

HIGHLAND REDEVELOPMENT COMMISSION
DISCUSSION TOPICS for STUDY SESSION - DRAFT
TUESDAY, JANUARY 26, 2021
7:00 P.M.

This meeting will be convened as an electronic meeting pursuant to Governor Holcomb's Executive Order 20-04, 20-09 and 20-25 now extended through 30 January 2021 by his Order 20-52, allowing such meetings, pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 emergency.

People may observe the meeting by joining the meeting on the Zoom platform
<https://zoom.us/j/95766935542?pwd=WIE5aGxWZndBeid5V1FSSEx3MkRrZz09>

Further, persons wishing to join the meeting may access the electronic meeting by using the preceding Zoom link and adding the **Meeting ID: 957 6693 5542** and **Password: 547040**

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TUESDAY, JANUARY 26, 2021
7:00 P.M

1. Review of the Plenary Business Meeting agenda
2. Parking Lot Project Highway & Kennedy – Update
3. Bult Oil Property - Discussion
4. Redevelopment Commissioners Comments

AGENDA FOR PLENARY MEETING

HIGHLAND REDEVELOPMENT COMMISSION

This meeting will be convened as an electronic meeting pursuant to Governor Holcomb's Executive Order 20-04, 20-09 and 20-25 and now extended by Executive Order 20-52 through 30 January 2021 allowing such meetings, pursuant to IC 5-14-1.5-3.6 for the duration of the emergency.

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MONDAY, JANUARY 26, 2021

7:00 P.M.

DRAFT

Roll Call:

**Commissioner Sean Conley
Commissioner George Georgeff
Commissioner Cyril Huerter
Commissioner William "Bill" Leep
Commissioner Robyn Radford**

Minutes of Previous Sessions:

1. Approve Minutes of Study Session and Plenary Business Meeting of December 15, 2020.
2. Approve Minutes of Special Plenary Business Meeting of January 12, 2021.
3. Approve Minutes of Study Session of January 12, 2021.

Special Orders:

Public Comment:

Communications:

Unfinished Business and General Orders:

New Business:

1. **Resolution 2021-02:** Consideration of a Resolution of the Redevelopment Commission to Amend Rules & Regulations Adopted by Resolution 2019-25 Pursuant to Its Authority Under IC 36-7-14-8(c) and (g).
2. **Resolution 2021-03:** Consideration of a Resolution of the Highland Redevelopment Commission Approving and Adopting an Agreement for Legal Services to the Highland Redevelopment Commission for 2021.
3. **Resolution 2021-04:** Consideration of a Resolution of the Highland Redevelopment Commission Approving an Agreement for Financial Professional Services and General Redevelopment Consulting to the Highland Redevelopment Commission for 2021.
4. **Resolution 2021-05:** Consideration of a Resolution of the Highland Redevelopment Commission Approving an Agreement for General Engineering Services to the Highland Redevelopment Commission for 2021.
5. **Resolution 2021-06:** Consideration of a Resolution of the Highland Redevelopment Commission Adopting and Approving an Agreement for Grant Planning and Development Services to the Highland Redevelopment Commission for 2021.
6. **Resolution 2021-07:** Consideration of a Resolution of the Highland Redevelopment Commission Authorizing, Accepting and Approving the Conveyance, Return and Transfer of a Certain Parcel of Land and/or its Improvements to the Parks and Recreation Department and the Public Works Department (agency) of the Town of Highland in Consequence of the Completion of the Redevelopment Project and Improvement Work Performed by the Redevelopment Department.
7. **Resolution 2021-08:** Consideration of a Resolution of the Highland Redevelopment Commission Approving an Agreement for Broker Services to the Highland Redevelopment Commission for 2021.
8. Authorization of the 2021 Highland Redevelopment Commission Schedule.
9. Approval of 2021 Highland Redevelopment Commission Goals.

Action to Pay Accounts Payable Vouchers:

094	Redevelopment General	\$	5,165.82
094	Redevelopment General	\$	4,882.12
094	Redevelopment General	\$	19,540.28
095	Highland Economic Development	\$	0.00
096	Redevelopment Capital	\$	40,000.00
098	Downtown Redevelopment District Allocation Area	\$	0.00
101	Redevelopment Bond & Interest	\$	0.00
107	Cardinal Campus Allocation	\$	0.00
250	CEDIT Econ. Dev. Income Tax Fund	\$	0.00
	TOTAL	\$	69,588.22

Business from the Commissioners:

Next Meeting: The next full Study Session will be February 9, 2021 and convene at 6:30 PM. The next Plenary Meeting will be held on February 23, 2021 and convene immediately following the Study Session. A study session will precede the plenary meeting at 6:30 PM and reconvene following the plenary business meeting if necessary. The next meeting of Highland Main Street is scheduled for Thursday, February 4, 2021 at 6:30 PM. The meetings will be convened electronically.

**HIGHLAND REDEVELOPMENT COMMISSION
STUDY SESSION MINUTES
TUESDAY, DECEMBER 15, 2020**

Members of the Highland Redevelopment Commission ("RC", "Commission") met in an electronically convened meeting using the Zoom platform on Tuesday, December 15, 2020. The meeting was convened as an electronic meeting pursuant to Governor Eric Holcomb's Executive Order 20-04, 20-09 and 20-25 now extended through 31 December 2020 by his Order 20-49, allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 emergency. The Study Session was called to order at 7:00 p.m. by Commission President Cy Huerter.

Minutes were prepared by Kathy DeGuilio-Fox, Redevelopment Director and Recording Secretary.

Roll Call: Commissioners present included Jack Havlin, Cy Huerter, Robyn Radford, Renee Reinhart and Tony Washick. A quorum was established.

Additional Officials Present: Patrick Krull, School Town of Highland Liaison and non-voting member; Roger Sheeman, Council Liaison to the Redevelopment Commission; John P Reed, Redevelopment attorney, Abrahamson, Reed & Bilse; Ed Dabrowski, IT Consultant; and Kathy DeGuilio-Fox, Redevelopment Director.

Also Present: There were no additional attendees identified.

General Substance of the Discussion

- 1. Review of Plenary Business Meeting Agenda:** Ms. DeGuilio-Fox reviewed the agenda items that the Commissioners were to address during their plenary business meeting.
- 2. Parking Lot Project Highway & Kennedy – Update:** A brief overview was given of the construction activities since the last report. Director DeGuilio-Fox reported the completion of all major aspects of the project except the Depot. There are several items that remain unfinished on the Depot including the rooftop signage, fascia and soffits, and installation of doors and windows. NIPSCO electrical connection also remains to be completed along with the split rail fences. And, she mentioned that she had asked the contractor to block off the lot entrances, especially at night, so no one could drive in or out without lighting to provide safe pathways. Ms. DeGuilio-Fox reminded everyone that the contractor is being pushed to get as much completed as possible in spite of the weather turning colder. Ms. DeGuilio-Fox also mentioned the two artistic panels that have been mounted to the side of the Depot. She explained that one is an historical piece describing the site and nearby where the train depot stood decades ago. And, the other is a map of the locations of the public art murals throughout the downtown. She explained that Main Street is developing a self-guided mural tour. However, Ms. DeGuilio-Fox asked that everyone pay particular attention to the frame that was built by John Mouratides of the Public Works Department. She described the frame as awesome and encouraged everyone to take a look at it. Discussion ensued.
- 3. Downtown Streetlight Retrofit or Replacement – Update:** Director DeGuilio-Fox directed Commissioners' attention to the new spreadsheet in their packets. She reminded them that new quotes had been received and the spreadsheet reflected the quotes based on a specific specification for the new fixtures. Ms. DeGuilio-Fox also advised that the installation quote had been added to the agenda due to the amount being \$16,200. This amount she explained is over the \$15,000.00 limit that she may approve without permission from the Commissioners. Discussion ensued. The Commissioners expressed satisfaction with the process, with the information they'd received and the in-depth

research that had been conducted to get the best price possible for the fixtures. Commissioners expressed interest in moving forward.

4. **Container Market – Discussion:** Ms. DeGuilio-Fox did not report any new information regarding this topic.
5. **Commercial Property Improvement Grants – Update and Discussion:** Director DeGuilio-Fox reminded the Commissioners they'd received a request from Bill Les for a completion extension on the façade improvement of his property located at 2708-2720 Highway Avenue and that the Resolution is in their packet for consideration.
6. **Highland Main Street – Restaurant Crawl:** Director DeGuilio-Fox reminded Commissioners that the December Restaurant Crawl was scheduled for Tuesday, December 29th and urged everyone to participate and support their local restaurants. The menu items for the Crawl were not provided in the commissioner's meeting packet because it was a little early in the month. Ms. DeGuilio-Fox shared what items she knew of.
7. **Redevelopment Commissioner Comments:** There were no additional comments from the Commissioners.

There being no further business the December 15, 2020 study session of the Highland Redevelopment Commission was adjourned at 7:13 P.M.

Respectfully submitted by Kathy DeGuilio-Fox, Recording Secretary.

**HIGHLAND REDEVELOPMENT COMMISSION
PLENARY MEETING MINUTES
TUESDAY, DECEMBER 15, 2020**

The Highland Redevelopment Commission ("Commission", "RC") met in an electronically convened meeting using the Zoom platform. The meeting was convened as an electronic meeting pursuant to Governor Eric Holcomb's Executive Order 20-04, 20-09 and 20-25 now extended through 31 December 2020 by his Order 20-49, allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 emergency. The Plenary Business Meeting was called to order at 7:13 p.m. by Commission President Cyril (Cy) Huerter.

Minutes were prepared by Kathy DeGuilio-Fox, Redevelopment Director and Recording Secretary.

Roll Call: Commissioners present included Jack Havlin, Cyril Huerter, Robyn Radford, Renee Reinhart and Tony Washick. A quorum was established.

Additional Officials Present: Patrick Krull, School Town of Highland liaison and no-voting member; Roger Sheeman, Town Council Liaison to the Redevelopment Commission; John Reed, Redevelopment attorney, Abrahamson, Reed & Bilse; Ed Dabrowski, IT Consultant and Kathy DeGuilio-Fox, Redevelopment Director.

Also Present: There were no additional attendees identified.

Minutes of the Previous Sessions: Commission President Cy Huerter called for a motion to approve minutes. Commissioner Jack Havlin moved to approve the minutes of the Study Session and Plenary Business meeting of November 24, 2020 and the minutes of the December 8, 2020 Study Session. Commissioner Renee Reinhart seconded the motion. There being no discussion, Commission President called for a roll call vote. Upon a roll call vote, the motion passed. The minutes of the Study Session and Plenary Business meeting of November 24, 2020 and the minutes of the December 8, 2020 Study Session were approved by a voice vote of five affirmatives and no negatives.

Special Orders: None

Public Comment: None

Communications: None

Unfinished Business and General Orders: None

New Business:

1. **Consideration of Resolution 2020-29: Resolution of the Highland Redevelopment Commission to Amend Resolution 2019-28 and Resolution 2020-24 and Provide a Completion Extension for a Commercial Property Façade Improvement Grant to Bill Les, Les Café Pancake House, of Property Located at 2708-2720 Highway Avenue.** Director DeGuilio-Fox reminded the Commissioners as to the reason for this resolution. Having duly considered Resolution 2020-29 and there being no further discussion, Commission President Cy Huerter called for a motion to approve. Commissioner Renee Reinhart made a motion to adopt and authorize Resolution 2020-29. Commissioner Robyn Radford seconded the motion. There was no further discussion. Commission President Cy Huerter called for a roll call vote. Upon a roll call vote the motion passed by a voice vote of five affirmatives and no negatives.

2. **Consideration of Resolution 2020-30: Resolution of the Highland Redevelopment Commission Accepting the Quote of Chicago Lightworks for the Downtown Street Lighting Replacement Project Being the Lowest Responsive and Responsible Quote in the Amount of Seventy-Eight Thousand Seven Hundred and Forty Dollars and 00/100 Cents (\$78,740.00).** There being no further discussion Commission President Cy Huerter called for a motion in consideration of Resolution 2020-30. Commissioner Jack Havlin moved to accept Resolution 2020-30. Commissioner Tony Washick seconded the motion. There was no further discussion. Commission President Huerter called for a roll call vote. Upon a roll call vote the motion to accept passed by a voice vote of five affirmatives and no negatives.
3. **Approval of Highland Redevelopment Commission Downtown Parking Lot Renovation Change Order Number 10:** Director DeGuilio-Fox explained that this change order is different from the others in that it provides a credit of \$60,578.23 to the project. In considering this credit and the total project adjustments are \$10,348.53. Commissioner Huerter asked if the commissioners had any questions regarding Change Order Numbers 10. Having discussed the change order and there being no further comments, Commissioner Huerter called for a motion to approve Change Order Number 10 as identified on the agenda. Commissioner Havlin made a motion to approve Change Order Number 10 as presented. Commissioner Radford seconded the motion. There being no further discussion Commission President Cy Huerter called for a roll call vote. Upon a roll call vote the motion passed by a voice vote of five affirmatives and no negatives.
4. **Consideration of Resolution 2020-31: Resolution of the Highland Redevelopment Commission Accepting the Quote of Midwestern Electric, Inc. for Installation of the Downtown Street Lighting Replacement Fixtures in the Amount of Sixteen Thousand Two Hundred Dollars and 00/100 Cents (\$16,200.00).** There being no discussion Commission President Cy Huerter called for a motion in consideration of Resolution 2020-31. Commissioner Havlin moved to accept Resolution 2020-31. Commissioner Reinhart seconded the motion. There was no further discussion. Commission President Huerter called for a roll call vote. Upon a roll call vote the motion to accept passed by a voice vote of five affirmatives and no negatives.
5. **Consideration of a Vacation Buy-Back Request form the Redevelopment Director.** Director DeGuilio-Fox explained that there were not enough days left in the year for her to take all of the allotted vacation time. Therefore, the only option was to "buy back" vacation time. There was no discussion on the topic. Commission President Cy Huerter called for a motion in consideration of the Director's request. Commissioner Washick moved to accept the Director's request to buy back vacation time. Commissioner Havlin seconded the motion. There being no further discussion Commission President Huerter called for a roll call vote. Upon a roll call vote the motion to accept passed by a voice vote of five affirmatives and no negatives.

Action to Pay Accounts Payable Vouchers: Commissioner Radford made a motion to pay accounts payable vouchers as filed on the pending accounts payable docket, covering the period November 27, 2020 through December 16, 2020 in the amount of \$224,673.11. Payroll expenses for Redevelopment employees were not included on this December docket. Commissioner Havlin seconded the motion to approve the Accounts Payable Vouchers. There being no further discussion Commission President Huerter called for a roll call vote. Upon a roll call vote the motion passed with five affirmatives and no negatives.

Vendors Accounts Payable Docket:

Redevelopment General Fund, \$6,906.23; Highland Economic Development, \$0.00; Redevelopment Capital Fund, \$36,934.49; Downtown Redevelopment District Allocation Area, \$177,965.41; Redevelopment Bond & Interest, \$0.00; CEDIT Economic Development Income Tax Fund, \$2,866.98 and Cardinal Campus Allocation Area, \$0. Total: \$239,264.10.

Business from the Commissioners: 1. Commission President Huerter asked if there was any business from the commissioners. Commissioner Huerter asked is we have another plan for the Bult Oil property. Ms. DeGuilio-Fox confirmed that the environmental covenant, approved by the Commissioners at their November meeting, has been recorded at the Lake County Recorder's office. In January the Commissioners may begin to negotiate a new selling price with an interested party. She suggested the Commissioners discuss this topic at their study session in January. 2. Commissioner Washick asked if there are any plans for the former Town Theatre property. Director DeGuilio-Fox advised that she has been talking with an interested Developer. However, they've asked that their name is not disclosed at this time. They are hoping to speak with other property owners in the vicinity soon and will know more once they have those conversations. 3. Commissioner Huerter asked if there is any additional information to share in regard to the gas station. Director DeGuilio-Fox reported that the conversation she and Ken Mika had with the Speedway representatives has moved them to make plans to demolish the existing structure on the Kennedy Avenue property and clean it up. 4. Commissioner Huerter asked about the Highland Plaza and the former Ultra property. Ms. DeGuilio-Fox reported that most inquiries are related to self-storage developments which the Town does not allow. She also mentioned that she is having conversations with a family-owned business in Illinois who is interested in the former Ultra store. However, an agreement has to be reached with DLC Management who currently owns the property before anything can come to the Town for consideration. 5. Commissioner Huerter also asked for an update regarding the former Tri-State Bus property on north Indianapolis Blvd. Director DeGuilio-Fox reported that the corporation who had interest in the property has withdrawn their offer to purchase due to a lack of interest by the Town. If there is more information in the future it will be reported.

Next Meeting: President Huerter advised that the next Study Session is scheduled for Tuesday, January 12, 2021 and will convene at 7:00 PM. The next Plenary Business Meeting is scheduled for Tuesday, January 26, 2021 immediately following the study session. A Study Session will reconvene following the public meeting, if deemed necessary. The next meeting of the Highland Main Street is scheduled to convene on Thursday, January 7, 2021 at 6:30 p.m. Due to the Executive Orders issued by Governor Holcomb in response to the COVID-19 pandemic, a decision will be made as to whether meetings will be convened electronically or if the opening of the Town Hall will allow for a public meeting to be held in Council Chambers.

Adjournment: There being no further business, Commission President Huerter called for a motion to adjourn. Commissioner Havlin made a motion to adjourn. Commissioner Washick seconded the motion. Upon a roll call vote the motion passed by a voice vote of five affirmatives and no negatives. The December 15, 2020 public meeting of the Highland Redevelopment Commission was adjourned at 7:38 p.m.

Respectfully submitted by Kathy DeGuilio-Fox, Recording Secretary

**HIGHLAND REDEVELOPMENT COMMISSION
SPECIAL PLENARY MEETING MINUTES - DRAFT
MONDAY, JANUARY 12, 2021**

The Highland Redevelopment Commission ("Commission", "RC") met in an electronically convened meeting using the Zoom platform. The meeting was convened as an electronic meeting pursuant to Governor Eric Holcomb's Executive Order 20-04, 20-09 and 20-25 and now extended through 30 January 2021 by his Executive Order 20-52, allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 health emergency.

Opening Ceremony: Clerk-Treasurer Michael Griffin asked the Commissioners' designate to please stand for their oath of office. Mr. Griffin stated that although he generally likes to administer the oath individually to each new commissioner, under the circumstances – meeting via the Zoom platform - he will administered the oath to the group as a whole. He explained that administering the oath is allowed by Indiana statute to be done electronically. Mr. Griffith went on to cite the Indiana statute that describes the office the redevelopment commissioners hold and explained the duties of a commissioner. At that, Clerk-Treasurer Griffin gave brief instructions, asked the commissioners to stand and administered the oath to them. He congratulated and welcomed them to the Redevelopment Commission.

Prior to calling the meeting to order Director DeGuilio-Fox caused the annual reorganization & election of officers to occur for the Highland Redevelopment Commission. Ms. DeGuilio-Fox initiated the call for Commission officer nominations.

Nomination of candidate(s) for president: Commissioner Bill Leep nominated Commissioner Cyril Huerter to serve as president of the Redevelopment Commission. Commissioner George Georgeff seconded the motion. There being no other nominations, nominations were closed. There was no discussion. Upon a roll call vote the motion passed with five affirmative votes and no negatives.

Nomination of candidate(s) for vice president: President Huerter asked for nominations for Vice President. Commissioner Robyn Radford nominated Commissioner Georgeff to serve as vice president. Commissioner Leep seconded the motion. There being no other nominations, nominations were closed. There was no discussion. Upon a roll call vote the motion passed with five affirmatives and no negatives.

Nomination of candidate(s) for secretary: President Huerter asked for nominations for secretary. Commissioner Leep nominated Commissioner Radford to serve as secretary. Commissioner Sean Conley seconded the nomination. There being no other nominations, nominations were closed. There was no discussion. Upon on roll call vote the motion passed with five affirmatives and no negatives.

Outgoing commissioner Havlin asked for permission to speak. He and former commissioner Washick thanked the Redevelopment Commission for the opportunity to serve. Both felt that their experience was gratifying and that they had learned a great deal during the time they served. Mr. Havlin and Mr. Washick wished the Commission well and encourage the group to continue to do all that they could do to improve the Town of Highland.

