

**Enrolled Memorandum of the Meeting  
Study Session/Meeting (Convened Electronically/Hybrid)  
Thirtieth Town Council of Highland  
Monday, April 15, 2024**

The Thirtieth Town Council of the Town of Highland, Lake County, Indiana met in a study session on **Monday, April 15, 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. All councilors were simultaneously seen and heard. Councilor Georgeff, Councilor Turich, Councilor Alex Robertson, Councilor Black, Councilor Philip Scheeringa all participated in person.

*Silent Roll Call:* Councilors George Georgeff, Doug Turich, Alex Robertson, Tom Black, Philip Scheeringa, were present in person as indicated. The Clerk-Treasurer, Mark Herak was present to memorialize the proceedings. *A quorum was attained.*

*Officials Present:* Metropolitan Police Chief Ralph Potesta, IT Director Ed Dabrowski, Redevelopment Director Maria Becerra and Public Works Director Mark Knesek were in person.

**General Substance of Matters Discussed.**

Appointments:

• **Statutory Boards and Commissions**

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

1. **Waterworks Board of Directors:** (1) appointment to be made by Town Council President. *(Note: Formerly held by Curt Schroeder (D), term ending 1<sup>st</sup> 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 Commissions or Boards

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**

Home Rule Commissions

1. **Main Street Bureau Board:** (6) appointments to be made by the Town Council. Term: Two years ending 1 Jan 2025. *There are currently 11 of the 17 in place and serving. Currently serving are Rhonda Bloch, Ben Reinhart, Renee Reinhart, Allan Simmons, Diane Barr-Roumbus, James Roumbus, Sandra McKnight, Teri Yovkovich, Sandy Ray, Kathy Smailis, Ben Tomera and Laura Pilewski.*
2. **Community Events Commission Multi-year positions:** (1) appointment 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, Rachael Carter, Olga Briseno, Kathy Camp-Burke, Linda Carter and Jack Rowe)*

- x. **Video:** Internal Control Training Elected Officials (it is a requirement of the SBOA) 22 minutes.

The Council watched the 22 minute video and signed off the certification sheet, verifying they had watched the video. Several members of the Council asked the Clerk-Treasurer regarding the Town' internal control procedures.

**INTERNAL CONTROLS TRAINING CERTIFICATION  
FOR ELECTED OFFICIALS, APPOINTEES, AND EMPLOYEES**

I, \_\_\_\_\_, the duly elected, appointed, or employed  
(print name)

\_\_\_\_\_ for TOWN OF HIGHLAND, certify that I  
(position or title)

received the following training concerning internal controls standards and procedures as required  
by Ind. Code 5-11-1-27(g)(2):

Title of Training	Time Spent
Internal Controls Webinar	_____ min.

Date: \_\_\_\_\_  
Signature \_\_\_\_\_

<https://www.youtube.com/watch?v=L0N80PbPHQ&t=5s>

\* This certification may be printed, signed, and retained in paper form or electronically. If signed electronically, the elected official, appointee, or employee must designate his or her signature by typing the last four (4) digits of their Social Security number in the signature line.

x. **Discussion:** The May 6<sup>th</sup> Highland Town Council Study Session:

Due to the primary election on May 7<sup>th</sup>, the plenary meeting room is unavailable for the May 6<sup>th</sup> study session. Options:

Cancellation of meeting: currently, only items on the agenda are the discussions with the Idea Factory and the RDC review and actions for Economic Revitalization Compliance. The Council will vote on the Economic Revitalization Compliance for Demand Real Results; Evajo LLC (Pramuk Dental); Peoples Bank; Indiana Land Trust (Webb).

Move the meeting to the Police Department Community Room. Ed Dabrowski said the meeting can be live streamed and the room is open.

Since the April 29<sup>th</sup> meeting is the 5<sup>th</sup> meeting of the month and no meeting is scheduled, the Council can move the May 6<sup>th</sup> meeting to April 29<sup>th</sup> and schedule a meeting.

