 and
Information and Technology Department, \$4,205.45;
Total Payroll: \$260,491.58.

Payroll Docket for payday of April 30, 2024 by fund:

Total Payroll by fund: \$81,302.99.

Payroll Docket for payday of April 30, 2024:

Boards & Commissions. \$11,048.12; Police Pension, \$69,436.09;

Total Payroll: \$79,188.21.

Fire Department Quarterly

Payroll Docket for payday of April 19, 2024 by fund:

Total Payroll by Fund: \$56,210.54

Payroll Docket for payday of April 19, 2024:

Total Payroll: \$52,216.05

Adjournment of Plenary Meeting. There being no further business on the agenda,

the Town Council President declared the regular plenary meeting of the Town Council of Monday, April 22, 2024, adjourned at 7:20 o'clock p.m.

Mark Herak
Clerk-Treasurer

Approved by the Town Council at its meeting of May 13, 2024.