Commissioner Huerter and Director DeGuilio-Fox thanked outgoing commissioners Havlin, Reinhart and Washick for their service, acknowledging that their appointment mid-year in 2020 was under extenuating circumstances. Nevertheless, their service, participation and the skills they brought to the table were appreciated. They were encouraged to continue to serve on a Town Board or Commission if interested.

Commissioner Sheeman welcomed the recently appointed commissioners and expressed his appreciation to the outgoing commissioners for their service. He offered his help to the commission and invited the Commissioners to contact him whenever they feel the need.

The **Special Plenary Meeting** of the Highland Redevelopment Commission was called to order at 7:10 PM on Monday, January 12, 2021. Taking minutes for the meeting was Recording Secretary and Redevelopment Director Kathy DeGuilio-Fox.

Roll Call: Commissioners present were Sean Conley, George Georgeff, Cyril Huerter, Bill Leep and Robyn Radford. A quorum was attained.

Additional Officials Present: Pat Krull, School Town of Highland Liaison and non-voting member; Roger Sheeman, Town Council Liaison to the Redevelopment Commission; John Reed, Redevelopment attorney, Abrahamson, Reed & Bilse; Ed Dabrowski, IT Consultant; and Kathy DeGuilio-Fox, Redevelopment Director.

Also present: Jack Havlin, Renee Reinhart and Tony Washick.

Minutes of the Previous Meetings: None considered.

Special Orders: None

Public Comment: Pat Krull thanked the outgoing members for their service and advised the Commissioners that Bob Kuva, recently elected president of the School Town of Highland Board, reappointed him to act as liaison to the Redevelopment Commission.

Communications: None

Unfinished Business and General Orders: None

New Business:

1. **Ratification of the Special Plenary Meeting** to Consider Highland Redevelopment Commission Resolution 2021-01. Attorney Reed ratified the meeting citing the meeting notice that was advertised in a timely manner and within the required 48-hour time period.
2. **Consideration of Resolution 2021-01: A Resolution of the Highland Department of Redevelopment Highland Redevelopment Commission Authorizing Compensation for Certain Employees to be Derived from the Proper Fund of the Redevelopment Department of the Town of Highland, Lake County, Indiana.** Commissioner Georgeff made a motion to adopt Resolution 2021-01. Commissioner Leep seconded the motion. Discussion ensued and the purpose of the resolution was explained to the Commissioners. Although approval for an increase in pay for employees of the Town of Highland had been adopted by the Town Council proper authorization to use funds from each department was also required. Upon a roll call vote the motion was approved by a vote of five affirmatives and no negatives.

Action to Pay Accounts Payable Vouchers: None

Business from the Commissioners: None

Adjournment: There being no further special business of the Highland Redevelopment Commission, Commissioner Leep made a motion to adjourn the meeting. Commissioner Conley seconded the motion.

Upon a voice vote, the motion passed. The January 12, 2021 special plenary meeting of the Highland Redevelopment Commission was adjourned at 7:27 p.m.

Next Meeting: The next Public Meeting will take place on January 26, 2021 and convene immediately following the regularly scheduled study session. The next meeting of the Highland Main Street is scheduled for Thursday, February 4, 2021 at 6:30 p.m. Meetings will continued to be convened electronically.

Respectfully submitted by Kathy DeGuilio-Fox, Recording Secretary

**HIGHLAND REDEVELOPMENT COMMISSION
STUDY SESSION MINUTES - DRAFT
TUESDAY, JANUARY 12, 2021**

Members of the Highland Redevelopment Commission ("RC", "Commission") met in an electronically convened meeting using the Zoom platform on Tuesday, January 12, 2021. The meeting was convened as an electronic meeting pursuant to Governor Eric Holcomb's Executive Order 20-04, 20-09 and 20-25 now extended through 30 January 2021 by his Order 20-52, allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 emergency. The Study Session was called to order at 7:36 p.m., after the adjournment of a Special Plenary Session, by Commission President Cy Huerter.

Minutes were prepared by Kathy DeGuilio-Fox, Redevelopment Director and Recording Secretary.

Roll Call: Commissioners present included Sean Conley, George Georgeff, Cy Huerter, Bill Leep and Robyn Radford. A quorum was established.

Additional Officials Present: Patrick Krull, School Town of Highland Liaison and non-voting member; Roger Sheeman, Council Liaison to the Redevelopment Commission; John P Reed, Redevelopment attorney, Abrahamson, Reed & Bilse; Ed Dabrowski, IT Consultant; and Kathy DeGuilio-Fox, Redevelopment Director.

Also Present: Jack Havlin, Renee Reinhart and Tony Washick.

General Substance of the Discussion

- 1. Parking Lot Project Highway & Kennedy – Update:** A brief overview was given of the construction activities since the last report. Director DeGuilio-Fox reported that there are several items that remain unfinished on the Depot. She reported that NIPSCO has connected the parking lot lights to the grid and as of Friday January 8th the lots were set for dusk to dawn lighting. Ms. DeGuilio-Fox reported she has a meeting scheduled onsite with the contractor, project manager and the Highland department heads involved in the project (Ken Mika, Mark Knesek and Alex Brown) so that a punch list could be created for those items that remain unfinished. Discussion ensued.
- 2. Downtown Streetlight Retrofit or Replacement – Update:** Director DeGuilio-Fox reported that the lights are on order and that she has been advised it will take approximately 6 weeks for delivery. She also reported that the installer – Midwestern Electric – has been notified of the approximate delivery date.
- 3. 2021 Meeting Schedule – Discussion:** Ms. DeGuilio-Fox presented the proposed 2021 meeting schedule to the commissioners. She asked if they would like to reschedule the December plenary business meeting now rather than waiting until the end of the year. Commissioners agreed that it had worked well moving the December 2020 meeting to a date earlier than the week of Christmas and agreed the change could be added to the 2021 schedule at this time. Ms. DeGuilio-Fox also raised the idea of starting meetings at 6:30 pm rather than 7:00 pm. The Commissioners agreed that was a good idea and asked that the earlier time be incorporated into the 2021 meeting schedule.
- 4. Bult Oil Property – Information:** Director DeGuilio-Fox suggested the former Bult Oil property be listed by a real estate broker since their November 2020 public offering of the property yielded no proposals or purchase offers. Commissioner Georgeff commented that many brokers do not list on all of the available sites and suggested the Commission advertise the property through the Gazebo Express. Discussion ensued. The Commissioners asked that Director DeGuilio-Fox pursue that idea in the hopes that a buyer could be found for the property.

5. **Commercial Property Improvement Grants – Update and Discussion:** Director DeGuilio-Fox reported that they continue to wait for a completed packet from the Wendlands and that there has been discussion between the Redevelopment office and the Wendlands about the necessary paperwork. She will keep the Commissioners apprised of the grant request from the Wendlands.

6. **Redevelopment Commissioner Comments:**

- a. Commission President asked that the 2020 goals be included in the upcoming meeting packet so that the Commissioners could discuss the goals and approve them for 2021.
- b. Commissioner Huerter inquired as to the status of numerous properties/projects including the former Speedway property on Kennedy Ave. Ms. DeGuilio-Fox updated the Commissioners as to the status of the Speedway project on 45th and Kennedy that is currently before the Plan Commission as well as the vacant property on Kennedy Avenue. Attorney Reed and Council Liaison Sheeman reiterated that the property could be condemned and taken by Eminent Domain. Attorney Reed suggested that the value of the property could be determined by appraisers chosen by both the Redevelopment Commission and Speedway and that these values would be used by a judge in determining the amount to be paid by the Commission to Speedway. Ms. DeGuilio-Fox reminded the Commissioners that they no longer have the authority to take a property by Eminent Domain and that per Indiana Statute the authority lies with the Council. She suggested that Liaison Sheeman discuss this with the Council before the Commission pursues it.
- c. Commissioner Huerter inquired as to the status of the former Tri-State Bus property on Indianapolis Blvd. Ms. DeGuilio-Fox advised that the project was a non-starter due to Highland Code and that the potential buyer had allowed their purchase agreement to lapse.
- d. Ms. DeGuilio-Fox suggested that Olive Garden is interested in the Old Country Buffet restaurant in Highland Grove. She asked if the Commissioners were interested in her reaching out to Olive Garden and potentially offering an incentive to come to Highland rather than to Schererville, where they are also looking. The Commissioners agreed that this should be done.

There being no further business Commission President Huerter called for a motion to adjourn. Commissioner Georgeff made a motion to adjourn. The motion was seconded by Commissioner Leep. The motion passed by a voice vote of five affirmatives and no negatives. The January 12, 2021 study session of the Highland Redevelopment Commission was adjourned at 8:41 P.M.

Respectfully submitted by Kathy DeGuilio-Fox, Recording Secretary.

**TOWN of HIGHLAND
REDEVELOPMENT COMMISSION
RESOLUTION No. 2021-02**

A RESOLUTION OF THE REDEVELOPMENT COMMISSION TO AMEND RULES AND REGULATIONS ADOPTED BY RESOLUTION 2019-25 PURSUANT TO ITS AUTHORITY UNDER IC 36-7-14-8(c) AND (g).

WHEREAS, The Town of Highland has established a Redevelopment Department governed by the provisions of IC 36-7-14 et seq., enabled and locally adopted by Chapter 14.10 of the Highland Municipal Code;

WHEREAS, The Redevelopment Commission is empowered to adopt the rules and bylaws it considered necessary for the proper conduct of their proceedings, the carrying out of their duties, and the safeguarding of the money and property placed in their custody, pursuant to IC 36-7-14-8 (g) and Section 14.10.060(C) of the Highland Municipal Code;

WHEREAS, The Redevelopment Commission by rule or resolution may further prescribe the date and manner of notice of other regular or special meetings authorize the treasurer to make certain types of disbursements before the redevelopment commission's allowance and approval at its next regular meeting, pursuant to IC 36-7-14-8 subdivision (c), subdivision (g) and Section 14.10.060(F) of the Highland Municipal Code; and,

WHEREAS, The Redevelopment Commission seeks to exercise its authority under the previously described provisions and, having adopted Resolution 2019-25 establishing rules and regulations of the Redevelopment Commission and Department to have the force of law provided such rules are not in conflict with lawful ordinances and State law, it now wishes to amend said rules and regulations;

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

Section 1. That pursuant to its authority under IC 36-7-14-8 as adopted locally under Chapter 14.10 of the Highland Municipal Code, the Redevelopment Commission hereby approves and adopts the following amended Rules and Regulations of the Highland Redevelopment Commission and Department, which shall read as follows:

RULES OF THE REDEVELOPMENT COMMISSION AND DEPARTMENT

Statement of Authority: The Redevelopment Commission establishes these rules of the Redevelopment Commission and Department pursuant to its authority conferred by I.C. 36-7-14-8 and the Highland Municipal Code Chapter 14.10. These rules are subject to amendment and are effective according to the terms of these rules, provided that no rule shall be effective that is in conflict with the lawful ordinances of the Town of Highland or the laws of the State of Indiana.

Rules 1.00 – 1.02 reserved

RULE 1.03 ORGANIZATION AND PROCEDURES OF THE REDEVELOPMENT COMMISSION

Rule 1.03.01 President and town executive; Vice-president; Secretary.

- (A) The redevelopment commission shall select one of its members to be its president for a definite term, which may not exceed his or her term of office as a member of the redevelopment commission and which will continue until a successor is selected and qualified. The president shall preside at all meetings and perform the usual duties associated with the office.
- (B) The redevelopment commission shall also select one of its members to serve as vice-president for a definite term, which may not exceed his or her term of office as a member of the redevelopment commission. The vice-president shall perform those duties outlined in these rules whenever the president shall be temporarily absent.
- (C) The redevelopment commission shall also select one of its members to serve as secretary for a definite term, which may not exceed his or her term of office as a member of the redevelopment commission. The secretary shall perform those duties outlined in these rules and those usually associated with the office.
- (D) The redevelopment commission shall select a president, a vice-president and a secretary at its first regular or special meeting each year on a day that is not a Saturday, Sunday or legal holiday. Should a vacancy occur in either office during the term, the redevelopment commission shall select from its membership a replacement who shall serve for the balance of the unexpired term of the vacated office.
- (E) If there is no duly selected presiding officer at a meeting described these rules the secretary shall preside, call the roll, determine a quorum and chair the meeting until such time as the

redevelopment commission shall elect a president from its membership, which shall be the first business in order.

Rule 1.03.02 Recording secretary.

The Redevelopment Director (Redevelopment Executive Director) shall serve as the recording secretary of the redevelopment commission. The recording secretary shall perform the duties outlined in these rules.

Rule 1.03.03 Presiding officer.

The commission president shall take the chair at the hour appointed, or to which the commission shall have adjourned, and shall immediately call the members to order; whereupon, the recording secretary shall proceed to call the roll of members. If a quorum is present, the recording secretary shall so announce, and the commission shall proceed with the order of business.

Rule 1.03.04 Quorum for conducting business.

(A) A quorum shall consist of a majority of the entire commission, which means at least three members, pursuant to IC 36-7-14-8(h). A quorum shall be necessary to transact the business of the redevelopment commission. (Also confer with **Rule 1.10.06**)

(B) If no quorum is present, the commission shall not thereby stand adjourned, but the members present shall adjourn or recess the commission by a majority vote.

Rule 1.03.05 Absence of president.

At any meeting of the commission where a majority shall be assembled, and if the president and vice-president are absent for any reason, the secretary shall preside and call the roll, whereupon the commission shall elect a temporary chairperson from its membership.

Rule 1.03.06 Duties of the president.

(A) The president shall serve as the chair, shall preserve order and decorum and may speak to points of order in preference to other members, and shall decide all questions of order subject to appeal.

(B) If the president refuses to allow the commission members to exercise their right to appeal a decision of the chair, the commission members may consider and pass upon the matter in spite of the chair's failure to grant them appeal.

(C) The president shall have the power to require the commission room to be cleared, or to have any disorderly person or persons ejected, in case of any disturbances or disorderly conduct which prevent the meeting from being continued in an orderly manner.

Rule 1.03.07 Duties of commission members during meeting

- (A) While the president is stating the motion, or deciding a point of order, the members shall be seated and no member shall leave the commission room during the session without permission from the presiding officer.
- (B) Every member, prior to his or her speaking, making a motion or seconding the same, shall address the presiding officer and shall not proceed with his or her remarks until recognized and named by the chair.
- (C) A member so recognized by the chair shall confine himself or herself to the question under debate.
- (D) No member shall speak more than once on the same question, except by permission of the chair, and then not until every other member desiring to speak shall have had an opportunity to do so.
- (E) No member shall speak longer than five minutes at any one time, except by consent of the chair.
- (F) While a member is speaking, no member shall hold any private discussion, nor pass between the speaker and the chair.
- (G) A member, when called to order by the chair, shall thereupon discontinue speaking. The order or ruling of the chair shall be binding and conclusive, subject only to the right to appeal.
- (H) Any member may appeal to the commission from a ruling of the chair and, if the appeal is seconded, the member making the appeal may briefly state his or her reason for the same, and the chair may briefly explain his or her ruling; but there shall be no debate on the appeal and no other member shall participate in the discussion. The chair shall then put the question, "Shall the decision of the chair be overruled?" Otherwise, it shall be sustained.
- (I) The right of a member to address the commission on a question of personal privilege shall be limited to cases in which his or her integrity, character or motives are assailed, questioned or impugned.

Rule 1.03.08 Seconding of motions required.

No motion shall be put or debated in the commission or in committee unless it be seconded. When a motion is seconded, it shall be stated by the presiding officer before debate.

Rule 1.03.09 Withdrawal of motions.

After a resolution or a motion is stated by the president, it shall be deemed to be in the possession of the commission, but it may be withdrawn by the maker thereof with or without the consent of the commission member seconding the motion prior to the call for the vote by the president.

Rule 1.03.10 Division of questions.

If any question under consideration contains several distinct propositions, the commission, by a majority vote of the members present, may divide such questions.

Rule 1.03.11 Record of motions.

In all cases where a resolution or motion is entered in the memorandum or minutes of the meeting, the name of the member moving and seconding the same shall be entered.

Rule 1.03.12 Vote.

(A) The ayes and nays shall be taken upon the passage of all ordinances and on all propositions to create any liability against the town, or for the expenditure or appropriation of its money, and upon any question and in all other cases at the request of any member of the commission.

When the recording secretary has commenced to call the roll of the commission for the taking of a vote by ayes and nays, all debate on the question before the commission shall be deemed concluded, and during the taking of the vote a member shall be permitted to briefly explain his or her vote and shall respond to the calling of his or her name by the recording secretary by answering "Aye" or "Nay," as the case may be.

(B) Every commission member present shall vote unless he or she has an interest in the matter, in which event he or she shall disqualify himself. If a commission member who has not disqualified himself or herself does not vote, his or her failure to vote shall, to the extent permitted by law, be construed as concurring with the majority.

(C) The president shall announce the result of the commission's vote and such votes shall be entered in the journal of the proceedings.

Rule 1.03.13 Precedence of motion.

When a question is before the commission, no motion shall be received, except as herein specified, and which shall have precedence in the order herein stated.

(A) To fix the time to which to adjourn.

- (B) To adjourn.
- (C) To take a recess.
- (D) To raise a question of privilege.
- (E) To call for the orders of the day.
- (F) To lay on the table.
- (G) To call for the previous question.
- (H) To postpone to a certain time.
- (I) To refer to committee.
- (J) To amend.
- (K) To postpone indefinitely.
- (L) To the main motion.

Rule 1.03.14 Undebatable motions and exceptions to order.

The motion to adjourn or to lay on the table shall be decided without debate, and the motion to fix the time to which to adjourn and the motion to adjourn shall always be in order, except:

- (A) When a member is in possession of the floor.
- (B) When the roll call votes are being called.
- (C) While the members are voting.
- (D) When adjournment was the last preceding motion.
- (E) When it has been decided that the previous question shall be taken.

Rule 1.03.15 Motion to adjourn.

A motion to adjourn cannot be amended; but a motion to adjourn to a given day or time shall be open to amendment and debate.

Rule 1.03.16 Motion to postpone indefinitely.

When a question is postponed indefinitely, it shall not be taken up again before the next regular meeting.

Rule 1.03.17 Motion to amend.

A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be entertained. [Code 2000 § 30.54].

Rule 1.03.18 Amendments.

Only one amendment at a time may be offered to any question before the commission. The vote shall first be taken on the amendment and, if the amendment passes, then further amendments may be proposed. Finally, a vote shall be taken on the principal motion as finally amended.

Rule 1.03.19 Reconsideration.

- (A) A vote or question may be reconsidered at any time during the same meeting, or at the first regular meeting held thereafter. A motion for reconsideration, once having been made and decided in the negative, shall not be renewed. A matter once having been decided and a motion to reconsider such matter having been defeated, it may nonetheless come before the commission at a future time by way of a motion to rescind or as a new motion. If the chair determines that new facts are to be presented to the commission, or that there is a likelihood that the commission will reverse its previous decision, the chair shall rule the motion in order. If a motion is continuously brought before the commission and rejected, the chair may rule its reintroduction under a motion to rescind or as a new motion to be out of order.
- (B) No motion to reconsider the approval or denial of the recommendation of an advisory body required to hold public hearings shall be entertained except at the same meeting at which the original action was taken or after the matter has been referred to the advisory body for a further hearing and recommendation.
- (C) A motion to reconsider must be made and seconded by members who voted on the prevailing side of the question to be reconsidered, unless otherwise provided by law; provided, however, that where a motion has received a majority vote in the affirmative, but is declared lost solely on the ground that a greater number of affirmative votes is required by statute for the passage or adoption of such motion, then in such case a motion to reconsider may be made and seconded only by those who voted in the affirmative on such question to be reconsidered, so long as the issue presented is the same, no new information is forthcoming, and the rights of third parties have not intervened.

Rule 1.03.20 Visitors and petitioners.

Except during the time allotted for public discussion and comments, no person, other than a member of the commission, shall address that body, except with the consent of a majority of the members present.

Rule 1.03.21 Reports, communications, petitions, and the like.

All communications, reports, petitions or any other papers addressed to the commission shall be made available to the recording secretary prior to the meeting. The recording secretary shall endeavor to distribute copies or read such material to the members of the commission.

Rule 1.03.22 Adoption of Robert's Rules of Order, Revised.