There was no real preference amongst the Council members on which option to choose. The Council President asked that the item be placed on the agenda for the April 22, 2024 plenary meeting.

x. **Discussion:** The Public Hearing to consider additional appropriations in the amount of **\$5,057,410.84** in the **American Rescue Plan Grant Fund**; (the money from the ARPA fund and bond issue to be spent on the Sanitary Board Sewer Project) and in the amount of **\$50,000.00** in the **Redevelopment Capital Fund**. The meeting is scheduled for the 22<sup>nd</sup> of April. Appropriation Enactment No. 2024-04

The Council President advised that the item be placed on the agenda for the April 22, 2024 plenary meeting.



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

Commonwealth of Pennsylvania - Notary Seal  
Nicole Burkholder, Notary Public  
Lancaster County  
My commission expires March 30, 2027  
Commission Number 1342120

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.

Memorandum of Meeting  
Monday, April 15, 2024

**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 American Rescue Plan Fund	\$50,000.00
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Acct. 2408-0000-40072 Sanitary Overflow Project	\$5,057,410.84
Total:	\$5,057,410.84

<b>TOTAL for the FUND:</b>	<b>\$5,057,410.84</b>
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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 Scheerings, President**

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

HSPAXLP

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Notice Add'l 4.01.2024 - Page 2 of 2

**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  
*Total 400 Series:* \$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  
*Total for 300 Series:* \$ 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 in favor and 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

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

ATTEST:

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

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

The Council President advised that the item be placed on the agenda for the April 22, 2024 plenary meeting.

**TOWN of HIGHLAND**  
*PROCLAMATION OF THE TOWN EXECUTIVE*

**A PROCLAMATION ENDORSING and SUPPORTING THE OBSERVANCE of POLICE  
APPRECIATION WEEK  
(MAY 12 - 18, 2024) in the TOWN of HIGHLAND**

WHEREAS, The Highland Metropolitan Police Department provides a vital Public Service by enforcing laws, promoting order and performing other acts in support of public safety; and

WHEREAS, The members of the Metropolitan Police Department engage in thousands of hours of specialized training to enhance their specialized skills; and

WHEREAS, The people of Highland, Indiana benefit daily from the knowledge and skills of all of these highly trained individuals; and

WHEREAS, It is appropriate to recognize the value and importance of the Highland Metropolitan Police Department by designating a week in which the community may express its appreciation to the members of the Highland Metropolitan Police Department through a Police Appreciation Week; and

WHEREAS, The designation of a Police Appreciation Week will additionally serve to educate the people of Highland, Indiana about the various ways these public servants affect our lives each day;

NOW THEREFORE, I, Philip Scheeringa, by virtue of the authority vested in me as the President of the Town Council of the Town of Highland, Lake County, Indiana, do now hereby proclaim the week of May 12 - 18, 2024 as Police Appreciation Week;

FURTHER, on behalf of the members of the Town Council and the Clerk-Treasurer, I extend appreciation to the members of Highland's Metropolitan Police Department for the vital services they perform and their exemplary dedication to this community which they cooperatively serve and protect.

IN WITNESS WHEREOF, I hereunto set my signature and cause the corporate seal of the municipality to be affixed, this 22nd day of April, 2024.

**Town of Highland, Indiana**  
**By its Town Council President:**

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Philip Scheeringa

Attest:

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Mark Herak  
Clerk-Treasurer

- x. Discussion: Contract for Public Works Director Mark Knesek

The Council President advised to place the item on the April 22, 2024 plenary agenda.



EMPLOYMENT AGREEMENT

THIS AGREEMENT made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2024, to be effective \_\_\_\_\_, 2024, by and between the Town of Highland, Indiana, a municipal corporation (hereinafter referred to as the "Town" or "Employer"), and Mark Knesek (hereinafter referred to as "Knesek" or "Employee") to witness the following:

WHEREAS, Knesek is the current Director of Public Works for the Town of Highland, Indiana, and;

WHEREAS, the Town desires to continue to receive the benefit of Knesek's knowledge, training and experience by retaining his employment as the Director of the Public Works Department and to fix his form of compensation, benefits and other terms of employment as set forth hereinafter.

NOW, THEREFORE, for valuable consideration, including the mutual promises of the parties, it is agreed as follows:

1. EMPLOYMENT

Employer hereby employs, engages and retains Employee as its Director of Public Works. Employee agrees that he will, at all times, faithfully and to the best of his ability, experience, and talent, perform all of the duties that may be required of and from him pursuant to the express and implicit terms hereof to the reasonable satisfaction of the Employer. Employee shall make recommendations for improving operations of the Employer. Employee shall make available to Employer all information of which Employee shall have knowledge that will be of benefit to Employer.

2. COMPENSATION

Employer shall pay Employee and Employee shall accept from Employer compensation, which shall be governed by the Wage and Salary Ordinance to be adopted each year by the Employer. Notwithstanding the foregoing, Employee's salary shall not be reduced below the amount of his salary for the previous year. Employee's position title shall not be changed or modified except by mutual written consent of the parties.

3. DUTIES

Employee accepts continuing employment as Director of Public Works of the Town responsible for directing the personnel and operations of the Public Works Department including: construction, maintenance and repair of streets, alleys, storm and sanitary sewers, water storage and distribution, refuse collection and disposal, buildings, grounds and equipment. The duties and responsibilities of the Public Works Director are more fully set forth and described in a job description incorporated herein by reference and made a part hereof.

4. CONTRACTING AUTHORITY

Notwithstanding anything herein to the contrary or the provisions of Sections 3.15 et seq. of the Highland Municipal Code, Employee shall not have the right to make any lease or rental agreement, contract for supplies or services or commitments for and on behalf of the Employer in excess of ten thousand (\$10,000) dollars without first obtaining the approval of the relevant governing board of jurisdiction.

5. SUPERVISION

Unless a written order or ordinance of the Town Council provides otherwise, the Town Manager, and in the absence of said Town Manager, the Town Council (which also stands as the Town Board of Public Works and Safety) shall provide direction and supervision of the Public Works Director and hold the Public Works Director responsible for the effectiveness of Public Works Department operations.

6. PERFORMANCE APPRAISAL

A written evaluation of Employee's performance shall be conducted by the Town Manager, and in the absence of said Town Manager, the Town Council (which also stands as the Town Board of Public Works and Safety) on an annual basis on forms that generally apply to the Employer's management staff. Goals established and to be achieved in the future, on an annual basis, shall be a part of the evaluation process.

7. NO CONFLICT OF INTEREST

Employee shall devote time, attention, knowledge and skill solely to the responsibility and interest of Employer. Employer shall be entitled to all of the benefits and income arising from the service and advice of Employee. Employee shall not undertake any activity which would be in conflict with his employment or inimical to the best interests of the Employer. Employee may engage in other employment with the written consent of Employer, which consent shall not be unreasonably withheld. Employee agrees to report promptly any future situation that involves or might appear to involve Employee in any conflict with the best interest of Employer.

8. HOURS OF WORK

It is recognized Employee is a salaried employee and must devote time outside the normal office hours on business for the Employer, and to that end, Employee shall be allowed to establish an appropriate work schedule to satisfy the responsibilities of his position. Hours of work will generally fall between the hours of 8:30 AM and 4:30 PM on weekdays for day-to-day operations. Employee will be an "exempt confidential employee" as that term is defined by the Fair Labor Standards Act, exempt from overtime compensation standards, but Employee shall submit a time report of a form acceptable to the Indiana State Board of Accounts accounting for at least 80 hours per pay period.

9. TRANSPORTATION

Employee will use his personal vehicle for the business of the Employer. Employee's insurer will provide a certificate of insurance naming the Town of Highland as an "additional insured" in limits of \$1 million each accident for death and bodily injury exposures and \$100,000.00 each accident for property damage exposures. Employee will be reimbursed \$ \_\_\_\_\_ ?? per month for the vehicle insurance coverage requirements specified herein, plus a rate per mile for business use of the vehicle as authorized and annually adjusted by the Internal Revenue Service.

10. COMMUNICATIONS & COMPUTER TECHNOLOGY

The Employer will provide Employee with a cell phone and access to a computer with a connection to the Internet for Employee to perform the job and to maintain communication with personnel of the Public Works Department, other officials, and to perform the business of the Employer. Employee may use the cell phone and computer equipment for incidental non-business related activities. It is the responsibility of Employee to pay for any additional expenses that may be incurred as a result of such non-business related use of equipment owned by the Employer.