The rules of parliamentary practice comprised in the published edition of Robert's Rules of Order, newly revised 11th Edition, shall govern the commission in all cases to which they are applicable and in which they are not inconsistent with the ordinances of the town including these rules, or the statutes of the state. [Amended during 2012 recodification. Code 2000 § 30.59].

Rule 1.03.23 Temporary suspension of rules ; Amendment of rules.

(A) The redevelopment commission shall have the authority to make rules by resolution that are in addition to those set forth in this code to govern its meetings or to manage the business that comes before it.

(B) Except for those set forth by ordinance or in this code, the rules of the commission described in this section may be temporarily suspended, altered or amended, by concurrence of a majority vote of all the commission members then in office. [Ord. 1677 § 4, 2018].

Rule 1.04 reserved

RULE 1.05 RESOLUTIONS AND ACTIONS OF THE REDEVELOPMENT COMMISSION

Rule 1.05.01 Majority vote ; When required.

(A) A requirement that a resolution or other action of the redevelopment commission be passed by a majority vote means at least a majority vote of all the appointed members, meaning three or more commissioners concurring, pursuant to IC 36-7-14-8(h).

(B) A majority vote of the redevelopment commission is required to pass resolution unless a greater vote is required by statute.

Rule 1.05.02 Two-thirds vote ; When required.

A requirement that an ordinance, resolution, or other action of the redevelopment commission be passed by a two-thirds vote means at

least a two-thirds vote of all the appointed members, meaning four or more members concurring.

Rule 1.05.03 Date of adoption.

An order, or resolution passed by the redevelopment commission is considered adopted when it is signed by the president of commission and countersigned by the secretary of the commission.

Rule 1.05.04 Record of resolutions.

(A) Within a reasonable time after an order or resolution of the redevelopment commission is adopted, the recording secretary shall record it in a book kept for that purpose. The record must include:

- (1) The signature of the president of commission;
- (2) The attestation of the recording secretary; and
- (3) The date of each recorded item.

(B) The record or a certified copy of it constitutes presumptive evidence of the adoption of the resolution.

Rules 1.06 – 1.09 reserved

RULE 1.10 NOTICE AND RECORDS OF THE MEETINGS OF THE REDEVELOPMENT COMMISSION; EXECUTIVE SESSIONS

Rule 1.10.01 Open meetings.

(A) Except as provided in Rule 1.10.02, all meetings of the redevelopment commission must be open at all times for the purpose of permitting members of the public to observe and record them.

(B) A secret ballot vote may not be taken at a meeting.

Rule 1.10.02 Executive sessions.

(A) As used in this section, "public official" means a person:

- (1) Who is a member of a governing body of a public agency; or
- (2) Whose tenure and compensation are fixed by law and who executes an oath.

(B) Executive sessions may be held only in the following instances:

- (1) Where authorized by federal or state statute.

- (2) For discussion of strategy with respect to any of the following:
 - (a) Collective bargaining.
 - (b) Initiation of litigation or litigation that is either pending or has been threatened specifically in writing.
 - (c) The implementation of security systems.
 - (d) The purchase or lease of a real property transaction including: (i) a purchase; (ii) a lease as lessor; (iii) a lease as lessee; (iv) a transfer; (v) an exchange; or (vi) a sale; by the governing body up to the time a contract or option to purchase or lease is executed by the parties. This clause does not affect the town's duty to comply with any other statute that governs the conduct of the real property transaction, including but not limited to IC 36-1-10 or 36-1-11.
- (3) Interviews with industrial or commercial prospects or agents of industrial or commercial prospects by the Department of Commerce, the State Development Finance Authority, the Film Commission, or the State Business Modernization and Technology Corporation.
- (4) To receive information about and interview prospective employees.
- (5) With respect to any individual over whom the redevelopment commission has jurisdiction:
 - (a) To receive information concerning the individual's alleged misconduct; and
 - (b) To discuss, before a determination, the individual's status as an employee, a student, or an independent contractor who is a physician.
- (6) For discussion of records classified as confidential by state or federal statute.
- (7) To discuss a job performance evaluation of individual employees. This subsection does not apply to a discussion of the salary, compensation, or benefits of employees during a budget process.

(8) When considering the appointment of a public official, to do the following:

(a) Develop a list of prospective appointees.

(b) Consider applications.

(c) Make one initial exclusion of prospective appointees from further consideration.

(d) Notwithstanding IC 5-14-3-4(b)(12), the redevelopment commission may release and shall make available for inspection and copying in accordance with IC 5-14-3-3 identifying information concerning prospective appointees not initially excluded from further consideration. An initial exclusion of prospective appointees from further consideration may not reduce the number of prospective appointees to fewer than three unless there are fewer than three prospective appointees. Interviews of prospective appointees must be conducted at a meeting that is open to the public.

(C) A final action must be taken at a meeting open to the public.

(D) Public notice of executive sessions must state the subject matter by specific reference to the enumerated instance or instances for which executive sessions may be held under this rule and IC 5-14-1.5-6.1(b). The requirements stated in Rule 1.10.05 for memoranda and minutes being made available to the public is modified as to executive sessions in that the memoranda and minutes must identify the subject matter considered by specific reference to the enumerated instance or instances for which public notice was given. The redevelopment commission shall certify by a statement in the memoranda and minutes of the redevelopment commission that no subject matter was discussed in the executive session other than the subject matter specified in the public notice.

(E) The redevelopment commission may not conduct an executive session during a meeting, except as otherwise permitted by applicable statute. A meeting may not be recessed and reconvened with the intent of circumventing this rule.

Rule 1.10.03 Notice of meetings.

(A) Public notice of the date, time, and place of any meetings, executive sessions, or of any rescheduled or reconvened meeting shall be given at least 48 hours (excluding Saturdays, Sundays, and legal holidays)

before the meeting. This requirement does not apply to reconvened meetings (not including executive sessions) where announcement of the date, time, and place of the reconvened meeting is made at the original meeting and recorded in the memoranda and minutes thereof, and there is no change in the agenda.

(B) Public notice shall be given by the redevelopment commission by:

- (1) Posting a copy of the notice at the principal office of the redevelopment commission, or if no such office exists, at the building where the meeting is to be held; and
- (2) Depositing in the United States mail with postage prepaid or by delivering notice to all news media which deliver by January 1st an annual written request for such notices for the next succeeding calendar year to the redevelopment commission.

(C) Notice of regular meetings need be given only once each year, except that an additional notice shall be given where the date, time, or place of a regular meeting or meetings is changed. This subsection does not apply to executive sessions.

(D) If a meeting is called to deal with an emergency involving actual or threatened injury to person or property, or actual or threatened disruption of the governmental activity under the jurisdiction of the redevelopment commission by any event, then the time requirements of notice under this section shall not apply, but:

- (1) News media which have requested notice of meetings must be given the same notice as is given to the members of the redevelopment commission; and
- (2) The public must be notified by posting a copy of the notice according to this section.

(E) This section shall not apply where notice by publication is required by statute, ordinance, rule, or regulation.

(F) Notice has not been given in accordance with this section if the redevelopment commission convenes a meeting at a time so unreasonably departing from the time stated in its public notice that the public is misled or substantially deprived of the opportunity to attend, observe, and record the meeting. (IC 5-14-1.5-5)

Rule 1.10.04 Agenda.

(A) The redevelopment commission, when utilizing an agenda, shall post a copy of the agenda at the entrance to the location of the meeting prior to the meeting. A rule, regulation, resolution or other final action adopted by reference to agenda number or item alone is void. (IC 5-14-1.5-4(a))

(B) The agenda of the redevelopment commission regular meeting shall possess the following elements:

- (1) The agenda shall describe whether or not the meeting is a regular, special or adjourned meeting.
- (2) It shall state the date, day, year and time of the meeting.
- (3) It shall include the names of the members of the redevelopment commission, listed in alphabetical order.

(C) The agenda of the redevelopment commission regular meeting shall possess the orders of business as may be applicable and agreed upon by the Redevelopment Director and the President of the Commission.

(D) The agenda of any redevelopment commission special meeting shall possess the such orders of business as may be applicable.

(E) The agenda of any regular or special meeting shall be prepared by the recording secretary. The redevelopment commission president shall review and may approve matters for placement on the agenda. The agenda prepared according to this section shall be deemed to be fixed and will not require further action by the redevelopment commission. The agenda may be amended by a two-thirds vote of the entire redevelopment commission.

(F) The recording secretary is authorized to establish filing deadlines for matters to be placed on the agenda of a particular meeting. The redevelopment commission shall reserve the authority to modify any deadline except where filing is governed by law

Rule 1.10.05 Minutes.

(A) As the meeting progresses, the following memoranda shall be kept:

- (1) The date, time, and place of the meeting.
- (2) The members of the redevelopment commission recorded as either present or absent.

- (3) The general substance of all matters proposed, discussed, or decided.
- (4) A record of all votes taken, by individual members if there is a roll call.
- (5) Any additional information required under IC 5-1.5-2-2.5 or 20-12-63-7.

(B) The memoranda are to be available within a reasonable period of time after the meeting for the purpose of informing the public of the redevelopment commission's proceedings. The minutes, if any, are to be open for public inspection and copying. (IC 5-14-1.5-4(b) and (c))

Rule 1.10.06 Quorum.

A majority of all the appointed members of the redevelopment commission constitutes a quorum, which shall mean at least three, pursuant to IC 36-7-14-8(h).

Rules 1.11 - 1.14 reserved

RULE 1.15 MEETINGS OF THE REDEVELOPMENT COMMISSION

Rule 1.15.01 Meetings of the redevelopment commission.

(A) The types of meetings that may be convened by the redevelopment commission include regular plenary meetings, special meetings, executive sessions, adjourned meetings, and regular study sessions.

- (1) What constitutes a meeting shall be governed by IC 5-14-1.5-2 and this rule.
- (2) Plenary meetings shall be convened based upon an established standing day and time, at which matters are brought before the redevelopment commission either by its specific action or by an agenda assembled according to these rules, for its consideration and possible dispositive action. These meetings will be conducted with the customary formality associated with such meetings according to the prevailing law and the selected parliamentary authority. However, the redevelopment commission may employ at the beginning of each meeting a *review period* to consider the agenda and discuss matters that are necessary or desirable. When doing so, the commission may employ the same degree of informality and legislative conduct associated with study sessions. This review period ends when

the redevelopment commission president calls the plenary meeting to regular order.

- (3) Study sessions shall be distinguished from plenary meetings as they shall be conducted with less formality and with no votes or final actions of a dispositive nature unless provided otherwise by proper notice, pursuant to IC 5-14-1.5 et seq.
- (4) Special meetings shall be convened at a different time and date from the regular plenary meetings or study sessions to consider and act upon only one or more items as set forth in the notice and call of the meeting.
- (5) An adjourned meeting is a meeting convened as a continuation of a meeting which preceded it and at which the items of business were not able to be completed. The adjourned meeting shall take up at the point where the previous meeting ended, addressing the business remaining from the prior meeting and be confined only to those matters, unless special notice is provided under IC 5-14-1.5 et seq.
- (6) An executive session is a meeting from which the public is barred from attending to record and observe and may only be convened according to the provisions and purposes set forth in IC 5-14-1.5-6.1.

(B) Except as otherwise provided herein, the redevelopment commission shall hold regular plenary meetings on the **fourth Tuesday** of each month, which shall begin at **6:30 p.m.**

(C) Except as otherwise provided herein, the redevelopment commission shall hold study sessions on the **second Tuesday** of each month, which shall begin at **6:30 p.m.**

(D) Redevelopment commission plenary meetings or study sessions may be canceled by a majority vote of the redevelopment commission or by direction of the redevelopment commission president.

(E) Redevelopment commission plenary meetings may be rescheduled by a two-thirds vote of the appointed members of the redevelopment commission.

(F) The redevelopment commission shall have the authority to hold such other meetings, as described in this section as it may deem necessary or desirable provided such meetings be held pursuant to IC 5-14-1.5 et seq.

(G) The redevelopment commission, when necessary or desirable, shall hold executive sessions pursuant to IC 5-14-1.5-6.1 and HMC 2.05.170 only for the purposes authorized therein.

(H) The recording secretary shall memorialize the proceedings of all meetings pursuant to IC 5-14-1.5 et seq., and these rules.

Rules 1.16 – 1.99 reserved

Rule 2.00 reserved

RULE 2.01 FINANCE AND ADMINISTRATION OF THE REDEVELOPMENT DEPARTMENT

Rule 2.01.01 Fiscal Administration of the Department.

(A) The clerk-treasurer as the fiscal officer of the Town of Highland is the treasurer of the redevelopment commission. Notwithstanding any other provision of these rules, but subject to subsection I.C. 36-7-14-8(c), the treasurer has charge over and is responsible for the administration, investment, and disbursement of all funds and accounts of the redevelopment commission in accordance with the requirements of state laws that apply to other funds and accounts administered by the fiscal officer. (See IC 36-7-14-8)

(B) The treasurer shall report annually to the redevelopment commission before April 1. The redevelopment director shall prepare the report with the cooperation of the treasurer. (See IC 36-7-14-8)

(C) The treasurer performing these duties is not entitled to any compensation in addition to that paid the officer by the unit. (See IC 36-7-14-8)

(D) The treasurer of the redevelopment commission may disburse funds of the redevelopment commission only after the redevelopment commission allows and approves the disbursement, except for those authorized to be paid in advance of commission allowance by **Rule 2.07**.

Rule 2.01.02 Funds of the redevelopment department

(A) The funds of the redevelopment department must be accounted for separately by the Town of Highland and the daily balance of the funds must be maintained in a separate ledger statement.

(B) Except as provided in subsection (E), all funds designated as redevelopment commission funds must be accessible to the redevelopment commission at any time.

(C) The amount of the daily balance of redevelopment commission funds may not be below zero (0) at any time.

(D) The funds may not be maintained or used in a manner that is intended to avoid the waiver procedures and requirements for Town of Highland and the redevelopment commission under subsection (E).

(E) If the fiscal body of the Town of Highland determines that it is necessary to engage in short term borrowing until the next tax collection period, the fiscal body of the Town of Highland may request approval from the redevelopment commission to waive the requirement in subsections (B) and (D) of the Rule. In order to waive the requirement under subsections (B) and (D) of the Rule, the fiscal body of the unit and the redevelopment commission must adopt similar resolutions that set forth:

(1) the amount of the funds designated as redevelopment commission funds that are no longer accessible to the redevelopment commission under the waiver; and

(2) an expiration date for the waiver.

If a loan is made to a unit from funds designated as redevelopment funds, the loan must be repaid by the unit and the funds made accessible to the redevelopment commission not later than the end of the calendar year in which the funds are received by the unit.

(F) Subsections (B), (D) and (E) of the Rule do not restrict transfers or uses by a redevelopment commission made to meet commitments under a written agreement of the redevelopment commission that was entered into before January 1, 2016, if the written agreement complied with the requirements existing under the law at the time the redevelopment commission entered into the written agreement.

Rules 2.01.03 to 2.01.99 reserved

Rules 2.02 to 2.09 reserved

RULE 2.10. ACCOUNTS PAYABLE PAYMENTS IN ADVANCE OF FORMAL ALLOWANCE

Rule 2.10.01 Authorized payments by the town clerk-treasurer as redevelopment treasurer.

(A) Authorized Expenses. The redevelopment commission approves and authorizes payments to be made by the clerk-treasurer as treasurer of the commission in advance of formal allowance by the redevelopment commission or other board or commission of jurisdiction for the following types of expenses:

- (1) Property or services purchased or leased from: (a) The United States government; or (b) An agency or political subdivision of the United States government; or (c) The government of the state of Indiana; or (d) An agency or department or branch of the government of the state of Indiana, including a body politic and corporate of the state;
- (2) License fees or permit fees;
- (3) Insurance premiums;
- (4) Utility payments or utility connection charges;
- (5) Federal grant programs if: (a) Advance funding is not prohibited; or (b) The contracting party provides sufficient security for the amount advanced;
- (6) Grants of state funds authorized by statute;
- (7) Maintenance agreements or service agreements;
- (8) Lease agreements or rental agreements;
- (9) Principal and interest payments on bonds;
- (10) Payroll;
- (11) State, federal, or county taxes;
- (12) Payments made for property management services provided the payments are made in consequence of an agreement approved by the Redevelopment Commission;
- (13) Refunds;
- (14) Payments to such vendors or service providers, public or private, which have provided services or goods to the

municipality and for which a delay of payment incurs penalties or late payment charges;

- (15) Payments for the purchase of real estate; provided, that the purchase and price has been duly authorized and approved by action of the redevelopment commission, and the purchase was executed in compliance with IC 33-24, 36-1-10.5, 36-7, 36-9 or 36-10 and other relevant laws;
- (16) Transfers or temporary loans in consequence of cash flow needs, provided, in all cases, that the transfer has been duly authorized and approved by action of the redevelopment commission;
- (17) Payments made in consequence of or associated with a fund development project or a promotional program related to economic development or redevelopment, provided the project or program has been properly approved by the redevelopment commission;
- (18) Payments made to employees' health savings accounts by the municipality as employer;
- (19) Charges or fees for services provided by an authorized public depository employed by the municipality;
- (20) Registration fees for conferences, workshops or training conducted by associations organized to support municipal government or entities engaged in training or providing workshops relevant to public administration generally or particularly in the functional areas of the local government;
- (21) Authorized or approved releases of retainage from the capital projects retainage agency fund;
- (21) Payments that must be paid because of emergency circumstances;
- (22) Payments made for electronic and online payment processing services in support of utility, parks and recreation and other public services of the municipality.

(B) Voucher Required. Each payment of expenses outlined in subsection (A) of this section must be supported by a fully itemized accounts payable voucher.

(B) Voucher Required. Each payment of expenses outlined in subsection (A) of this section must be supported by a fully itemized accounts payable voucher.

(C) Timely Review. The redevelopment commission as the body having jurisdiction over allowance of the accounts payable voucher shall review and allow the payment at the commission's next regular or special meeting following the preapproved payment of the expense.

(D) Payments for any of the expenses described in this rule may be made by electronic fund transfer, wire or automated clearing house, pursuant to Chapter 3.25 HMC, provided this is authorized by the redevelopment treasurer.

Rules 2.11 to 100.99 reserved

Section 2. That the provisions of this resolution shall be effective upon the passage and adoption of this resolution.

Section 3. That the Clerk-Treasurer is hereby authorized to extract this resolution in its substantive parts and take steps that they be compiled into a complete and simplified version, excluding the resolution's preambles or formal recitals, and placed in the Rules and Regulations Section of the Highland Municipal Code.

DULY RESOLVED and ADOPTED this _____ Day of _____, 2021 by the Redevelopment Commission of the Town of Highland, Lake County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

**REDEVELOPMENT COMMISSION
of the TOWN of HIGHLAND, INDIANA**

Cyril Huerter, President

Attest:

Robyn Radford, Secretary

**TOWN of HIGHLAND
REDEVELOPMENT COMMISSION
RESOLUTION No. 2019-25**

A RESOLUTION OF THE REDEVELOPMENT COMMISSION ADOPTING RULES AND REGULATIONS PURSUANT TO ITS AUTHORITY UNDER IC 36-7-14-8(c) AND (g).

WHEREAS, The Town of Highland has established a Redevelopment Department governed by the provisions of IC 36-7-14 et seq., enabled and locally adopted by Chapter 14.10 of the Highland Municipal Code;

WHEREAS, The Redevelopment Commission is empowered to adopt the rules and bylaws it considered necessary for the proper conduct of their proceedings, the carrying out of their duties, and the safeguarding of the money and property placed in their custody, pursuant to IC 36-7-14-8 (g) and Section 14.10.060(C) of the Highland Municipal Code;

WHEREAS, The Redevelopment Commission by rule or resolution may further prescribe the date and manner of notice of other regular or special meetings authorize the treasurer to make certain types of disbursements before the redevelopment commission's allowance and approval at its next regular meeting, pursuant to IC 36-7-14-8 subdivision (c), subdivision (g) and Section 14.10.060(F) of the Highland Municipal Code; and,

WHEREAS, The Redevelopment Commission seeks to exercise its authority under the previously described provisions and adopt rules and of the Redevelopment Commission and Department to have the force of law provided such rules are not in conflict with lawful ordinances and State law,

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

Section 1. That pursuant to its authority under IC 36-7-14-8 as adopted locally under Chapter 14.10 of the Highland Municipal Code, the Redevelopment Commission hereby approves and adopts the following Rules of the Highland Redevelopment Commission and Department, which shall read as follows:

RULES OF THE REDEVELOPMENT COMMISSION AND DEPARTMENT

Statement of Authority: The Redevelopment Commission establishes these rules of the Redevelopment Commission and Department pursuant to its authority conferred by I.C. 36-7-14-8 and the Highland Municipal Code Chapter 14.10. These rules are subject to amendment and are effective according to the terms of these rules, provided that no rule shall be effective that is in conflict with the lawful ordinances of the Town of Highland or the laws of the State of Indiana.