11. INSURANCE

Employee shall receive health insurance, life insurance, workers compensation public official's liability insurance with coverage and to limits equivalent to all other employees of the Employer who have managerial responsibilities.

12. RETIREMENT PLANS

Employee shall be provided a retirement plan by the Employer from the Indiana Public Employees' Retirement Fund (PERF). The Employer's contribution to PERF shall be equivalent to contributions made on behalf of other employees of the Employer who have managerial responsibilities. In addition, the Employer will withhold from Employee's gross salary an amount Employee may designate up to the annual limits authorized by the Internal Revenue payable to a 457 Deferred Compensation Plan.

13. LEAVE

Employee shall receive the leave benefits granted by the Employer to its employees prescribed by the Town's Employee Handbook which are then applicable to employees who have managerial responsibilities.

14. TERM

Employee shall serve at the pleasure of the Employer, subject to the provisions of termination as provided hereinafter and further subject to the limitations of applicable state

law. This Agreement shall remain in full force and effect from \_\_\_\_\_, 2024 for an indefinite term unless amended or terminated as provided hereafter.

15. TERMINATION

TERMINATION BY THE EMPLOYER

A. Employee's employment with the Employer shall be "at will". The Town Manager, and in the absence of said Town Manager, the Town Council (which also stands as the Town Board of Public Works and Safety) may terminate this Agreement and Employee's employment at any time, for any reason or for no reason, provided the termination decision shall be subject to formal ratification by the Town Council. If the Employer terminates this Agreement and Employee's employment at a time when Employee is willing and able to perform the duties of the Public Works Director, then the provisions of Subparagraphs B, C, D and E below shall apply.

B. All salary payable to Employee under this Agreement shall immediately cease, except that the Employer shall pay to Employee all salary and benefits earned but not paid as of the date of termination. In addition, Employer shall pay to Employee all amounts due and owing for vacation and separation leave. Employer shall make such payments not later than the next regularly scheduled pay period payday after the date of termination.

C. If the Employer terminates this Agreement as provided in subparagraph A, then the damages suffered by Employee will be difficult to ascertain and measure with certainty, taking into account any alleged injury to Employee's future employment prospects and/or reputation. Accordingly, the parties desire to establish an amount of liquidated damages which will resolve and settle any future disputes between them regarding such termination. Therefore, if the Town Manager, and in the absence of said Town Manager, the Town Council (which also stands as the Town Board of Public Works and Safety) terminates this Agreement, then not later than fourteen (14) days after the date of termination, the Employer shall pay to Employee liquidated damages in a lump sum equal to four (4) months salary. Employee agrees to accept such liquidated damages as full and complete settlement of all claims and causes of actions which he may have against the Employer or any of its officials, officers, agents, and employees arising out of such termination. Employee agrees to execute and deliver to the Employer, at the time of payment of the liquidated damages, a document releasing the Employer, its officials, officers, agents and employees from all liability for damages, litigation expenses, court costs and attorney fees arising out of such termination.

D. If the Employer terminates this Agreement as provided in subparagraph A because Employee has committed an act or omission which constitutes illegal or immoral conduct or misfeasance or malfeasance in office or other just cause for termination, then subparagraph C shall not apply.

E. Notwithstanding anything herein to the contrary, should Employee be unable to perform the duties and obligations of this Agreement by reason of illness, accident or other

disability beyond his control, Employee's disability benefits shall be provided pursuant to the Town's Employee Benefit Handbook.

TERMINATION BY THE EMPLOYEE

A. Employee may terminate this Agreement at anytime, for any reason or for no reason, by delivering to the Town Manager, and in the absence of said Town Manager, the Town Council (which also stands as the Town Board of Public Works and Safety) a written notice of resignation not later than four (4) months prior to the effective date of the termination. If Employee terminates this Agreement, then the provisions of subparagraph B and C below shall apply.

B. On the date of termination all salary payable to the Employee under this Agreement shall cease, except that the Employer shall pay to Employee all salary and benefits earned but not paid as of the date of termination. In addition, the Employer shall pay to Employee all amounts due and owing for vacation leave and separation leave. The Employer shall make such payments not later than the next regularly scheduled pay period payday after the date of termination.