Rules 1.00 - 1.02 reserved

RULE 1.03 ORGANIZATION AND PROCEDURES OF THE REDEVELOPMENT COMMISSION

Rule 1.03.01 President and town executive; Vice-president; Secretary.

- (A) The redevelopment commission shall select one of its members to be its president for a definite term, which may not exceed his or her term of office as a member of the redevelopment commission and which will continue until a successor is selected and qualified. The president shall preside at all meetings and perform the usual duties associated with the office.
- (B) The redevelopment commission shall also select one of its members to serve as vice-president for a definite term, which may not exceed his or her term of office as a member of the redevelopment commission. The vice-president shall perform those duties outlined in these rules whenever the president shall be temporarily absent.
- (C) The redevelopment commission shall also select one of its members to serve as secretary for a definite term, which may not exceed his or her term of office as a member of the redevelopment commission. The secretary shall perform those duties outlined in these rules and those usually associated with the office.
- (D) The redevelopment commission shall select a president, a vice-president and a secretary at its first regular or special meeting each year on a day that is not a Saturday, Sunday or legal holiday. Should a vacancy occur in either office during the term, the redevelopment commission shall select from its membership a replacement who shall serve for the balance of the unexpired term of the vacated office.
- (E) If there is no duly selected presiding officer at a meeting described these rules the secretary shall preside, call the roll, determine a quorum and chair the meeting until such time as the

redevelopment commission shall elect a president from its membership, which shall be the first business in order.

Rule 1.03.02 Recording secretary.

The Redevelopment Director (Redevelopment Executive Director) shall serve as the recording secretary of the redevelopment commission. The recording secretary shall perform the duties outlined in these rules.

Rule 1.03.03 Presiding officer.

The commission president shall take the chair at the hour appointed, or to which the commission shall have adjourned, and shall immediately call the members to order; whereupon, the recording secretary shall proceed to call the roll of members. If a quorum is present, the recording secretary shall so announce, and the commission shall proceed with the order of business.

Rule 1.03.04 Quorum for conducting business.

(A) A quorum shall consist of a majority of the entire commission, which means at least three members, pursuant to IC 36-7-14-8(h). A quorum shall be necessary to transact the business of the redevelopment commission. (Also confer with Rule 1.10.06)

(B) If no quorum is present, the commission shall not thereby stand adjourned, but the members present shall adjourn or recess the commission by a majority vote.

Rule 1.03.05 Absence of president.

At any meeting of the commission where a majority shall be assembled, and if the president and vice-president are absent for any reason, the secretary shall preside and call the roll, whereupon the commission shall elect a temporary chairperson from its membership.

Rule 1.03.06 Duties of the president.

(A) The president shall serve as the chair, shall preserve order and decorum and may speak to points of order in preference to other members, and shall decide all questions of order subject to appeal.

(B) If the president refuses to allow the commission members to exercise their right to appeal a decision of the chair, the commission members may consider and pass upon the matter in spite of the chair's failure to grant them appeal.

(C) The president shall have the power to require the commission room to be cleared, or to have any disorderly person or persons ejected, in case of any disturbances or disorderly conduct which prevent the meeting from being continued in an orderly manner.

Rule 1.03.07 Duties of commission members during meeting

- (A) While the president is stating the motion, or deciding a point of order, the members shall be seated and no member shall leave the commission room during the session without permission from the presiding officer.
- (B) Every member, prior to his or her speaking, making a motion or seconding the same, shall address the presiding officer and shall not proceed with his or her remarks until recognized and named by the chair.
- (C) A member so recognized by the chair shall confine himself or herself to the question under debate.
- (D) No member shall speak more than once on the same question, except by permission of the chair, and then not until every other member desiring to speak shall have had an opportunity to do so.
- (E) No member shall speak longer than five minutes at any one time, except by consent of the chair.
- (F) While a member is speaking, no member shall hold any private discussion, nor pass between the speaker and the chair.
- (G) A member, when called to order by the chair, shall thereupon discontinue speaking. The order or ruling of the chair shall be binding and conclusive, subject only to the right to appeal.
- (H) Any member may appeal to the commission from a ruling of the chair and, if the appeal is seconded, the member making the appeal may briefly state his or her reason for the same, and the chair may briefly explain his or her ruling; but there shall be no debate on the appeal and no other member shall participate in the discussion. The chair shall then put the question, "Shall the decision of the chair be overruled?" Otherwise, it shall be sustained.
- (I) The right of a member to address the commission on a question of personal privilege shall be limited to cases in which his or her integrity, character or motives are assailed, questioned or impugned.

Rule 1.03.08 Seconding of motions required.

No motion shall be put or debated in the commission or in committee unless it be seconded. When a motion is seconded, it shall be stated by the presiding officer before debate.

Rule 1.03.09 Withdrawal of motions.

After a resolution or a motion is stated by the president, it shall be deemed to be in the possession of the commission, but it may be withdrawn by the maker thereof with or without the consent of the commission member seconding the motion prior to the call for the vote by the president.

Rule 1.03.10 Division of questions.

If any question under consideration contains several distinct propositions, the commission, by a majority vote of the members present, may divide such questions.

Rule 1.03.11 Record of motions.

In all cases where a resolution or motion is entered in the memorandum or minutes of the meeting, the name of the member moving and seconding the same shall be entered.

Rule 1.03.12 Vote.

(A) The ayes and nays shall be taken upon the passage of all resolutions or orders and on all propositions to create any liability against the town, or for the expenditure or appropriation of its money, and upon any question and in all other cases at the request of any member of the commission.

When the recording secretary has commenced to call the roll of the commission for the taking of a vote by ayes and nays, all debate on the question before the commission shall be deemed concluded, and during the taking of the vote a member shall be permitted to briefly explain his or her vote and shall respond to the calling of his or her name by the recording secretary by answering "Aye" or "Nay," as the case may be.

(B) Every commission member present shall vote unless he or she has an interest in the matter, in which event he or she shall disqualify himself. If a commission member who has not disqualified himself or herself does not vote, his or her failure to vote shall, to the extent permitted by law, be construed as concurring with the majority.

(C) The president shall announce the result of the commission's vote and such votes shall be entered in the journal of the proceedings.

Rule 1.03.13 Precedence of motion.

When a question is before the commission, no motion shall be received, except as herein specified, and which shall have precedence in the order herein stated.

- (A) To fix the time to which to adjourn.
- (B) To adjourn.
- (C) To take a recess.
- (D) To raise a question of privilege.
- (E) To call for the orders of the day.
- (F) To lay on the table.
- (G) To call for the previous question.
- (H) To postpone to a certain time.
- (I) To refer to committee.
- (J) To amend.
- (K) To postpone indefinitely.
- (L) To the main motion.

Rule 1.03.14 Undebatable motions and exceptions to order.

The motion to adjourn or to lay on the table shall be decided without debate, and the motion to fix the time to which to adjourn and the motion to adjourn shall always be in order, except:

- (A) When a member is in possession of the floor.
- (B) When the roll call votes are being called.
- (C) While the members are voting.
- (D) When adjournment was the last preceding motion.
- (E) When it has been decided that the previous question shall be taken.

Rule 1.03.15 Motion to adjourn.

A motion to adjourn cannot be amended; but a motion to adjourn to a given day or time shall be open to amendment and debate.

Rule 1.03.16 Motion to postpone indefinitely.

When a question is postponed indefinitely, it shall not be taken up again before the next regular meeting.

Rule 1.03.17 Motion to amend.

A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be entertained. [Code 2000 § 30.54].

Rule 1.03.18 Amendments.

Only one amendment at a time may be offered to any question before the commission. The vote shall first be taken on the amendment and, if the amendment passes, then further amendments may be proposed. Finally, a vote shall be taken on the principal motion as finally amended.

Rule 1.03.19 Reconsideration.

- (A) A vote or question may be reconsidered at any time during the same meeting, or at the first regular meeting held thereafter. A motion for reconsideration, once having been made and decided in the negative, shall not be renewed. A matter once having been decided and a motion to reconsider such matter having been defeated, it may nonetheless come before the commission at a future time by way of a motion to rescind or as a new motion. If the chair determines that new facts are to be presented to the commission, or that there is a likelihood that the commission will reverse its previous decision, the chair shall rule the motion in order. If a motion is continuously brought before the commission and rejected, the chair may rule its reintroduction under a motion to rescind or as a new motion to be out of order.
- (B) No motion to reconsider the approval or denial of the recommendation of an advisory body required to hold public hearings shall be entertained except at the same meeting at which the original action was taken or after the matter has been referred to the advisory body for a further hearing and recommendation.
- (C) A motion to reconsider must be made and seconded by members who voted on the prevailing side of the question to be reconsidered, unless otherwise provided by law; provided, however, that where a motion has received a majority vote in the affirmative, but is declared lost solely on the ground that a greater number of affirmative votes is required by statute for the passage or adoption of such motion, then in such case a motion to reconsider may be made and seconded only by those who voted in the affirmative on such question to be reconsidered, so long as the issue presented is the same, no new information is forthcoming, and the rights of third parties have not intervened.

Rule 1.03.20 Visitors and petitioners.

Except during the time allotted for public discussion and comments, no person, other than a member of the commission, shall address that body, except with the consent of a majority of the members present.

Rule 1.03.21 Reports, communications, petitions, and the like.

All communications, reports, petitions or any other papers addressed to the commission shall be made available to the recording secretary prior to the meeting. The recording secretary shall endeavor to distribute copies or read such material to the members of the commission.

Rule 1.03.22 Adoption of Robert's Rules of Order, Revised.

The rules of parliamentary practice comprised in the published edition of Robert's Rules of Order, newly revised 11th Edition, shall govern the commission in all cases to which they are applicable and in which they are not inconsistent with the ordinances of the town including these rules, or the statutes of the state. [Amended during 2012 recodification. Code 2000 § 30.59].

Rule 1.03.23 Temporary suspension of rules ; Amendment of rules.

(A) The redevelopment commission shall have the authority to make rules by resolution that are in addition to those set forth in this code to govern its meetings or to manage the business that comes before it.

(B) Except for those set forth by ordinance or in this code, the rules of the commission described in this section may be temporarily suspended, altered or amended, by concurrence of a majority vote of all the commission members then in office. [Ord. 1677 § 4, 2018].

Rule 1.04 reserved

RULE 1.05 RESOLUTIONS AND ACTIONS OF THE REDEVELOPMENT COMMISSION

Rule 1.05.01 Majority vote ; When required.

(A) A requirement that a resolution or other action of the redevelopment commission be passed by a majority vote means at least a majority vote of all the appointed members, meaning three or more commissioners concurring, pursuant to IC 36-7-14-8(h).

(B) A majority vote of the redevelopment commission is required to pass resolution unless a greater vote is required by statute.

Rule 1.05.02 Two-thirds vote ; When required.

A requirement that an ordinance, resolution, or other action of the redevelopment commission be passed by a two-thirds vote means at

least a two-thirds vote of all the appointed members, meaning four or more members concurring.

Rule 1.05.03 Date of adoption.

An order, or resolution passed by the redevelopment commission is considered adopted when it is signed by the president of commission and countersigned by the secretary of the commission.

Rule 1.05.04 Record of resolutions.

(A) Within a reasonable time after an order or resolution of the redevelopment commission is adopted, the recording secretary shall record it in a book kept for that purpose. The record must include:

- (1) The signature of the president of commission;
- (2) The attestation of the recording secretary; and
- (3) The date of each recorded item.

(B) The record or a certified copy of it constitutes presumptive evidence of the adoption of the resolution.

Rules 1.06 - 1.09 reserved

RULE 1.10 NOTICE AND RECORDS OF THE MEETINGS OF THE REDEVELOPMENT COMMISSION; EXECUTIVE SESSIONS

Rule 1.10.01 Open meetings.

(A) Except as provided in Rule 1.10.02, all meetings of the redevelopment commission must be open at all times for the purpose of permitting members of the public to observe and record them.

(B) A secret ballot vote may not be taken at a meeting.

Rule 1.10.02 Executive sessions.

(A) As used in this section, "public official" means a person:

- (1) Who is a member of a governing body of a public agency; or
- (2) Whose tenure and compensation are fixed by law and who executes an oath.

(B) Executive sessions may be held only in the following instances:

- (1) Where authorized by federal or state statute.

- (2) For discussion of strategy with respect to any of the following:
 - (a) Collective bargaining.
 - (b) Initiation of litigation or litigation that is either pending or has been threatened specifically in writing.
 - (c) The implementation of security systems.
 - (d) The purchase or lease of a real property transaction including: (i) a purchase; (ii) a lease as lessor; (iii) a lease as lessee; (iv) a transfer; (v) an exchange; or (vi) a sale; by the governing body up to the time a contract or option to purchase or lease is executed by the parties. This clause does not affect the town's duty to comply with any other statute that governs the conduct of the real property transaction, including but not limited to IC 36-1-10 or 36-1-11.
- (3) Interviews with industrial or commercial prospects or agents of industrial or commercial prospects by the Department of Commerce, the State Development Finance Authority, the Film Commission, or the State Business Modernization and Technology Corporation.
- (4) To receive information about and interview prospective employees.
- (5) With respect to any individual over whom the redevelopment commission has jurisdiction:
 - (a) To receive information concerning the individual's alleged misconduct; and
 - (b) To discuss, before a determination, the individual's status as an employee, a student, or an independent contractor who is a physician.
- (6) For discussion of records classified as confidential by state or federal statute.
- (7) To discuss a job performance evaluation of individual employees. This subsection does not apply to a discussion of the salary, compensation, or benefits of employees during a budget process.

(8) When considering the appointment of a public official, to do the following:

(a) Develop a list of prospective appointees.

(b) Consider applications.

(c) Make one initial exclusion of prospective appointees from further consideration.

(d) Notwithstanding IC 5-14-3-4(b)(12), the redevelopment commission may release and shall make available for inspection and copying in accordance with IC 5-14-3-3 identifying information concerning prospective appointees not initially excluded from further consideration. An initial exclusion of prospective appointees from further consideration may not reduce the number of prospective appointees to fewer than three unless there are fewer than three prospective appointees. Interviews of prospective appointees must be conducted at a meeting that is open to the public.

(C) A final action must be taken at a meeting open to the public.

(D) Public notice of executive sessions must state the subject matter by specific reference to the enumerated instance or instances for which executive sessions may be held under this rule and IC 5-14-1.5-6.1(b). The requirements stated in Rule 1.10.05 for memoranda and minutes being made available to the public is modified as to executive sessions in that the memoranda and minutes must identify the subject matter considered by specific reference to the enumerated instance or instances for which public notice was given. The redevelopment commission shall certify by a statement in the memoranda and minutes of the redevelopment commission that no subject matter was discussed in the executive session other than the subject matter specified in the public notice.

(E) The redevelopment commission may not conduct an executive session during a meeting, except as otherwise permitted by applicable statute. A meeting may not be recessed and reconvened with the intent of circumventing this rule.

Rule 1.10.03 Notice of meetings.

(A) Public notice of the date, time, and place of any meetings, executive sessions, or of any rescheduled or reconvened meeting shall be given at least 48 hours (excluding Saturdays, Sundays, and legal holidays)

before the meeting. This requirement does not apply to reconvened meetings (not including executive sessions) where announcement of the date, time, and place of the reconvened meeting is made at the original meeting and recorded in the memoranda and minutes thereof, and there is no change in the agenda.

(B) Public notice shall be given by the redevelopment commission by:

- (1) Posting a copy of the notice at the principal office of the redevelopment commission, or if no such office exists, at the building where the meeting is to be held; and
- (2) Depositing in the United States mail with postage prepaid or by delivering notice to all news media which deliver by January 1st an annual written request for such notices for the next succeeding calendar year to the redevelopment commission.

(C) Notice of regular meetings need be given only once each year, except that an additional notice shall be given where the date, time, or place of a regular meeting or meetings is changed. This subsection does not apply to executive sessions.

(D) If a meeting is called to deal with an emergency involving actual or threatened injury to person or property, or actual or threatened disruption of the governmental activity under the jurisdiction of the redevelopment commission by any event, then the time requirements of notice under this section shall not apply, but:

- (1) News media which have requested notice of meetings must be given the same notice as is given to the members of the redevelopment commission; and
- (2) The public must be notified by posting a copy of the notice according to this section.

(E) This section shall not apply where notice by publication is required by statute, ordinance, rule, or regulation.

(F) Notice has not been given in accordance with this section if the redevelopment commission convenes a meeting at a time so unreasonably departing from the time stated in its public notice that the public is misled or substantially deprived of the opportunity to attend, observe, and record the meeting. (IC 5-14-1.5-5)

Rule 1.10.04 Agenda.

(A) The redevelopment commission, when utilizing an agenda, shall post a copy of the agenda at the entrance to the location of the meeting prior to the meeting. A rule, regulation, resolution or other final action adopted by reference to agenda number or item alone is void. (IC 5-14-1.5-4(a))

(B) The agenda of the redevelopment commission regular meeting shall possess the following elements:

- (1) The agenda shall describe whether or not the meeting is a regular, special or adjourned meeting.
- (2) It shall state the date, day, year and time of the meeting.
- (3) It shall include the names of the members of the redevelopment commission, listed in alphabetical order.

(C) The agenda of the redevelopment commission regular meeting shall possess the orders of business as may be applicable and agreed upon by the Redevelopment Director and the President of the Commission.

(D) The agenda of any redevelopment commission special meeting shall possess the such orders of business as may be applicable.

(E) The agenda of any regular or special meeting shall be prepared by the recording secretary. The redevelopment commission president shall review and may approve matters for placement on the agenda. The agenda prepared according to this section shall be deemed to be fixed and will not require further action by the redevelopment commission. The agenda may be amended by a two-thirds vote of the entire redevelopment commission.

(F) The recording secretary is authorized to establish filing deadlines for matters to be placed on the agenda of a particular meeting. The redevelopment commission shall reserve the authority to modify any deadline except where filing is governed by law

Rule 1.10.05 Minutes.

(A) As the meeting progresses, the following memoranda shall be kept:

- (1) The date, time, and place of the meeting.
- (2) The members of the redevelopment commission recorded as either present or absent.

- (3) The general substance of all matters proposed, discussed, or decided.
- (4) A record of all votes taken, by individual members if there is a roll call.
- (5) Any additional information required under IC 5-1.5-2-2.5 or 20-12-63-7.

(B) The memoranda are to be available within a reasonable period of time after the meeting for the purpose of informing the public of the redevelopment commission's proceedings. The minutes, if any, are to be open for public inspection and copying. (IC 5-14-1.5-4(b) and (c))

Rule 1.10.06 Quorum.

A majority of all the appointed members of the redevelopment commission constitutes a quorum, which shall mean at least three, pursuant to IC 36-7-14-8(h).

Rules 1.11 - 1.14 reserved

RULE 1.15 MEETINGS OF THE REDEVELOPMENT COMMISSION

Rule 1.15.01 Meetings of the redevelopment commission.

(A) The types of meetings that may be convened by the redevelopment commission include regular plenary meetings, special meetings, executive sessions, adjourned meetings, and regular study sessions.

- (1) What constitutes a meeting shall be governed by IC 5-14-1.5-2 and this rule.
- (2) Plenary meetings shall be convened based upon an established standing day and time, at which matters are brought before the redevelopment commission either by its specific action or by an agenda assembled according to these rules, for its consideration and possible dispositive action. These meetings will be conducted with the customary formality associated with such meetings according to the prevailing law and the selected parliamentary authority. However, the redevelopment commission may employ at the beginning of each meeting a *review period* to consider the agenda and discuss matters that are necessary or desirable. When doing so, the commission may employ the same degree of informality and legislative conduct associated with study sessions. This review period ends when

the redevelopment commission president calls the plenary meeting to regular order.

- (3) Study sessions shall be distinguished from plenary meetings as they shall be conducted with less formality and with no votes or final actions of a dispositive nature unless provided otherwise by proper notice, pursuant to IC 5-14-1.5 et seq.
 - (4) Special meetings shall be convened at a different time and date from the regular plenary meetings or study sessions to consider and act upon only one or more items as set forth in the notice and call of the meeting.
 - (5) An adjourned meeting is a meeting convened as a continuation of a meeting which preceded it and at which the items of business were not able to be completed. The adjourned meeting shall take up at the point where the previous meeting ended, addressing the business remaining from the prior meeting and be confined only to those matters, unless special notice is provided under IC 5-14-1.5 et seq.
 - (6) An executive session is a meeting from which the public is barred from attending to record and observe and may only be convened according to the provisions and purposes set forth in IC 5-14-1.5-6.1.
- (B) Except as otherwise provided herein, the redevelopment commission shall hold regular plenary meetings on the third Monday of each month, which shall begin at 7:00 p.m.
- (C) Except as otherwise provided herein, the redevelopment commission shall hold study sessions on the first Monday of each month, which shall begin at 7:00 p.m.
- (D) Redevelopment commission plenary meetings or study sessions may be canceled by a majority vote of the redevelopment commission or by direction of the redevelopment commission president.
- (E) Redevelopment commission plenary meetings may be rescheduled by a two-thirds vote of the appointed members of the redevelopment commission.
- (F) The redevelopment commission shall have the authority to hold such other meetings, as described in this section as it may deem necessary or desirable provided such meetings be held pursuant to IC 5-14-1.5 et seq.

(G) The redevelopment commission, when necessary or desirable, shall hold executive sessions pursuant to IC 5-14-1.5-6.1 and HMC 2.05.170 only for the purposes authorized therein.

(H) The recording secretary shall memorialize the proceedings of all meetings pursuant to IC 5-14-1.5 et seq., and these rules.

Rules 1.16 - 1.99 reserved

Rule 2.00 reserved

RULE 2.01 FINANCE AND ADMINISTRATION OF THE REDEVELOPMENT DEPARTMENT

Rule 2.01.01 Fiscal Administration of the Department.

(A) The clerk-treasurer as the fiscal officer of the Town of Highland is the treasurer of the redevelopment commission. Notwithstanding any other provision of these rules, but subject to subsection I.C. 36-7-14-8(c), the treasurer has charge over and is responsible for the administration, investment, and disbursement of all funds and accounts of the redevelopment commission in accordance with the requirements of state laws that apply to other funds and accounts administered by the fiscal officer. (See IC 36-7-14-8)

(B) The treasurer shall report annually to the redevelopment commission before April 1. The redevelopment director shall prepare the report with the cooperation of the treasurer. (See IC 36-7-14-8)

(C) The treasurer performing these duties is not entitled to any compensation in addition to that paid the officer by the unit. (See IC 36-7-14-8)

(D) The treasurer of the redevelopment commission may disburse funds of the redevelopment commission only after the redevelopment commission allows and approves the disbursement, except for those authorized to be paid in advance of commission allowance by Rule 2.07.

Rule 2.01.02 Funds of the redevelopment department

(A) The funds of the redevelopment department must be accounted for separately by the Town of Highland and the daily balance of the funds must be maintained in a separate ledger statement.

(B) Except as provided in subsection (E), all funds designated as redevelopment commission funds must be accessible to the redevelopment commission at any time.

(C) The amount of the daily balance of redevelopment commission funds may not be below zero (0) at any time.

(D) The funds may not be maintained or used in a manner that is intended to avoid the waiver procedures and requirements for Town of Highland and the redevelopment commission under subsection (E).

(E) If the fiscal body of the Town of Highland determines that it is necessary to engage in short term borrowing until the next tax collection period, the fiscal body of the Town of Highland may request approval from the redevelopment commission to waive the requirement in subsections (B) and (D) of the Rule. In order to waive the requirement under subsections (B) and (D) of the Rule, the fiscal body of the unit and the redevelopment commission must adopt similar resolutions that set forth:

(1) the amount of the funds designated as redevelopment commission funds that are no longer accessible to the redevelopment commission under the waiver; and

(2) an expiration date for the waiver.

If a loan is made to a unit from funds designated as redevelopment funds, the loan must be repaid by the unit and the funds made accessible to the redevelopment commission not later than the end of the calendar year in which the funds are received by the unit.

(F) Subsections (B), (D) and (E) of the Rule do not restrict transfers or uses by a redevelopment commission made to meet commitments under a written agreement of the redevelopment commission that was entered into before January 1, 2016, if the written agreement complied with the requirements existing under the law at the time the redevelopment commission entered into the written agreement.

Rules 2.01.03 to 2.01.99 reserved

Rules 2.02 to 2.09 reserved

RULE 2.10. ACCOUNTS PAYABLE PAYMENTS IN ADVANCE OF FORMAL ALLOWANCE

Rule 2.10.01 Authorized payments by the town clerk-treasurer as redevelopment treasurer.

(A) Authorized Expenses. The redevelopment commission approves and authorizes payments to be made by the clerk-treasurer as treasurer of the commission in advance of formal allowance by the redevelopment commission or other board or commission of jurisdiction for the following types of expenses:

- (1) Property or services purchased or leased from: (a) The United States government; or (b) An agency or political subdivision of the United States government; or (c) The government of the state of Indiana; or (d) An agency or department or branch of the government of the state of Indiana, including a body politic and corporate of the state;
- (2) License fees or permit fees;
- (3) Insurance premiums;
- (4) Utility payments or utility connection charges;
- (5) Federal grant programs if: (a) Advance funding is not prohibited; or (b) The contracting party provides sufficient security for the amount advanced;
- (6) Grants of state funds authorized by statute;
- (7) Maintenance agreements or service agreements;
- (8) Lease agreements or rental agreements;
- (9) Principal and interest payments on bonds;
- (10) Payroll;
- (11) State, federal, or county taxes;
- (12) Payments made for property management services provided the payments are made in consequence of an agreement approved by the Redevelopment Commission;
- (13) Refunds;
- (14) Payments to such vendors or service providers, public or private, which have provided services or goods to the

municipality and for which a delay of payment incurs penalties or late payment charges;

(15) Payments for the purchase of real estate; provided, that the purchase and price has been duly authorized and approved by action of the redevelopment commission, and the purchase was executed in compliance with IC 33-24, 36-1-10.5, 36-7, 36-9 or 36-10 and other relevant laws;

(16) Transfers or temporary loans in consequence of cash flow needs, provided, in all cases, that the transfer has been duly authorized and approved by action of the redevelopment commission;

(17) Payments made in consequence of or associated with a fund development project or a promotional program related to economic development or redevelopment, provided the project or program has been properly approved by the redevelopment commission;

(18) Payments made to employees' health savings accounts by the municipality as employer;

(19) Charges or fees for services provided by an authorized public depository employed by the municipality;

(20) Registration fees for conferences, workshops or training conducted by associations organized to support municipal government or entities engaged in training or providing workshops relevant to public administration generally or particularly in the functional areas of the local government;

(21) Authorized or approved releases of retainage from the capital projects retainage agency fund;

(21) Payments that must be paid because of emergency circumstances;

(22) Payments made for electronic and online payment processing services in support of utility, parks and recreation and other public services of the municipality.

(B) Voucher Required. Each payment of expenses outlined in subsection (A) of this section must be supported by a fully itemized accounts payable voucher.

(C) Timely Review. The redevelopment commission as the body having jurisdiction over allowance of the accounts payable voucher shall review and allow the payment at the commission's next regular or special meeting following the preapproved payment of the expense.

(D) Payments for any of the expenses described in this rule may be made by electronic fund transfer, wire or automated clearing house, pursuant to Chapter 3.25 HMC, provided this is authorized by the redevelopment treasurer.

Rules 2.11 to 100.99 reserved

Section 2. That the provisions of this resolution shall be effective upon the passage and adoption of this resolution.

Section 3. That the Clerk-Treasurer is hereby authorized to extract this resolution in its substantive parts and take steps that they be compiled into a complete and simplified version, excluding the resolution's preambles or formal recitals, and placed in the Rules and Regulations Section of the Highland Municipal Code.

DULY RESOLVED and ADOPTED this 19th Day of Aug 2019 by the Redevelopment Commission of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

REDEVELOPMENT COMMISSION
of the TOWN of HIGHLAND, INDIANA


Bernie Zemen President


Secretary

**THE TOWN OF HIGHLAND
HIGHLAND REDEVELOPMENT COMMISSION
RESOLUTION 2021-03**

**A RESOLUTION OF THE HIGHLAND REDEVELOPMENT COMMISSION
APPROVING AND ADOPTING AN AGREEMENT FOR LEGAL SERVICES TO THE
HIGHLAND REDEVELOPMENT COMMISSION FOR 2021**

Whereas, The Redevelopment Commission of the Town of Highland is authorized to undertake redevelopment activities under IC 36-7-14 and Chapter 216 of the Highland Municipal Code, which are public uses and purposes for which public money may be spent and private property may be acquired, and

Whereas, Redevelopment activities include performing all acts incident to the statutory powers and duties of a redevelopment commission; and

Whereas, The Redevelopment Commission may adopt rules and bylaws it considers necessary for the proper conduct of their proceedings, the carrying out of their duties; and

Whereas, The Redevelopment Commission is authorized to negotiate and enter into contract by statute; and

Whereas, The Redevelopment Commission needs legal advice to carry out its duties; and,

Now Therefore Be It Hereby Resolved by the Highland Redevelopment Commission, Highland, Lake County, Indiana:

That it is in the best interest of the Town to enter into an Agreement with the law offices of Abrahamson, Reed & Bilse for the year of 2021 at an hourly rate of One Hundred Ninety and 00/100 Dollars (\$190.00) per hour.

DULY PASSED and RESOLVED by the Highland Redevelopment Commission, Highland, Lake County, Indiana, this 26th day of January, 2021 having passed by a vote of ____ in favor and ____ opposed.

**REDEVELOPMENT COMMISSION of the
TOWN of HIGHLAND, INDIANA**

Cyril Huerter, President

ATTEST:

Robyn Radford, Secretary

ABRAHAMSON, REED & BILSE
ATTORNEYS AT LAW
8230 HOHMAN AVENUE
MUNSTER, INDIANA 46321

HAROLD ABRAHAMSON
SCOTT R. BILSE
JOHN P. REED

KENNETH DEARBORN REED
(1937-2008)

Telephone Number: (219) 595-5306 ext. 236
Facsimile Number: (219) 513-9754
Email: jpratlaw@aol.com

January 6, 2021

VIA EMAIL: kdeguilio-fox@highland.in.gov
Kathy Deguilio-Fox
Redevelopment Director
Town of Highland, Indiana

In re: Legal Services

Kathy:

In response to your email of January 5, 2021, I am very happy to offer my continued services to the Redevelopment Commission of the Town of Highland. My current billing rate of \$190.00 per hour will hold for 2021, without increase. I very much enjoy working with the Commission. This year has presented more challenges than any of us are accustomed to, but we still made it. Hopefully work can return to normal sooner rather than later. Thank you for your kind consideration.

Very truly yours,

/s/ *John P. Reed*

**THE TOWN OF HIGHLAND
HIGHLAND REDEVELOPMENT COMMISSION
RESOLUTION 2021-04**

**A RESOLUTION OF THE HIGHLAND REDEVELOPMENT COMMISSION APPROVING AN
AGREEMENT FOR FINANCIAL PROFESSIONAL SERVICES AND GENERAL REDEVELOPMENT
CONSULTING TO THE HIGHLAND REDEVELOPMENT COMMISSION FOR 2021**

Whereas, The Redevelopment Commission of the Town of Highland is authorized to undertake redevelopment activities under IC 36-7-14 and Chapter 216 of the Highland Municipal Code, which are public uses and purposes for which public money may be spent and private property may be acquired, and

Whereas, Redevelopment activities include performing all acts incident to the statutory powers and duties of a redevelopment commission; and

Whereas, The Redevelopment Commission may adopt rules and bylaws it considers necessary for the proper conduct of their proceedings, the carrying out of their duties; and

Whereas, The Redevelopment Commission is authorized to negotiate and enter into contract by statute; and

Whereas, The Redevelopment Commission does from time to time need financial advice and general redevelopment consulting to carry out its duties; and,

Now Therefore Be It Hereby Resolved by the Highland Redevelopment Commission, Highland, Lake County, Indiana:

That it is in the best interest of the Town to enter into an Agreement with SEH of Indiana, LLC for the year of 2021 for a not-to-exceed amount of \$10,000, excluding expenses which would otherwise include those identified and set forth in attached Exhibit A-1, currently estimated at \$200.

DULY PASSED and RESOLVED by the Highland Redevelopment Commission, Highland, Lake County, Indiana, this 26th day of January, 2021 having passed by a vote of ____ in favor and ____ opposed.

**REDEVELOPMENT COMMISSION of the
TOWN of HIGHLAND, INDIANA**

Cyril Huerter, President

ATTEST:

Robyn Radford, Secretary

Supplemental Letter Agreement (FY 2021)

In accordance with the Master Agreement for Professional Services between Town of Highland, Indiana Redevelopment Commission ("Client"), and SEH of Indiana, LLC ("Consultant"), effective March 9, 2016, this Supplemental Letter Agreement dated January 2, 2021 authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the project described as:

To perform certain additional professional services (the "Basic Services") during the fiscal year 2021, more specifically from January 2, 2021 through December 31, 2021, in connection with professional consulting and statutory reporting requirements, planning, redevelopment planning, economic development planning and financial incentivization of business retention, expansion and development prospect projects within the Client's Redevelopment District (the "Project").

Client's Authorized Representative: Kathy DeGuilio-Fox, Redevelopment Director

Address: 3333 Ridge Road
Highland, IN 46322

Telephone: 219.972.7598 **email:** kdeguilio-fox@highland.in.gov

Project Manager: Daniel Botich, Associate & Sr. Economic Development Professional

Address: 9200 Calumet Avenue, N300
Munster, IN 46321-2885

Telephone: 219.513.2516 (Office)
219.680.0825 (Mobile) **email:** dbotich@sehinc.com

Scope: The Basic Services to be provided by Consultant:

1. Assist the Client and Client's staff with general consulting, planning, redevelopment planning, economic development planning and financial incentivization development and monitoring of business retention, expansion and development prospect projects within the Client's Redevelopment District.
2. Assist the Client and Client's staff with the calculation of estimated assessed valuation deductions ("Tax Abatement") when qualified proposals are submitted to the Client for economic development prospects or existing business expansions within the Client's Redevelopment District.
3. Assist the Client and Client's staff with statutory filings and document review related to designated allocation areas consistent with Indiana Code ("I.C.") 36-7-14, the Redevelopment Law (the "Act") and Indiana Administrative Code 50 IAC 8.
4. Assist the Client and Client's staff with estimates of tax increment generated from captured assessment as a result of new private investment and economic development in an established allocation area for the purpose of utilizing tax increment financing ("TIF") for projects or programs related to public infrastructure and including other economic development incentives that serves or benefits an allocation area to stimulate economic development as it relates to financial incentivization strategy and negotiations prior to a determination to issue an obligation utilizing tax increment financing.
5. Assist the Client and the Town of Highland's ("Town) Economic Development team with the development of financial incentive strategies and incentives to be offered to prospective or potential economic development projects presented to the Town, the Department of Redevelopment of other economic development entities of the Town.

More specifically identified, but not limited to the following tasks:

1. Assistance to the Client and the Town's Clerk-Treasurer as the financial officer of the Town and as the Treasurer of the Commission pursuant to Section 8(b) of the Act with responsibilities of: (i) administration of funds and accounts specific to the Department of Redevelopment and the Commission, (ii) the administration, monitoring or analysis of financial incentive packages approved by the Commission and/or the Town that effect the Commission, (iii) the administration of redevelopment or economic development projects approved by the Commission and/or the Town that effect the Commission for financial reporting, analysis or overlapping tax unit impacts, and (iv) the preparation of an annual report to the fiscal body of the Town (the Town Council) **before April 1, 2021**.
2. Assistance in the preparation of annual reporting of the Client's prior year activities to the Town's (the Town Board President) and legislative body (Town Council), including the filing of said report **on or prior to April 15, 2021** with the Indiana Department of Local Government Finance (the "DLGF"), as required by Section 13 of the Act.
3. Assistance in the preparation of an annual Notice of Captured Assessment to be filed **before April 15, 2021** with the Office of the Lake County, Indiana Auditor, the Town's (the Town Board President) and legislative body (the Town Council) and the officers of each overlapping taxing unit of allocation area(s), as it relates to the capture of assessment in designated allocation areas of the Client, pursuant to and as required Section 39(b)(4) of the Act.
4. Assistance to the Commission to develop, prepare and present during a meeting of the Commission **on or before July 1, 2021** information to all governing bodies of taxing units that have a territory within a designated allocation area of the Commission, including: (i) the Commission's budget with respect to each allocation area; (ii) the long-term plans for the allocation area; and (iii) the impact on each taxing unit.
5. Collection of data from the Office of the Lake County Auditor and/or the Office of the Lake County Assessor relative to real property (if instructed or as designated, personal property of a "designated taxpayer" by resolution) key numbers to verify and/or determine an allocation area's base assessment and the "allocation area assessment," the current aggregate assessed value of individual components.
6. Obtain construction cost estimates, development parameters, estimated project scheduling and timing, estimated assessed valuation information and/or staffing levels for planned new construction or business expansion projects in existing or a proposed allocation area of a redevelopment project area.
7. Summarize the Commission's position and assumptions relative to utilizing tax increment financing as a means of potential financial incentivization of an economic development or redevelopment project.
8. Analyses and economic development modeling to determine an economic development prospect's or allocation area's projected assessed value growth and the potential captured assessment used to calculate estimated tax increment, including if necessary the application of assessed valuation deductions (or "Tax Abatement") in economic revitalization areas (an "ERA") in accordance with I.C. 6-1.1-12.1 titled Deduction for Rehabilitation or Redevelopment of Real Property in Economic Revitalization Areas. Comparable tax and assessment data may be necessary and will be obtained from the Office of the Lake County Assessor or other available sources.
9. Preparation of TIF scenarios to include a pro forma tax increment (or "TIF revenues") generated to determine potential financial incentivization of an economic development or redevelopment project for initial Client discussions with an owner or developer.

10. In communication with and assistance to the Client's municipal advisor, bond counsel and local counsel in the preparation specific to a project timetable and schedule, which may include the development of a redevelopment project area plan or expansion, designation of an allocation area, the necessary Client, Plan Commission and Town Council approvals per the Act, and public hearing(s) and necessary reports (i.e. a Statement of Economic and Tax Impact"), all as required by the Act.
11. Upon request, attendance or virtual meeting platform participation at various meetings with the Client and/or Client's staff, Town administration as requested by the Client or Client staff, including public presentations and/or public hearings on the Tax Abatement approval process or a proposed redevelopment project area or designation of an allocation area to discuss TIF and other alternatives to finance capital improvements projects and infrastructure required to stimulate economic development within the Client's Redevelopment District.

Municipal Financial Product and Municipal Advisor Disclosure: The Basic Services to be provided by Consultant above are not intended or implied to be "municipal financial products," meaning municipal derivatives, guaranteed investment contracts, and investment strategies, as defined by the Section 975 of Title IX of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) ("Dodd-Frank Act") amended Section 15B of the Securities Exchange Act of 1934 ("Exchange Act"), which must be provided to the Client by a qualified municipal advisor that: (i) is registered with the Securities and Exchange Commission (the "SEC") and (ii) complies with the regulations of the Municipal Securities Rulemaking Board (the "MSRB").

Furthermore, the Basic Services identified above do not include: (1) serving as a "municipal advisor" for purposes of the registration requirements of Section 975 of the Dodd-Frank Act or the municipal advisor registration rules issued by the Securities and Exchange Commission, or (2) advising the Client or staff regarding "municipal financial products" or the issuance of municipal securities, including advice with respect to the structure, timing, terms, or other similar matters concerning such products or issuances.