C. The Employer shall not pay liquidated damages to Employee and Employee shall not sign a release in favor of the Employer.

16. DEATH DURING EMPLOYMENT

If Employee dies during the term of this Agreement, the Employer shall pay to the widow of Employee, or if he is not then survived by a wife, to the surviving child or children of Employee, all compensation, and any accrued benefits, which would otherwise be payable to Employee up to the end of the month in which his death occurs; provided, however, that in the event Employee is not survived by his spouse or child or children, the amount shall be payable to his estate.

17. PROFESSIONAL DEVELOPMENT

A. Subject to limits established in the approved annual budget, the Employer agrees to pay for professional dues, subscriptions, training, travel and subsistence of Employee necessary for his professional development and for the good of the Employer.

B. The Employer agrees to reimburse expenses of a non-personal, but job related nature incurred for the business of the Employer. The Clerk-Treasurer is authorized to disburse such moneys upon receipt of duly executed expense or petty cash vouchers, receipts, statements or personal affidavits.

18. GENERAL PROVISIONS

A. This instrument contains the entire Agreement of the parties. It shall continue in force until it is changed or modified by an instrument in writing executed with the same

Memorandum of Meeting  
Monday, April 15, 2024

formality or until such time Employee is terminated or resigns as provided herein.

B. This Agreement may not be assigned by either party without the written consent of the other party.

C. If any provision or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

D. This Agreement may be amended only with the written consent of both parties.

E. This Agreement shall be governed by the laws of the State of Indiana.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first-above written.

TOWN COUNCIL OF THE TOWN OF  
HIGHLAND, LAKE COUNTY, INDIANA

\_\_\_\_\_  
Phillip Scheeringa, President

\_\_\_\_\_  
Mark Knesek, Employee

ATTEST:

\_\_\_\_\_  
Mark Herak, Clerk-Treasurer

x. **Discussion:** Restructure the position of Public Works Supervisor

Dear Council,

With the retirement of Mike Pipta, I would like to restructure the position of Facilities Supervisor.

This position has changed in recent years and with the major sewer project taking place in the future and several pump stations being eliminated, I would like to change this position to a Lead Operator. The Lead Operator would be a promotion to one of the current operators that holds the proper licenses from the Indiana Department of Environmental Management. This position would be a 10% increase to the current hourly rate. This position would be directly supervised by the Operations Director. Staffing short falls due to illness and vacations would be filled by the other public works divisions.

At the same time, I would like to propose a 10% salary increase for the Street Supervisor, Water & Sewer Supervisor and the Maintenance Supervisor. These 3 positions are underpaid when compared to regional pay scales. It is very important to keep these employees on staff for the future of Highland. With the recent Consent Decree by the Department of Justice for the Town of Highland, these supervisors will play a key part in the new regulations of the decree. The 10% increase will bring them to a new rate of \$2,998.44 per pay. Below is a comparison of the town rates for supervisors I found in the Gateway.

Town of Munster Maintenance Supervisor	\$3,086.00
Town of Munster Water & Sewer Supervisor	\$3,948.00
Town of Dyer Supervisor	\$2,998.00
Town of Griffith Street Supervisor (straight rate OT)	\$2,884.61
Town of Schererville Water & Sewer Supervisor	\$3,393.73
Town of Merrillville Street Supervisor	\$3,042.83

These rates are all from 2023 and do not reflect 2024 pay increases.

With the elimination of the Facilities Supervisor position and the 10% increases, the savings for the town will be \$45,000 per year + benefits.

Thank You

Mark Knesek

Public Works Director

Prior to the meeting, the Public Works Director distributed to the Council the above proposal on how he wants to restructure and redistribute the facilities supervisor position. He said with the retirement of Mike Pipta, he talked it over with the other supervisors and they were comfortable that the position wasn't necessary and no need to fill the position of facilities supervisor but instead create a new position called the lead pump station operator. Mike's assistant has been with him for seven (7) years and could fill the role of lead pump station operator. He said, while researching the position in Gateway, he looked at other supervisor positions in other Towns and found out that

Highland pays their supervisors well under what other Towns are paying their supervisors. He said, by not filling the facilities supervisor position, there would be an annual savings of \$45,000 and he would like to see the savings distributed in the form of a 10% increase for the supervisors.

Councilor Turich asked if the \$45,000 savings included benefits and he was told no. He then asked the public works director about job descriptions. When comparing the salaries other Town's are paying their supervisors, did he actually get a copy of the job descriptions and compare their job descriptions with Highlands.

The Public Works Director said he only compared job titles and salaries as they appeared in Gateway with those of Highland.

Councilor Turich then asked the Public Works Director if there was any way he could attain the other Town's job descriptions and compare them with Highland's? He wanted to make sure the responsibilities are the same. He said he wasn't disputing they're underpaid but it could be that the person who is being paid more has more responsibilities. This would be a perfect time to do a matrix of the various town's job titles and responsibilities.

Councilor Scheeringa said he understands where Councilor Turich is coming from. He wanted to make sure the job descriptions are similar to the titles of the other towns. It could be our maintenance supervisor is doing half of what the maintenance supervisor is doing in Munster. He wanted to make sure the duties are similar.

As discussion continued, it was felt that the proposal was not ready for formal action and the public works director needed to get copies of the various towns job descriptions and do a comparison. The Public Works Director said he would try to get the job descriptions from the various towns and do a comparison.

The Council President advised not to place the restructuring on the next plenary meeting agenda.

**x. Discussion: Animal Ordinance**

Attorney Reed had passed out the below memorandum regarding the animal ordinance. He said he was surprised how many communities don't have an ordinance. He said he tried taking the best parts of those communities which have an ordinance and did receive an email from Councilor Robertson with suggestions on changes he would like to see made. Overall, the proposed ordinance limits the number of pets to four (4), which could be three (3) dogs and one cat or three (3) cats and one dog. He said he amended the fine section, increasing the fines. He said all violations refer to our penalty section and the largest penalty is for public nuisance and the fine is a maximum of \$100 a day. The more egregious violations can go up to \$250 per day. The violator will have the opportunity to pay the fine on-line or if the person doesn't voluntarily pay, they will have to go before a



judge. If the person doesn't show up in court, the judge can issue a bench warrant. There is no imprisonment with these violations and there is no appeal process.

Councilor Scheeringa asked about fostering of animals and how long can they stay in a house before the family has to give them up?

Attorney Reed said he did not put in any time frame because each case is different and each a different time frame to find them a home. He felt every exception to the rule becomes a loophole.

Councilor Turich asked what if a person already has more than four (4) animals and this ordinance is adopted, are they allowed to keep the animals or will they have to get rid of them?

Attorney Reed said you don't want to use the word grandfather but if the animals were properly registered, the owner would be allowed to keep them and as the animals go or pass away, the owner would not be allowed to replace. He said you cannot retroactive your code.

Councilor Turich said setting a limitation is hard for him because I'm sure there are a lot of residents in the community that may have more than four (4) animals in their household and they are probably taken care of very well and the animals are well behaved. He said it seems that we're creating something that punishes those individuals. He said he didn't want to negatively affect them as they are probably great pet owners but he doesn't want to see another instance like happened almost a year ago or maybe a little bit longer.

Attorney Reed was asked about chickens. He said it's not in this ordinance and he'd rather not start talking about it. He said it is better to take a back seat and see what plays out in Dyer. Dyer introduced an ordinance allowing chickens. He said our ordinance issues violations as far as nuisances, dangerous animals and animals that attack other animals or people. He said he would like to increase the penalties on those as well. He said a \$100 fine isn't going to scare a lot of people. You start talking about \$250 a day and that will encourage people to keep a closer watch of their animals. He said the one thing with this ordinance, is it allows an officer to respond to a residence for whatever reason and if he comes across a resident with five (5) or more animals, he'll report it as a resident having too many animals and we'll have to do something about it.

Councilor Black said if you look at the size of the lots we have in Highland, is the resident really able to care for the animals or keep up after them.

Councilor Turich asked how do we determine who is and who isn't doing a good job taking care of their animals? How do you measure if someone is capable? I think by putting a number, you're affecting people. People who are doing the right thing in the community and who are good pet owners, who register their pets. He said were considering an ordinance that limits the number of animals a person has in response to

an incident where someone got injured. That's reactive and I don't want to be reactive as that is bad too. That's why I'm having this conversation.