The Client shall complete Exhibit C attached hereto as notification to the Consultant that the Client currently has engaged or retained an independent registered "municipal advisor" or intends to engage or retain an independent registered "municipal advisor" so it is clear that the Consultant is not acting in this role to the Client.

Schedule: Professional services to be provided from **January 2, 2021 through December 31, 2021**, as required or as needed pursuant to Basic Services identified herein. A schedule of professional services to be provided shall be determined by the Client and the Consultant based upon an understanding of the professional services required or applicable statutory deadline(s) for submission.

Payment: The estimated fee is subject to a **not-to-exceed amount of \$10,000**, excluding expenses which includes those identified and set forth in attached Exhibit A-1, currently **estimated at \$200**.

The payment method, basis, frequency and other special conditions are set forth in attached Exhibit A-1. Additional work, if required, shall be compensated in accordance with the rate schedule attached hereto as Exhibit A-1.

Other Terms and Conditions: Other or additional terms contrary to the Master Agreement for Professional Services that apply solely to this project as specifically agreed to by signature of the Parties and set forth herein:

Reference Exhibit C titled Independent Municipal Advisor Exemption as attached hereto which:

1. The Client is aware of the "Municipal Advisor Rule" of the Securities and Exchange Commission (effective July 1, 2014) and the "independent municipal advisor" exemption from the definition of "advice".
2. The Client will notify the Consultant of the name and contact information: (i) of currently engaged or retained an independent registered "municipal advisor" or (ii) in a reasonable time, of an engaged or

retained independent registered "municipal advisor," who will advise the Client on such recommendations related to "municipal financial products."

3. The Client understands that the Consultant is not a municipal advisor and is not subject to the fiduciary duty established in Section 15B(c)(1) of the Securities and Exchange Act.

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SEH of Indiana, LLC

Town of Highland, Indiana Redevelopment Commission

By: 

Daniel Botich
Associate &

Title: Sr. Economic Development Professional

By: _____

Title: _____

Exhibit A-1
to the Supplemental Letter Agreement (FY 2021)
Between Town of Highland, Indiana Redevelopment Commission (Client)
and
SEH of Indiana, LLC (Consultant)
Dated January 2, 2021

Payments to Consultant for Services and Expenses
Using the Hourly Basis Option

The Agreement for Professional Services is amended and supplemented to include the following agreement of the parties:

A. Hourly Basis Option

The Client and Consultant select the hourly basis for payment for services provided by Consultant. Consultant shall be compensated monthly. Monthly charges for services shall be based on Consultant's current billing rates for applicable employees plus charges for expenses and equipment.

Employee Name	Billing Title	Hourly Rate
McCrimmon, Joannie.	Senior Administrative Assistant	\$ 84.00
Miller, Beth M.	Designer/GIS	\$ 101.00
Meyer, Mary	Accounting Administrator	\$ 118.00
Schuch, Bryan M.	Economic Development Professional	\$ 133.00
Tsouklis, Damon	Senior Economic Development Professional	\$ 159.00
Botich, Daniel A.	Senior Economic Development Professional	\$ 229.00

Consultant will provide an estimate of the costs for services in this Agreement. It is agreed that after 90% of the estimated compensation has been earned and if it appears that completion of the authorized or requested services cannot be accomplished within the remaining 10% of the estimated compensation, Consultant will notify the Client and confer with representatives of the Client to determine the basis for completing the work, including a potential amendment to this Agreement to adjust the not-to-exceed amount accordingly.

Compensation to Consultant based on the hourly rates above is conditioned on completion of the work within the effective period of the rates. Should the time required to complete the work be extended beyond this period, the rates may be appropriately adjusted.

B. Expenses

The following items involve expenditures made by Consultant employees or professional consultants on behalf of the Client. Their costs are not included in the hourly charges made for services and shall be paid for as described in this Agreement but instead are reimbursable expenses required in addition to hourly charges for services:

1. Transportation and travel expenses.
2. Long distance services, dedicated data and communication services, teleconferences.
3. Plots, Reports, plan and specification reproduction expenses.
4. Postage, handling and delivery.
5. Renderings, models, mock-ups, professional photography, and presentation materials as requested by the Client.
6. All taxes levied on professional services and on reimbursable expenses.
7. Other special expenses required in connection with the Project.

The Client shall pay Consultant monthly for expenses.

p:\highland\150922\1-gen\10-setup-cont\02-contract\2021\high fy 2021 exhibit a-1.docx

Supplemental Letter Agreement Dated January 2, 2021

EXHIBIT C:
Independent Municipal Advisor Exemption Disclosure

The Town of Highland, Indiana Redevelopment Commission (the "Client") is aware of the "Municipal Advisor Rule" of the Securities and Exchange Commission (effective July 1, 2014) and the "independent municipal advisor" exemption from the definition of "advice."

The Client hereby notifies SEH of Indiana, LLC ("Consultant") that it wishes the Consultant to continue to provide assistance and recommendations related to general consulting and statutory reporting requirements, planning, redevelopment planning, economic development planning and financial incentivization of business retention, expansion and development prospect projects within the Client's Redevelopment District.

The Client will notify the Consultant of the name and contact information: (i) of currently engaged or retained an independent registered "municipal advisor" or (ii) in a reasonable time, of an engaged or retained independent registered "municipal advisor," who will advise the Client on such recommendations related to "municipal financial products."

- (i) The Client is represented by (as engaged or retained) by the independent registered "municipal advisory" firm:

<i>Name of Municipal Advisor Firm</i>	
_____	_____
<i>Representative/Contact Name</i>	<i>Title</i>
_____	_____
<i>Phone Number</i>	<i>E-mail Address</i>

The Client will rely on said "municipal advisor" for advice related to "municipal financial products."

- (ii) If item (i) above is not completed, the Consultant in a reasonable time will notify the Consultant of an engaged or retained independent registered "municipal advisor" who will advise the Client on such recommendations related to "municipal financial products" or assist the Client in evaluating any and all of such recommendations.

The Client understands that the Consultant, is not a "municipal advisor" and is not subject to the fiduciary duty established in Section 15B(c)(1) of the Securities and Exchange Act.

The personnel or staff of the "municipal advisor" who will advise the Client on such recommendations shall represent to Client that they have not been associated with the Consultant within the two years prior to the date of this disclosure. This disclosure may be relied upon until December 31, 2021.

The Consultant understands that it must also send a copy of this disclosure to the "municipal advisor."

**TOWN OF HIGHLAND, INDIANA REDEVELOPMENT COMMISSION
HIGHLAND, INDIANA**

_____	_____
<i>Representative (Printed)</i>	<i>Title</i>
_____	_____
<i>Signature of Representative</i>	<i>Dated</i>

**THE TOWN OF HIGHLAND
HIGHLAND REDEVELOPMENT COMMISSION
RESOLUTION 2021-05**

**A RESOLUTION OF THE HIGHLAND REDEVELOPMENT COMMISSION APPROVING AN
AGREEMENT FOR GENERAL ENGINEERING SERVICES
TO THE HIGHLAND REDEVELOPMENT COMMISSION FOR 2021**

Whereas, The Redevelopment Commission of the Town of Highland is authorized to undertake redevelopment activities under IC 36-7-14 and Chapter 216 of the Highland Municipal Code, which are public uses and purposes for which public money may be spent and private property may be acquired, and

Whereas, Redevelopment activities include performing all acts incident to the statutory powers and duties of a redevelopment commission; and

Whereas, The Redevelopment Commission may adopt rules and bylaws it considers necessary for the proper conduct of their proceedings, the carrying out of their duties; and

Whereas, The Redevelopment Commission is authorized to negotiate and enter into contract by statute; and

Whereas, The Redevelopment Commission does from time to time need general engineering services and consulting to carry out its duties; and,

Now Therefore Be It Hereby Resolved by the Highland Redevelopment Commission, Highland, Lake County, Indiana:

That it is in the best interest of the Town to enter into an Agreement with NIES Engineering, Inc. for the year of 2021 for a not-to-exceed amount of \$10,000.

DULY PASSED and RESOLVED by the Highland Redevelopment Commission, Highland, Lake County, Indiana, this 26th day of January, 2021 having passed by a vote of ____ in favor and ____ opposed.

**REDEVELOPMENT COMMISSION of the
TOWN of HIGHLAND, INDIANA**

Cyril Huerter, President

ATTEST:

Robyn Radford, Secretary



December 15, 2020

Ms. Kathy DeGuilio-Fox
Redevelopment Director
Highland Redevelopment Commission
3333 Ridge Road
Highland, IN 46322

RE: Town of Highland Redevelopment Commission
Proposal for General Engineering Services During 2021

Dear Ms. DeGuilio-Fox:

Thank you for the opportunity to present this proposal to provide general engineering services to the Town of Highland Redevelopment Commission and Redevelopment Department staff for the period of January 1, 2021 through December 31, 2021. The work will only include assignments made by the Redevelopment Commission or Redevelopment Director and may encompass services such as providing general technical assistance, engineering reviews, assistance with development of RFPs and RFQs, assistance with development and implementation of beautification projects, meeting attendance when requested, and similar tasks.

We suggest a \$10,000 budget for 2021 to perform these assignments. However, the Redevelopment Commission may set that budget wherever it deems most appropriate. We will only proceed with tasks authorized by the Redevelopment Commission or the Redevelopment Director, and all invoices will be identifiable to specific tasks under this budget.

We propose to perform all work assigned under this agreement on an hourly rate basis, billed at 2.9 times the actual salary of staff assigned. Our billing will not exceed the authorized annual budget without prior approval. Current hourly billing ranges by staff category are presented in Table 1. Direct expenses such as mileage, reproduction and similar items will be billed at actual cost. The services of others, if required, will be billed at actual cost plus a 5 percent markup. The attached "Standard Conditions for Professional Engineering Services" is included by reference.

Again, thank you for the opportunity to present this proposal. Your signature below and return of one copy of this proposal to our office will constitute your acceptance and our notice to proceed.

Yours very truly,
NIES Engineering, Inc.

Derek R. Snyder, P.E.
Principal

TOWN OF HIGHLAND REDEVELOPMENT COMMISSION

Accepted By: _____

Date: _____

Authorized Annual Budget Limit: \$ _____

cc: Highland Redevelopment Commission

Table 1**2021 NIES Engineering Personnel Hourly Rates**

Classification	Hourly Rate	
	From	To
Intern	\$34.00	\$41.00
Clerical	\$29.00	\$44.00
Senior Clerical	\$41.00	\$49.00
Administrative Assistant	\$60.00	\$63.00
Senior Administrative Assistant	\$72.00	\$77.00
Technician Level 1	\$50.00	\$61.00
Technician Level 2	\$69.00	\$73.00
Technician Level 3	\$80.00	\$85.00
Technician Level 4	\$93.00	\$98.00
Technician Level 5	\$99.00	\$104.00
Technician Level 6	\$105.00	\$110.00
Engineer Level 1	\$74.00	\$83.00
Engineer Level 2	\$82.00	\$90.00
Engineer Level 3	\$93.00	\$109.00
Engineer Level 4	\$113.00	\$125.00
Engineer Level 5	\$124.00	\$135.00
Project Manager	\$120.00	\$129.00
Senior Project Manager	\$175.00	\$176.00
Principal Level 1	\$136.00	\$145.00
Principal Level 2	\$138.00	\$148.00
Senior Principal	\$186.00	\$192.00

STANDARD CONDITIONS FOR PROFESSIONAL ENGINEERING SERVICES

The term "NIES Engineering" used in these terms and conditions is defined as: NIES Engineering, Incorporated of 2421 173rd Street, Hammond, Indiana 46323; its officers, partners, employees, sub-consultants and sub-contractors.

1. REIMBURSABLE EXPENSES:

1.1. Reimbursable expenses are defined as follows and shall be invoiced at direct cost:

- Reproduction of documents.
- Shipping and mailing expenses.
- Any other disbursements, application fees, etc., made on behalf of the Owner.

2. INDEMNIFICATION:

- 2.1. The OWNER agrees to hold harmless and indemnify NIES Engineering for and against all claims, damages, awards and costs of defense arising out of delays in NIES Engineering's performance resulting from events beyond the NIES Engineering's control.
- 2.2. Whereas construction job-site safety conditions are the sole responsibility of the Construction Contractor, the OWNER agrees to hold harmless and indemnify NIES Engineering for and against all claims, damages, awards and costs of defense arising out of claims related to Construction job-site safety.
- 2.3. The OWNER agrees to stipulate within the Contract Documents that the Contractor shall purchase and maintain, during the course of construction, "all-risk" builder's risk insurance which names the Contractor, the Owner's agents, and NIES Engineering as additional insureds.
- 2.4. It is understood and agreed that if NIES Engineering's Basic Services under this Agreement do not include project observation or review of the Contractor's performance or any other construction phase services, that such services will be provided for by the Client. If said services are provided for by the Client, then the Client assumes all responsibility for interpretation of the Contract Documents and for construction observation and supervision and waives any claims against NIES Engineering that may be in any way connected thereto. In addition, the Client agrees, to the fullest extent permitted by law, to indemnify and hold NIES Engineering harmless from any loss, claim or cost, including reasonable attorneys' fees and costs of defense, arising or resulting from the performance of such services by other persons or entities and from any and all claims arising from modifications, clarifications, interpretations, adjustments or changes made to the Contract Documents to reflect changed field or other conditions, except for claims arising from the sole negligence or willful misconduct of NIES Engineering.

3. TERMINATION:

- 3.1. This agreement between OWNER and NIES Engineering may be terminated by either party upon seven days, written notice in the event of substantial failure of performance of the material terms and conditions of this agreement by the other party through no fault of the terminating party.
- 3.2. If this agreement is terminated during the course of performance of the services, NIES Engineering shall be paid for the services performed during the period prior to the effective date of termination of the agreement.
- 3.3. If, prior to termination of this agreement, any services designed or specified by NIES Engineering during any phase of the service is suspended in whole or in part for more than three months or abandoned after written notice from the OWNER, NIES Engineering shall be paid for such services performed prior to receipt of such notice.

4. BILLING/PAYMENTS:

- 4.1. NIES Engineering reserves the right to adjust billing rates periodically as salary rates are adjusted and to use the most up-to-date billing rates in preparing project invoicing.

5. REUSE OF DOCUMENTS:

- 5.1. All reports, schedules, drawings, specifications of services of NIES Engineering for this project are instruments of services for this project only and shall remain the property of NIES Engineering until the OWNER has compensated NIES Engineering in full for services rendered pursuant to the AGREEMENT. Upon final payment for services and for each separately accepted and authorized proposal for additional services, ownership of instruments of service shall be vested in the OWNER. NIES Engineering, however, may retain record copies of all such instruments of service and may use such for NIES Engineering's exclusive purposes.
- 5.2. Any reuse of reports, schedules, drawings, specifications of services of NIES Engineering for this project without written verification or adaptation by NIES Engineering for the specific purpose intended will be at OWNER's sole risk and without liability or legal exposure to NIES Engineering, or to NIES Engineering's independent professional associates or consultants, and OWNER shall indemnify and hold harmless NIES Engineering and NIES Engineering's independent professional associates and consultants from all claims, damages, losses and expenses including attorney's fees arising out of or resulting therefrom. Any such verification or adaptation will entitle NIES Engineering to further compensation at rates to be agreed upon by OWNER and NIES Engineering.

6. OPINIONS OF PROJECT COST, CONSTRUCTION AND OPERATION AND MAINTENANCE:

- 6.1. Since NIES Engineering has no control over the cost of labor, materials, equipment or services furnished by others, or over the Contractor methods of determining prices, or over competitive bidding or market conditions, NIES Engineering's opinions of probable Construction Cost are to be made on the basis of NIES Engineering's experience and qualifications and represent NIES Engineering's best judgment as an experienced and qualified professional engineer, familiar with the construction industry; but NIES Engineering cannot and does not guarantee that proposals, bids or actual Construction Cost will not vary from opinions of probable cost prepared by NIES Engineering. Similarly, opinions of Project Cost and Annual Operation and Maintenance Cost cannot be guaranteed because they depend upon numerous factors beyond NIES Engineering's control.

7. MEDIATION:

- 7.1. In addition to and prior to arbitration, the parties shall endeavor to settle disputes by mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association currently in effect unless the parties mutually agree otherwise. Demand for mediation shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. A demand for mediation shall be made within a reasonable time after the claim; dispute or other matter in question has arisen. In no event shall the demand for mediation be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations.

8. FIDUCIARY RESPONSIBILITY:

- 8.1. CLIENT confirms that NIES Engineering has not offered any fiduciary service to client and no fiduciary responsibility shall be owed to client by NIES Engineering as a consequence of NIES Engineering's entering into this agreement with client.

9. HAZARDOUS MATERIALS:

- 9.1. As used in this Agreement, the term hazardous materials shall mean any substances, including but not limited to asbestos, toxic or hazardous waste, PCBs, combustible gases and materials, petroleum or radioactive materials (as such of these is defined in applicable federal statutes) or any other substances under any conditions and in such quantities as would pose a substantial danger to persons or property exposed to such substances at or near the Project site.
- 9.2. Both parties acknowledge that the NIES Engineering's scope of services does not include any services related to the presence of any hazardous or toxic materials. In the event NIES Engineering or any other party encounters any hazardous or toxic materials, or should it become known to NIES Engineering that such materials may be present on or about the jobsite or any adjacent areas that may affect the performance of NIES Engineering's services, NIES Engineering may, at its option and without liability for consequential or any other damages, suspend performance of its services under this Agreement until the Client retains appropriate engineers or contractors to identify and abate or remove the hazardous or toxic materials and warrants that the jobsite is in full compliance with all applicable laws and regulations.
- 9.3. The Client agrees, notwithstanding any other provision of this Agreement, to the fullest extent by law, to indemnify and hold harmless NIES Engineering from and against any and all claims, suits, demands, liabilities, losses, damages or costs, including attorneys' fees and defense costs arising out of or in any way connected with the detection, presence, handling, removal, abatement, or disposal of any asbestos or hazardous or toxic substances, products or materials that exist on, about or adjacent to the Project site, whether liability arises under breach of contract or warranty, tort, including negligence, strict liability or statutory liability or any other cause of action, except for the sole negligence or willful misconduct of NIES Engineering.

10. CONSEQUENTIAL DAMAGES

- 10.1. Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the Owner or NIES Engineering, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation and any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the Owner and NIES Engineering shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.

11. SEVERABILITY:

- 11.1. If any clause or provision of this Agreement shall be held to be invalid in whole or in part, then the remaining clauses and provisions or portions thereof shall nevertheless be and remain in full force and effect.

**THE TOWN OF HIGHLAND
HIGHLAND REDEVELOPMENT COMMISSION
RESOLUTION 2021-06**

**A RESOLUTION OF THE HIGHLAND REDEVELOPMENT COMMISSION ADOPTING AND APPROVING
AN AGREEMENT FOR GRANT PLANNING AND DEVELOPMENT SERVICES
TO THE HIGHLAND REDEVELOPMENT COMMISSION FOR 2021**

Whereas, The Redevelopment Commission of the Town of Highland is authorized to undertake redevelopment activities under IC 36-7-14 and Chapter 216 of the Highland Municipal Code, which are public uses and purposes for which public money may be spent and private property may be acquired, and

Whereas, Redevelopment activities include performing all acts incident to the statutory powers and duties of a redevelopment commission; and

Whereas, The Redevelopment Commission may adopt rules and bylaws it considers necessary for the proper conduct of their proceedings, the carrying out of their duties; and

Whereas, The Redevelopment Commission is authorized to negotiate and enter into contract by statute; and

Whereas, The Redevelopment Commission does from time to time need grant planning and development services to carry out its duties; and,

Now Therefore Be It Hereby Resolved by the Highland Redevelopment Commission, Highland, Lake County, Indiana:

That it is in the best interest of the Town to enter into an Agreement with Karnerblue Era, LLC for the year of 2021 for a not-to-exceed amount of \$10,000.

DULY PASSED and RESOLVED by the Highland Redevelopment Commission, Highland, Lake County, Indiana, this 26th day of January, 2021 having passed by a vote of ____ in favor and ____ opposed.