Attorney Reed said that what he sees in court, is that a lot of people don't register their animals until they get caught. They get caught because their animal got out of the house or a neighbor complained to the police. For example, a barking dog complaint. The officer goes to the house because of the complaint and they discover the animals are not registered.

Councilor Scheeringa says he doesn't want to penalize someone who is trying to do the right thing, like foster cats but how do we prevent what happened with those dangerous dogs?

Attorney Reed said he doesn't know if you can. A irresponsible dog owner is an irresponsible dog owner. They could have one animal and it could happen.

Councilor Scheeringa said that putting a number to something doesn't mitigate the issue in my opinion.

Councilor Black said its his thought that by putting a number, I think if the number is more than two (2) animals, you can't give the animals enough attention they deserve. In the earlier incident, which was my ward, the resident had nine (9) dogs.

Attorney Reed said if you left the ordinance the same and increased the fines from \$10 to may be \$100 and the serious offenses from \$250 to \$1,000, people might be more cautious.

As discussion continued, Councilor Turich suggested we leave the ordinance the same as and have more discussion on it.

Councilor Scheeringa said he agreed with Councilor Turich and felt that this ordinance required more discussion. The Council President advised not to place the restructuring on the next plenary meeting agenda.

**MEMORANDUM**

To: Town Council & Clerk Treasurer

From: John P. Reed, Esq.

Date: April 11, 2024

Re: Highland Animal Limitation Ordinance

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**Question Presented**

You asked me to 1) research town ordinances restricting the number of cats and dogs in a single residence and 2) draft a comparable ordinance for the town of Highland. My findings are as follows:

**Comparable Ordinances**

- Belleville, Wisconsin

**§ 191-14 Limitation on number of dogs.**

A. Purpose. The keeping of a large number of dogs within the Village of Belleville for a considerable period of time detracts from and, in many instances, is detrimental to healthful and comfortable life in such areas. The keeping of a large number of dogs is, therefore, declared a public nuisance.

B. Number limited. No residential unit in the Village of Belleville shall keep or harbor in its possession more than three dogs, except that a litter of pups or a portion of a litter may be kept for not more than 10 weeks from birth.

C. Noncompliance penalty. A residential unit in violation of this section will have 15 days to come into compliance with this section once written notice is given by a Village official. Failure to comply after 15 days will result in a per-day fine set by Municipal Court Deposit Schedule.

- Brookston, Indiana

**§ 90.08 Restriction on the number of cats and dogs in a single residence.**

(A) No more than three dogs or three cats (except in the case of littermates less than six months of age) shall be kept, harbored, raised, or possessed at any single residence, location, or premises within the town except where such keeping, harboring, raising, or possessing is incidental to the operation of a licensed animal hospital, or a kennel properly licensed by the Township Trustee. The keeping, harboring, raising, or possessing of more than said number of such dogs or cats, except where same is incidental to the animal hospital or kennel, is declared a

nuisance and dangerous to the public health, safety, and welfare. In addition to the penalties provided for this section, any person violating this section may be ordered to abate the nuisance.

(B) This section shall be effective from and after its passage.  
(Ord. 3-2003, passed 2-26-2003) Penalty, see § 90.99

- Clarksville, Indiana

**§ 91.105 Number of Dogs on Residentially Used Property.**

(A) It shall be unlawful for any person to own and or keep more than four dogs or four cats, or a combination of four dogs and cats over the age of twelve weeks of age. To maintain more animals than stated in the previous sentence, the owner must obtain and maintain a kennel license obtained from the Planning and Zoning Department.

(B) It shall be unlawful for any person to breed more than two domestic animals for reproduction in a 12-month period without obtaining a kennel license from the Planning and Zoning Department.

(Ord. 2020-G-3, passed 6-16-20)

- Glenview, Illinois

**§ 14-9 Maximum Number of Animals Allowed to be Kept**

(a) Except for fish which are kept in an aquarium or pool, or bees maintained in a hive, it shall be unlawful for any person to own, keep, care for, have custody of or knowingly permit at any time more than ten animals per dwelling unit, including but not limited to any garage, yard or other structure associated with said dwelling unit. Not more than five of such animals shall be dogs and/or cats.

(b) The limitations of this section shall not apply to properly established and zoned veterinary hospitals, pet shops, pounds, or animal shelters.

(Code 1959, § 4.9; Ord. No. 5346, § 4, 5-18-2010)

- Hinsdale, Illinois

**§ 5-7-3 Number Permitted:**

No person shall keep or allow to be kept on the premises owned, occupied, or lawfully controlled by such person within the Village more than four (4) dogs, cats, or combination of dogs and cats of the age of four (4) months or older; provided, however, that the provisions of this Section shall not apply to the Hinsdale Animal Shelter, the Hinsdale Humane Society, or any kennel or hospital validly located in the Village pursuant to applicable Village codes and ordinances. (Ord., 2-3-1987; amd. Ord., 3-2-1993)

- River Forest, Illinois

**§ 8-3-5 Limitation on Number of Dogs Kept:**

No person shall permit more than two dogs to be or remain in or about any single-family residence, building or lot, nor more than one dog in any single-family unit in any multiple housing building within the village under his control at any time. This section applies only to dogs required to be licensed under this chapter. (1981 Code)

**Highland Draft Ordinance and Amended Penalty Section**

**6.05.065 Number Permitted.**

(A) No person or persons shall keep or allow to be kept on the premises owned, occupied, or lawfully controlled by such person or persons within the Town of Highland more than four (4) dogs, cats, or combination of dogs and cats of the age of four (4) months or older.

(B) The limitations of this section shall not apply to properly established and zoned veterinary hospitals, pet shops, pounds, or animal shelters.

Penalty, see HMC 6.05.1110 (D)

**6.05.110 Penalty (Amended).**

(A) Except as otherwise provided, any person, entity or organization who shall violate HMC 6.05.040(A), (B) or (E), 6.05.090, 6.05.100, or 6.10.010 shall be fined in the amount set forth in the designated schedule as a payable offense subject to admission before the violations clerk of the ordinance violation bureau in the amount set forth in the admissions clerk payable offenses schedule in HMC 9.85.060.

(B) If such persons, entity or organization shall violate HMC 6.05.040(A), (B) or (E), 6.05.090, 6.05.100, or 6.10.010 and there is a failure to satisfy the civil violation as set forth in Chapter 9.85 HMC, then such violations shall be construed as justiciable offenses, and upon conviction or a finding of liable, shall be subject to a fine of not less than \$10.00, and no more than \$100.00 per violation. Each day of such unlawful activity as is prohibited shall be deemed a separate offense.

(C) Any person or persons who shall violate 6.05.065(A) shall be fined in an amount not less than \$250.00, and no more than \$1,000.00 per violation. Each day of such unlawful activity as is prohibited shall be deemed a separate offense.

(D) Any person violating any other provisions of this chapter excluding those provisions set forth in subsections (A) and (B) of this section shall be punished by a fine of not less than \$10.00, and no more than \$100.00 per violation. Each day of such unlawful activities as is prohibited shall be deemed a separate offense. [Ord. 1471 § 1, 2010. Code 1983 § 4-11; Code 2000 § 92.99].

x. **Discussion:** HCCE By-Laws

Attorney Reed said he is still working on them and should have them to the Council shortly.

x. **Discussion:** Sign Ordinance

Council Georgeff asked Attorney Reed where he stood with the sign ordinance. He said he is still working on it and should have them to the Council shortly.

- x. **Discussion:** Councilor Robertson asked Attorney Reed where he stood on reviewing the Alpine Amusement Contract, as the amusement operator was asking the status. Even though he has reserved the 4th of July date for Highland, he would like to have a signed contract.

Attorney Reed said he is still working on it and should have it to the Council shortly.

- x. **Discussion:** Councilor Robertson asked the Council to consider the quote from Sound Cool Live Audio of \$700 to create the power point/video reel for the sponsors ads and band logos. Whereas no action was taken , the general consensus of the Council was to proceed and have a purchase order placed.

Councilor Scheeringa asked if there were any additional agenda items. Hearing none, he adjourned the meeting at 8:00 p.m.