**REDEVELOPMENT COMMISSION of the
TOWN of HIGHLAND, INDIANA**

Cyril Huerter, President

ATTEST:

Robyn Radford, Secretary

January 14, 2021



KARNERBLUE

Ms. Kathy DeGuilio-Fox
Redevelopment Director
Town of Highland
Redevelopment Commission
3333 Ridge Road
Highland, IN 46322

Dear Ms. DeGuilio-Fox,

I am pleased to present this renewal of professional grant services contract to the Town of Highland Redevelopment Commission.

Since 2018, I have served as a sustainable development expert to the Highland Redevelopment Commission for the purpose of advancing the planning and implementation of downtown district projects and strategic partnerships. Under the direction of the Highland Department of Redevelopment Director, I have played in integral role in identifying funding opportunities, facilitating competitive proposals, and delivering project partnerships that support the development objectives and project priorities set forth by the Redevelopment Commission and Staff.

I look forward to building upon the successes and expanding Highland's development potential in 2021. As always, I appreciate this opportunity to serve the Town of Highland and enhance the quality of life for residents, businesses, and visitors. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Tina Rongers".

Tina Rongers
President
(219) 616-7147

Karnerblue Era, LLC
5 Washington St. Suite 300-32
Valparaiso, IN 46383
www.karnerblueera.com

CONTRACT FOR PROFESSIONAL SERVICES

Background

Karnerblue Era, LLC (“Karnerblue”) is a sustainable development consultancy specializing in the deeper potential of people and places. We empower transformation through our expertise in the planning, implementation and storying of strategic initiatives. We excel at leading clients through the complexities of change and growth. Our core capabilities include strategy, finance, leadership and engagement within the public and non-profit sectors.

Over the last decade, Karnerblue has advised on the infusion of \$180 million in regional economic development, secured over \$6+ million in grants and facilitated civic engagement processes for many hundreds of participants. Currently, the firm is overseeing over \$20 million in local redevelopment efforts and \$2.4 million in grant funded projects and programs.

Founded in 2010 by Tina Rongers, Karnerblue is a Northwest Indiana-based WBE/DBE firm, federally registered contractor and certified CDBG grant administrator. Ms. Rongers is a doctoral candidate in organizational leadership from Meridian University and holds a master’s in urban planning & policy, economic development, from University of Illinois-Chicago.

Scope of Work

Karnerblue will serve as a consultant advising on the planning, development and implementation of downtown Highland by providing grant services. The general tasks are and not limited to:

- Research, identify and recommend grant funding opportunities
- Obtain authorization to proceed with grant writing
- Develop, write and prepare grant proposals, applications and letters of interest
- Organize, coordinate and manage communication, documents and teams during the proposal process of specific projects and programs
- Advise and coordinate activities during the grant writing, grant award and grant management stages
- Assist the Redevelopment Director with other downtown development activities upon request

Fee & Deliverables

This contract is a not to exceed \$10,000 between January 1, 2021 and December 31, 2021. Standard billing rates are \$150 per hour for President and \$65 per hour for administrative support.

Karnerblue will deliver a monthly progress report, a quarterly grant funding opportunity matrix, grant applications and grant-related documents.

Terms & Conditions

Payment - Karnerblue will invoice the Town of Highland at the end of each month with payment due upon receipt. Payment should be made to Karnerblue Era, LLC, 5 Washington Street, Suite 300-32, Valparaiso, Indiana 46383. Point of contact: Ms. Tina Rongers, President. Phone: (219) 616-7147. Email: tina@karnerblueera.com.

Statement of Ethics -Karnerblue is committed to maintaining the highest ethical standards in its consulting practice.

Confidentiality - Karnerblue will not disclose Town of Highland information obtained during this work. Karnerblue will also retain project records in accordance with the Town of Highland policies.

Conflict of Interest - Karnerblue has no known conflicts of interests relating to the Town of Highland. Disclosures may be made during this contract.

Termination - The professional services agreement may be terminated without cause by either party giving thirty (30) days' notice of termination to the other party. Such termination shall not prejudice any other remedy to which either party may be entitled either at law, in equity, or under this Agreement. Any outstanding invoices or unbilled time for completed professional services are due at time of termination.

E-Verify – Karnerblue affirms under the penalties of perjury that it does not knowingly employ an unauthorized alien. Karnerblue shall enroll in and verify the work eligibility status of all its newly hired employees through the Federal E-Verify program as defined in IC 22-5-1.7-3. Karnerblue is not required to participate should the Federal E-Verify program cease to exist. Karnerblue shall not knowingly employ or contract with an unauthorized alien. Karnerblue shall not retain an employee or contract with a person that Karnerblue subsequently learns is an unauthorized alien.

Iran Investment Certification – Karnerblue certifies under the penalties for perjury, in accordance with IC 5-22-16.5-13, that it is not engaged in investment activities in Iran and, to the best of its knowledge, is not listed by the Indiana Department of Administration as an entity determined to be engaged in investment activities in Iran.

Karnerblue Era, LLC



Signed: _____

Printed Name: Tina Rongers

Title: President

Date: January 14, 2021

**Redevelopment Commission
Town of Highland, Indiana**

Signed: _____

Printed Name: _____

Title: _____

Date: _____

**TOWN of HIGHLAND
REDEVELOPMENT COMMISSION
HIGHLAND REDEVELOPMENT DEPARTMENT
Resolution No. 2021-07**

**A Resolution Authorizing, Accepting and Approving the Conveyance,
Return and Transfer of a Certain Parcel of Land and/or its
Improvements to the Parks and Recreation Department and the
Public Works Department (agency) of the Town of Highland in
Consequence of the Completion of the Redevelopment Project and
Improvement Work Performed by the Redevelopment Department**

WHEREAS, The Redevelopment Department through its Redevelopment Commission established the Highland Downtown Redevelopment Area that encompasses the municipal parking lot located on the southwest corner of the intersections of Highway and Kennedy Avenues;

WHEREAS, The Redevelopment Department through its Redevelopment Commission conducted a redevelopment project constructing desirable improvements for municipal parking lot located on the southwest corner of the intersections of Highway and Kennedy Avenues, which includes enhancement to parking lot and the bike trail, which includes the construction of a public restroom depot, all consistent with the plan for the Downtown Redevelopment Area;

WHEREAS, The Redevelopment Department through its Redevelopment Commission customarily returns, transfers or restores jurisdiction to the properties and the improvements to the original departments of jurisdiction upon completion of such projects and does now desire to make such return, transfer or conveyance; and,

WHEREAS, The Redevelopment Commission desires to return and transfer jurisdiction of the respective portions of the improvement to the Parks and Recreation Board and the Works Board, which in turn, desire to accept and resume jurisdiction over the property now improved and enhanced as indicated,

NOW, THEREFORE, BE IT RESOLVED, by the Town of Highland Redevelopment Commission as follows:

Section 1. That the Redevelopment Department conducted a redevelopment project constructing desirable improvements for municipal parking lot located on the southwest corner of the intersections of Highway and Kennedy Avenues, which includes enhancement to parking lot and the bike trail, which includes the construction of a public restroom depot, all consistent with the plan for the Downtown Redevelopment Area;

Section 2. That the project is now satisfactorily completed, the temporary easement/authorization or jurisdiction granted by the proper governing bodies to

support the exercise of redevelopment powers on the properties is dissolved, and those improvements of public way and other infrastructure improved or installed in consequence of the Downtown Redevelopment Area project described herein, become property of the respective individual departments, all according to governing law;

Section 3. That the proper officers of the Town of Highland Parks and Recreation Board and the Works Board should evidence or ratify authorization for the improvements and to act to accept the improvements as conveyed, *to the extent that they may apply*, all pursuant to IC 36-7-14-12.2; IC36-7-14-22.5; IC 36-1-11-8; and IC 36-1-4-16.

Duly Passed and Adopted by the Highland Redevelopment Commission of the Town of Highland, Lake County, Indiana, this ____ day of _____ 2021, having passed by a vote of ____ in favor and ____ opposed.

**REDEVELOPMENT COMMISSION of the
TOWN of HIGHLAND, INDIANA**

Cyril Huerter, President

Attest:

Robyn Radford, Secretary

Approval by Parks and Recreation Board

The Highland Parks and Recreation Board now hereby approves the following:

(A) The Parks and Recreation Board accepts and acknowledges that the project constructing desirable improvements for municipal parking lot located on the southwest corner of the intersections of Highway and Kennedy Avenues, which includes enhancement to parking lot and the bike trail, and which includes the construction of a public restroom depot, all consistent with the plan for the Downtown Redevelopment Area is now satisfactorily completed;

(B) That the necessary temporary easement/authorization or jurisdiction granted by this body to support the exercise of redevelopment powers on the properties is hereby ratified for such period of time as was necessary to execute the project, pursuant to IC 36-1-4-16 and now is dissolved, returned to the jurisdiction of the Parks and Recreation Department; and

(C) That those improvements of public way and other infrastructure improved or installed in consequence of the Downtown Redevelopment Area project described herein, are accepted and become property of the Park and Recreation Department, particularly *the improved bike trail and the public restrooms*, all according to governing law.

Duly Resolved and Approved by the Parks and Recreation Board of the Town of Highland, Lake County, Indiana, this ____ day of _____ 2021, having passed by a vote of ____ in favor and ____ opposed.

**PARKS and RECREATION BOARD of the
TOWN of HIGHLAND, INDIANA**

Carlos Aburto, President

Attest:

Chris Ray, Secretary

Approval by the Works Board

The Town Council acting as the Works Board now hereby approves the following:

(A) The Town Council acting as the Works Board accepts and acknowledges that the project constructing desirable improvements for municipal parking lot located on the southwest corner of the intersections of Highway and Kennedy Avenues, which includes enhancement to parking lot and the bike trail, and which includes the construction of a public restroom depot, all consistent with the plan for the Downtown Redevelopment Area is now satisfactorily completed;

(B) That the necessary temporary easement/authorization or jurisdiction granted by this body to support the exercise of redevelopment powers on the properties is hereby ratified for such period of time as was necessary to execute the project, pursuant to IC 36-1-4-16 and now is dissolved, returned to the jurisdiction of the Public Works Department (Agency); and

(C) That those improvements of public way and other infrastructure improved or installed in consequence of the Downtown Redevelopment Area project described herein, are accepted and become property of the Public Works Department (Agency), particularly *the parking lot and any other improvements not intended for the Parks and Recreation Department*, all according to governing law.

Duly Resolved and Approved, by the Town Council acting as the Works Board of the Town of Highland, Lake County, Indiana, this ____ day of _____ 2021, having passed by a vote of ____ in favor and ____ opposed.

**WORKS BOARD of the
TOWN of HIGHLAND, INDIANA**

Roger W. Sheeman, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

**THE TOWN OF HIGHLAND
HIGHLAND REDEVELOPMENT COMMISSION
RESOLUTION 2021-08**

**A RESOLUTION OF THE HIGHLAND REDEVELOPMENT COMMISSION
APPROVING AN AGREEMENT FOR BROKER SERVICES
TO THE HIGHLAND REDEVELOPMENT COMMISSION FOR 2021**

Whereas, The Redevelopment Commission of the Town of Highland is authorized to undertake redevelopment activities under IC 36-7-14 and Chapter 216 of the Highland Municipal Code, which are public uses and purposes for which public money may be spent and private property may be acquired, and

Whereas, Redevelopment activities include performing all acts incident to the statutory powers and duties of a redevelopment commission; and

Whereas, The Redevelopment Commission may adopt rules and bylaws it considers necessary for the proper conduct of their proceedings, the carrying out of their duties; and

Whereas, The Redevelopment Commission is authorized to negotiate and enter into contract by statute; and

Whereas, The Redevelopment Commission does from time to time need general real estate and brokerage services to carry out its duties; and,

Now Therefore Be It Hereby Resolved by the Highland Redevelopment Commission, Highland, Lake County, Indiana:

That it is in the best interest of the Town of Highland to enter into an Agreement with John Jurisa of Weichert Realty to list the sale of the former Bult Oil property, located at common addresses as follows: 2605 and 2606 Garfield Avenue and 2605 and 2609 Garfield Avenue, Highland, Lake County, Indiana, for a listing term of six months from the date said agreement is fully executed and for a real estate commission of six percent (6%) of the selling price, with a minimum of \$3,500.

DULY PASSED and RESOLVED by the Highland Redevelopment Commission, Highland, Lake County, Indiana, this 26th day of January, 2021 having passed by a vote of ____ in favor and ____ opposed.

**REDEVELOPMENT COMMISSION of the
TOWN of HIGHLAND, INDIANA**

Cyril Huerter, President

ATTEST:

Robyn Radford, Secretary

Full Price Example
SELLERS' ESTIMATED NET EXPENSES

1 PREPARED FOR Town of Highland Redevelopment Commission
 2 Property Address 2605 Condit St.
Highland, 46322

3 BY AGENT John Jurisa RB14015060 DATE January 26, 2021

4 Selling Price \$ 137,500.00

5 Mortgage or Contract Balance _____
 6 2nd Mortgage _____
 7 Other Loan or Debt _____
 8 Professional Service Fee 6.000 % \$8,250.00
 9 Mortgage Loan Discount Points _____
 10 Title Insurance _____ \$785.00
 11 Recording Release of Mortgage _____
 12 Closing Fee Title Company charge \$300.00
 13 Legal (Deed Preparation) OR, By your attorney \$75.00
 14 Pest Inspection _____
 15 Well and Septic Inspections _____
 16 Home Protection Plan _____

17 Tax Proration (Up to Day of Closing)
 18 TAXES _____ PAYABLE Exempt
 19 TAXES _____ PAYABLE _____

20 Other (SPECIFY) _____
 21 Misc Title Co fees (TIEFF, CPL, recording?) \$75.00
 22 _____
 23 _____

24 ESTIMATED Total Seller's EXPENSE \$ 9,485.00

25 ESTIMATED NET TO SELLER \$ 128,015.00

\$600. Usually split between Buyer + Seller

26 **FIGURES SHOWN ARE ESTIMATES AND ARE NOT GUARANTEED!**

27 SELLER UNDERSTANDS THESE ESTIMATED FIGURES AND ACKNOWLEDGES RECEIPT OF A COPY.

28 _____
 29 SELLER _____ DATE _____ SELLER _____ DATE _____
 Town of Highland Redevelopment Commission



Forms restricted for use by members of the
 GREATER NORTHWEST INDIANA
 ASSOCIATION OF REALTORS®, INC.



M-1
 Rev. 1/00



LISTING CONTRACT (EXCLUSIVE RIGHT TO SELL) COMMERCIAL-INDUSTRIAL REAL ESTATE

For use only by members of the Indiana Association of REALTORS®

This Contract is entered into on the 26th day of January, 2021, by Welchert Realtors, the Moke Agency (Broker) and Town of Highland Redevelopment Commission

known as 2605 Condit St. in North Township, Lake County, Highland, Indiana 46322 Zip Code, the legal description of which is [X] (attached as Exhibit "A") [] (described as follows):

(the "Property").

In consideration of the mutual covenants herein and services to be performed, Broker is appointed as Seller's agent with irrevocable and exclusive right to sell, exchange or option the Property, during the Term for the following price and terms. Where the word "Seller" appears, it shall also mean "Optionor;" "Sale" or "Purchase" shall also mean "exchange" or "option;" "Buyer" shall also mean "Optionee;" and "Broker" shall mean "Licensee" as provided in I.C. 25-34.1-10-6.8. "Property" shall mean all property offered for sale pursuant to this Contract as defined in Section D and E (if applicable) below.

A. TERM: This Contract begins on the 26th day of January, 2021, and shall continue until 11:59 p.m. on the 26th day of July, 2021. Provided, however, that if Seller enters into a purchase agreement, exchange agreement or option during the term of this Contract, but the closing of the sale, exchange or option will not take place until after the term of this Contract, then this Contract shall be extended to coincide with the closing date.

In the event the Property is removed from the market for periods of time that may be agreed to by Seller and any prospective Buyer as part of the contingencies to the purchase, exchange agreement or option to purchase ("Transaction Agreement"), this Contract shall be automatically extended in time for periods equal to the periods contained in the Transaction Agreement.

B. BROKER'S COMMISSION: Seller agrees to pay Broker a commission, which shall be determined and paid as, follows:

- 1. SALE: If the transaction is a sale, Seller shall pay Broker a commission of six percent (6,000 %) of the gross sales price, which shall be paid at the time of closing of the transaction when title to or an interest in the Property is transferred to Buyer.
2. EXCHANGE: If all or any part of the Property is sold or exchanged, or title is conveyed in any manner, Seller shall pay Broker a commission of six percent (6,000 %) of the gross sales price or exchange value.
3. OPTION: If an option is granted to a prospective Buyer, Seller shall pay Broker (\$ six U.S. Dollars) or six percent (6,000 %) of each payment, whichever is greater, when made to Seller to obtain, renew or extend the option.
4. DEFAULT: If Seller enters into a fully executed contract for sale, exchange or option and Seller defaults under that contract, then a commission in the same amount as would be payable upon a closing pursuant to this Contract shall be due immediately upon such default.
5. READY, WILLING AND ABLE PERSON: If Broker procures a written offer from a Buyer who is ready, willing and financially able to consummate the proposed transaction concerning the Property according to the terms contained in this Contract, and Seller refuses to accept the offer, Broker shall be immediately entitled to a commission in the same amount as would be payable upon a closing pursuant to this Contract.
6. SUIT BY OWNER: If Seller successfully prosecutes a suit against a Buyer who breached a purchase agreement, exchange agreement or option concerning the Property and collects all or any part of the monetary damages proximately caused by such breach as a result of trial, compromise, settlement or otherwise, Seller shall pay Broker an amount equal to one-half (1/2) of the funds received by Seller; but, the maximum amount that Seller shall be obligated to pay to Broker shall not exceed the amount of Broker's commission if the sale, exchange, or option had been consummated.
7. COMMISSION PROTECTION: Within 180 days after the Term, as it may be extended if the Property is: (i) sold, exchanged or optioned; (ii) contracted to be sold, exchanged or optioned; (iii) subject to the commencement of, resumed or continued communications to be sold, exchanged or optioned to any entity or person, or its, his or her broker or agent with whom Broker, Seller or any of their agents or employees had communications during the Term and who was identified on a list submitted to Seller within 14 days after expiration of the Term, then Seller agrees to pay Broker a commission on sale, exchange or option pursuant to Section B.

C. PRICE: Seller offers the Property for sale or exchange at a price of One Hundred Thirty-Seven Thousand, Five Hundred dollars (\$ 137,500.00 U.S. Dollars) upon the following terms and conditions: Cash to seller at closing

Seller offers the Property for sale, exchange or option upon any other price and terms acceptable to Seller as evidenced by Seller's execution and delivery of a written contract with respect to the Property.

(office use only)

60 D. **PROPERTY OFFERED FOR SALE:** The above price(s) includes the real estate together with all buildings and all permanent
61 improvements and fixtures attached thereto; **except the following items to be EXCLUDED (if any):**
62 _____

63
64 E. **PERSONAL PROPERTY OFFERED FOR SALE:** The above price includes the following items of personal property to
65 be INCLUDED in the sale: none
66 _____

67
68 **(NOTE: EXCLUDE FIXTURES NOT OWNED BY SELLER SUCH AS RENTED FIXTURES AND TENANT'S TRADE**
69 **FIXTURES. THE PURCHASE AGREEMENT WILL DETERMINE WHAT PROPERTY IS INCLUDED OR EXCLUDED.)**

70 F. **AGENCY DISCLOSURES:**

- 71 1. **Office Policy.** Seller acknowledges receipt of a copy of the written office policy relating to agency.
72 2. **Agency Relationships.** I.C. 25-34.1-10-9.5 provides that a Licensee has an agency relationship with, and is representing,
73 the individual with whom the Licensee is working unless (1) there is a written agreement to the contrary; or (2) the
74 Licensee is merely assisting the individual as a customer. Licensee (Broker) represents the interests of the Seller as Seller's
75 agent to sell the Property. Licensee owes duties of trust, loyalty, confidentiality, accounting and disclosure to the Seller.
76 However, Licensee must deal honestly with a buyer and disclose to the buyer information about the Property, including all
77 latent and patent defects in the Property, whether or not Seller believes they are minor or major in nature, and whether or
78 not they are now known or are discovered in the future. All representations made by Licensee about the Property are made
79 as the agent of the Seller. Seller is advised that the Property may be sold with the assistance of other Licensees working as
80 buyer agents and that Licensee's company policy is to cooperate with and compensate buyer agents. Buyer agents are
81 Licensees who show the Property to prospective buyers, but who represent only the interests of the buyer. Buyer agents
82 owe duties of trust, loyalty, confidentiality, accounting and disclosure to buyers. All representations made by buyer agents
83 about the Property are not made as the agent of the Seller.
84 3. **Limited Agency Authorization:** Licensee or the managing broker may represent Buyer as a buyer agent. If such
85 a Buyer wishes to see the Property, Licensee has agency duties to both Seller and Buyer, and those duties may be
86 different or even adverse. Seller knowingly consents to Licensee acting as a limited agent for such showings. If limited
87 agency arises, Licensee **shall not disclose** the following without the informed consent, in writing, of both Seller and Buyer:
88 (a) Any material or confidential information, except adverse material facts or risks actually known by Licensee
89 concerning the physical condition of the Property and facts required by statute, rule, or regulation to be
90 disclosed and that could not be discovered by a reasonable and timely inspection of the Property by the
91 parties.
92 (b) That a Buyer will pay more than the offered purchase price for the Property.
93 (c) That Seller will accept less than the listed price for the Property.
94 (d) Other terms that would create a contractual advantage for one party over another party.
95 (e) What motivates a party to buy or sell the Property.

96 In a limited agency situation, the parties agree that there will be no imputation of knowledge or information between any
97 party and the limited agent or among Licensees.

98 Seller acknowledges that Limited Agency Authorization has been read and understood. Seller understands that
99 Seller does not have to consent to Licensee(s) acting as limited agent(s), but gives informed consent voluntarily to limited
100 agency and waives any claims, damages, losses, expenses, including attorneys' fees and costs, against Licensee(s)
101 arising from Licensee's(s)' role of limited agent(s).

102 G. **SELLER'S COVENANTS:** Seller agrees to cooperate with Broker and cooperating brokers fully with respect to
103 Broker's efforts to market and sell the Property. Seller agrees to refer to Broker all inquiries received relating to the sale of the
104 Property and to conduct all negotiations with prospective buyers of the Property through Broker. Seller further agrees to
105 furnish Broker any information in Seller's possession concerning the Property as Broker may reasonably request from time to
106 time including, but not limited to survey, floor plans, building plans, operating statements, rent roll, title commitment,
107 environmental reports, zoning certificates and the following: _____

108 Seller agrees to reimburse Broker for all expenses authorized in writing by Seller and incurred by Broker in advertising or
109 marketing the Property not to exceed _____

110 dollars (\$ zero U.S. Dollars).

111 H. **SELLER'S REPRESENTATIONS:** TO SELLER'S BEST KNOWLEDGE AND BELIEF SELLER REPRESENTS AND
112 WARRANTS TO BROKER AS FOLLOWS:

- 113 1. The undersigned Seller (i) holds title to the Property in fee simple; (ii) is authorized and has the capacity to execute
114 and deliver this Listing Contract; and (iii) has the ability to convey a good and marketable title by warranty deed and/or
115 enter into a sale, exchange or option.
116 2. The Property is zoned I-1 Overlay District; (is) (is not) located in a Historic
117 District; (is) (is not) located in a flood plain. There presently exists no defect or condition known to Seller which
118 would adversely affect market value or materially impair the fitness of the Property for its existing use **EXCEPT:**
119 **Former petroleum facility that has underwent remediation. Site listed on IDEM VFC.**
120 3. There are no actions, suits or proceedings pending or threatened against Seller or the Property, affecting any portion
121 of the Property, before any judicial tribunal or governmental agency, department or instrumentality, **EXCEPT:**
122 _____
123 4. There are no pending or threatened condemnation actions or special assessments of any nature with respect to the
124 Property nor has Seller received any notices of any such condemnation actions or special assessments being
125 contemplated.
126 5. There are no foreclosures pending or threatened with respect to the Property nor has Seller received any notices of

(office use only)

any foreclosure action being contemplated.

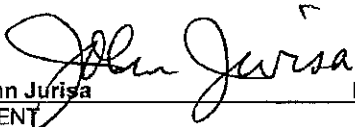
6. Seller has not received any notice in writing or otherwise from any governmental or municipal agency requiring the correction of any condition with respect to the Property or any part thereof, by reason of a violation or alleged violation of any applicable federal or state statute, ordinance, code or regulation, **EXCEPT: As listed on IDEM VFC**

(NOTE: SELLER AUTHORIZES BROKER TO DISCLOSE ANY OF THE INFORMATION IN SECTIONS G. AND H. TO THIRD PARTIES.)

- I. MARKETING:** Seller authorizes Broker to market the Property, including but not limited to placing and removing "For Sale" and other signs on the Property using electronic media and printing brochures. Seller further authorizes Broker or cooperating brokers to conduct showings of the Property. Seller represents that adequate insurance will be kept in force to protect Seller in the event of any damage, losses or claims arising from entry to the Property and holds harmless Broker, its agents, employees, and independent contractors, from any loss, claim or damage resulting therefrom.
- J. INDEMNITY:** Seller agrees to indemnify, defend and hold Broker, cooperating broker, the local Board/Association of REALTORS®, the MLS (if applicable), the Indiana Commercial Board of REALTORS®, Inc., and the Indiana Association of REALTORS®, Inc., harmless from any and all claims, demands, liabilities, damages, losses, judgments, expenses, costs and attorney fees resulting from, arising out of or relating to Seller's furnishing Broker or causing Broker to be furnished with any false, incorrect, or inaccurate information or representations, or Seller's concealment of any material information. If a dispute arises at any time concerning the condition of the Property, the structures, improvements permanently installed and affixed thereto, Property defects, or health hazards, Seller agrees to indemnify, defend and hold harmless Broker, cooperating Broker, the local Board/Association of REALTORS®, the MLS (if applicable), the Indiana Commercial Board of REALTORS®, Inc., and the Indiana Association of REALTORS®, Inc. from and against any and all claims, demands, liabilities, damages, losses, judgments, expenses, costs and attorney fees resulting from, arising out of or relating to such dispute.
- K. BROKER'S LIEN:** For purposes of this Contract, the parties understand and agree that Broker's commission is deemed to be a share of the money received by Seller, and Broker shall have a lien on the funds and a lien upon the Property until the commission is paid.
- L. EARNEST MONEY:** Earnest money shall be deposited within two banking days after acceptance of the offer into Broker's escrow account until the sale is closed unless otherwise provided in the Purchase Agreement. In the event the sale is not closed and the earnest money is paid to Seller, then Broker shall be entitled to one half (1/2) of the earnest money in payment for services rendered, but in no event shall the amount due Broker exceed the amount of Broker's commission had the sale been closed. In the event that any contract for the sale, exchange or option of the Property does not close for any reason, any earnest money held by Broker shall be held until Seller, Buyer and Broker mutually agree in writing as to its disposition or until the disposition is directed by a court order.
- M. MISCELLANEOUS PROVISIONS:** Seller and Broker acknowledge that:
1. All persons signing below as Seller have read and understand this Contract and have received a copy.
 2. This Contract contains the entire agreement of the parties and cannot be changed except by their written consent.
 3. This Contract is binding upon the parties' heirs, administrators, executors, successors and assigns.
 4. Broker warrants that Broker holds a valid Indiana real estate license.
 5. The closing of the sale shall take place at the Title Company issuing the title insurance commitment or the financial institution providing a loan for the transaction.
 6. Broker may refer Seller to other professionals, service providers or product vendors, including lenders, loan brokers, title insurers, escrow companies, inspectors, surveyors, engineers, consultants, environmental inspectors and contractors. Broker has no responsibility for the performance of any service provider. Seller is free to select providers other than those referred or recommended to Seller by Broker.
 7. If it becomes necessary for Broker to retain an attorney or initiate any legal proceedings in order to secure compliance with this Contract, then, in addition to all other sums Broker may recover, Broker shall also recover court costs, reasonable attorney fees, pre-judgment and post-judgment interest and all other costs incurred by Broker in connection therewith.
 8. This Contract may be transmitted between the parties electronically or digitally. The parties intend that electronically or digitally transmitted signatures constitute original signatures and are binding on the parties. The original document shall be promptly executed and/or delivered, if requested. This Contract may be executed simultaneously or in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
 9. The Fair Housing Act prohibits discrimination in housing because of race, color, national origin, religion, sex, familial status, and handicap. The National Association of REALTORS® Code of Ethics also prohibits REALTORS® from discriminating on the basis of sexual orientation or gender identity.
 10. Broker is not and shall not be charged with the responsibility for the custody, management, care, maintenance, protection or repair of the Property nor for the protection or custody of any personal property located thereon, unless provided for in another agreement.
 11. Broker's commission for services rendered in respect to any listing is solely a matter of negotiation between Broker and Seller and is not fixed, controlled, recommended or maintained by the Indiana Association of REALTORS®, Inc., the Indiana Commercial Board of REALTORS®, Inc., the local Board/Association of REALTORS®, the MLS (if applicable) or any person not a party to the contract. The compensation paid by a listing Broker to a cooperating broker in respect to any listing is established by the listing Broker and is not fixed, controlled, recommended or maintained by any persons other than the listing Broker.

(office use only)

190 **N. ADDITIONAL PROVISIONS:**
 191 Seller is offering to extend sewer service to edge of property with an acceptable offer.
 192
 193 Should seller accept a very low offer, broker's minimum commission to be \$3500.
 194 (Would only apply to an offer less than \$58,334.)
 195
 196 Buyer will be required to accept terms of seller required covenants and state so in their offer.
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218	<u>John Jurisa</u>	<u>RB14015060</u>	
219	AGENT	IN LICENSE #	SELLER'S SIGNATURE DATE
220			
221	<u>Weichert Realtors, the Moke Agency</u>		<u>Town of Highland Redevelopment Commission</u>
222	BROKER OR COMPANY NAME	IN LICENSE #	PRINTED
223			
224		<u>CO10200057</u>	
225	ACCEPTED BY: MANAGING BROKER		SELLER'S SIGNATURE DATE
226			
227	<u>617 N. Main Street, Crown Point, IN</u>	<u>46307</u>	
228	MAILING ADDRESS	ZIP CODE	PRINTED
229			
230	<u>(219)718-5531</u>	<u>(219)791-4690</u>	
231	(Area Code) TELEPHONE NUMBER/FAX NUMBER		MAILING ADDRESS ZIP CODE
232			
233			(Area Code) TELEPHONE NUMBER/FAX NUMBER
234			
235			
236			



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ADDENDUM # Exhibit A TO LISTING CONTRACT
 For use only by members of the Indiana Association of REALTORS®

1 This Addendum is attached to and made part of Listing Contract dated January 26, 2021
 2 on property known as 2605 Condit St.
 3 Highland, Indiana, Zip 46322 ("the Property").

4 Further Conditions:

- 5 Parcel Numbers and Legal Descriptions per County records:
 6
 7 45-07-21-327-001.000-026 Redivision of Block 1 and Block 9 of Original Town of Highland Lot 1 Block 1 and
 8 North 1/2 vacated alley adjacent
 9
 10 45-07-21-327-002.000-026 Redivision of Block 1 and Block 9 of Original Town of Highland Lot 2 and North 1/2
 11 vacated alley adjacent and West 39 ft of Lot 3 Block 1 and North 1/2 vacated alley adjacent
 12
 13 45-07-21-327-006.000-026 Redivision of Block 1 and Block 9 of Original Town of Highland Lot 13 Block 1 and
 14 South 1/2 vacated alley adjacent
 15
 16 45-07-21-327-007.000-026 Redivision of Block 1 and Block 9 of Original Town of Highland West 39 ft of Lot 11
 17 and all Lot 12 Block 1 and South 1/2 vacated alley adjacent
 18
 19
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 22
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 24
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 27

28 All other terms and conditions of the Listing Contract remain unchanged.

29 By signature below, the parties acknowledge receipt of a signed copy of this Addendum.

30 John Jurisa
 31 AGENT IN LICENSE # SELLER'S SIGNATURE DATE
 John Jurisa RB14015060

32 Town of Highland Redevelopment Commission
 33 PRINTED

34 Weichert Realtors, the Moke Agency
 35 BROKER OR COMPANY NAME IN LICENSE # SELLER'S SIGNATURE DATE
 CO10200057

36
 37 PRINTED

38
 39 ACCEPTED BY: MANAGING BROKER DATE MLS #



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2605 Condit St.
ADDRESS: Highland, 46322

MLS #: _____ (System assigns)

GNIAR MLS Comm./Ind./Bus. Listing Input Sheet

****Indicates Required Field***

*TRANSACTION TYPE: Sale Lease *OFFICE ID #: 769 *AGENT ID #: 1979

Co-Office ID #: _____ Co-Agent ID #: _____

*Property Subtypes(s): Retail Office Industrial Multi Family Hotel/Motel Farm/Ranch Land Mobile Home Park Special Use Other

*Area: 127 *Subdivision: Original Town of Highland *County: Lake

*APN (Key): Various (See attachment) Address: Street #: 2605 Direction (East, West, etc.): _____

*Street Name: Condit Suffix (St., Rd., etc.): St Post Direction (East, West, etc.): _____

Unit #: _____ *City: Highland *Zip: 46322 Cross Street: 1st Street

*Listing Price: \$137,500.00 *Auction: Y N *Status: Active *Agreement Type: Exclusive Right to Sell Exclusive Agency Listing

*Listing Approved: Y N Show Address to Public: Y N *Publish to VOW: Y N Public Viewable: Y N

*Show Address on VOW: Y N *Show AVM on VOW: Y N *Show Comments on VOW: Y N Send to Zillow GRP: Y N

Picture Provided by: Agent Photographer Both None *Commission to Sales Office: 2.5 Percent Flat \$

Variable Rate: Y N Comment _____ Industrial Park Name _____

*Approx. Sq. Ft: 4160 *Sq. Ft. Source Agent Measured Appraisal Assessor Bldg. Plan Seller Survey

*Lot Size: .86 Sq. Ft./Acres Lot Size Source Appraisal Assessor Plat Map Seller Survey *Year Built: 1966

*Listing Date: January 26, 2021 *Expiration Date: July 26, 2021

Marketing Remarks (1000 Characters Max): Almost an acre zoned I-1 Industrial in the vibrant Town of Highland. Fenced 138' by 270' lot. Frontage on 3 streets. 138 feet of frontage on both Condit and Garfield. 270 feet of frontage on First Street. NIPSCO gas and electric. Sewer line will be run to property line by seller with acceptable offer. Loads of potential tempered by covenants due to former petroleum facility use. Covenants attached. Ask your Realtor for copy. By way of full disclosure, please go to the IDEM "VFC" website to view public records concerning this site. No tax data available. Municipal owned; tax exempt at this time. Current assessed value \$91,600. Please contact County Treasurer for possible tax amount.

Agent-Only Remarks (500 Characters Max): Four key numbers. Please see attachment for legal descriptions. Municipal owned tax exempt.

*Directions to Property (250 Characters Max): Highway Avenue to 1st Street. North to Condit.

Owner Name: Highland Redevelopment Commissi Owner Phone: _____ Occupant Type: Owner Proposed Const. Tenant

Vacant Occupant Name: _____ Phone to Show #: (219)791-4690

*Showing Instr: Please accompany your buyer. Register with Showing Assist system first.

Show Assist Confdl 1: _____

Show Assist Confdl 2: _____

Show Assist Confdl 3: _____

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1 of 4

*Legal Description 1: Per attachment.

Legal Description 2: _____

Office File Number: _____ *Zoning: Agriculture Buso Comm Indus Resi Other *Township: North

*Lot Dimensions: 138 X 270 Lot Frontage: 138 Lot Depth: 270

New Construction: Never Occupied Under Const. Proposed Const. Cranes: _____ # of Offices: _____ Office Sq. Ft. _____

Building Dimensions: 40 X 104 Number of Stories: 1 Dock(s): 0

Parking Spaces: _____ Possession: _____ At funded closing _____ Overhead Doors: Missing Clear Ceiling Height: _____

*Agent Owned/Interest: Y N *REO: Y N *Auction: Y N *Earnest Money Deposit: \$ 5,000.00

*Electronic Box Yes No *Key Box Serial # _____

Financial Data

*Total Annual Income: \$ _____

*Annual Expense Year: 2020

*Insurance Expense: \$ _____

*Heat Expense: \$ _____

*Electricity Expense: \$ _____

*Water: \$ _____

*Sewer: \$ _____

*Advertising: \$ _____

*Scavenger: \$ _____

*CAM: \$ _____

*Repairs: \$ _____

*Elevator: \$ _____

*Resident Manager: \$ _____

*Management Fee: \$ _____

*Taxes: \$ _____ none

Exemptions: _____

*Cleaning/Maintenance: \$ _____

*Supplies: \$ _____

*Miscellaneous Expense: \$ _____

*Total Annual Expense: \$ _____

*Annual Income Year: _____

*Rental Income: _____

*Misc. Income: _____

*Gross Annual Income: _____

*Net Annual Income: _____

*Advertising Expense: _____

PHOTOGRAPH REPRINT:

3 x 5 Color _____

5 x 7 Color _____

8 x 10 Color _____

Did the seller acquire ownership of the property during the past 5 years at a tax sale, Sheriff's sale, any judicial sale, or mortgage foreclosure proceeding? Yes No
If so, does seller have insurable and marketable title to said property? Yes No

Owner hereby states that they have read this listing input sheet and that the information given is true and accurate to the best of their knowledge and belief. By signature below, the parties acknowledge that a signed copy of this form will be furnished to the owner.

Owner Town of Highland Redevelopment Commission

_____ Date

Owner _____

_____ Date


Sales Agent/Broker/REALTOR® John Jurisa

RB14015060

_____ Date

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09-09-16

GNAR MLS COMM. / IND. / BUS. LISTING INPUT

PROPERTY AMENITIES:

(1) *Air Conditioning/Ventilation:

- Central Air Chillers Exhaust Fan(s) Heat Pump
 Office Only Partial Reverse Cycle Space Total
 Wall Sleeve Window Units Zoned None

(2) *Amenities:

- Docks Community Exterior Lighting Landing Strip
 Liquor License Storage Tank-Abv. Grn Storage Tank-Blw Grn
 Other

(3) *Backup Information:

- Aerial Map Air/Mineral Rights Appraisal Assessments Unpaid
 Covenants/Restrict. Declarations/Bylaws Dcd Restrict.
 Demographics Disclosure Forms Easements Engineering Rpts.
 Environment Audit Historical District Leases/Copies
 Legal Description Plans /Specs Soil Borings Soil Maps
 Soil Test/Perc Survey Tax Bill Title Reports
 Topographic Map Traffic Count Other

(4) *Ceiling Type:

- Acoustical Concrete Exposed Under Roof Plastered
 Sheet Rock Suspended Wood Panel Other

(5) *Bldg. Construction:

- Block Brick Concrete Steel Stone Wood Frame
 Other

(6) *Current Use:

- Car Lot Car Wash Church Conditional Use
 Condominium Convenient Store Entertainment Farm
 Flex Space Food Processing Bldg. Gas Station/ Auto Service Hall
 Ind./ Manufact. Legal Non Conf. Liquor License Available
 Medical Office Multi Family Non Conf. Office PUD
 Recreation Research/Develop. Restaurant/Food Serv
 Retail Mall Retail -Mix Use Retail -Stand Alone
 Sing. Fam. Res. Special Use Storage Lockers
 Tavern/Bar/Lounge Timberland Truck Terminal/Yard
 Warehouse/Shop Zone Change Required Other

(7) *Docks:

- Barge/Boat Common Depressed Exterior Heat Seal
 Interior Levelers None Other

(8) *Electrical Service:

- 0-100 Amps 101-200 Amps 120 Volts 201-600 Amps
 240 Volts 3 Phase 480 Volts Buss Duc(s)
 Circuit Breakers Fuses NIPSCO Over 600 Amps
 Sep. Meters Sub Station None Other

(9) Gas Company:

- Available NIPSCO Propane None Other

(10) *Bldg. Exterior:

- Alum/Vinyl Facia Alum/Vinyl Gutters Alum/Vinyl Windw. Trim
 Aluminum Siding Asbestos Block Brick Cedar
 Concrete Drivet Glass Log Masonite Shakes
 Slate Steel Siding Stone Stucco Vinyl
 Wood Frame Other

(11) Floor:

- Concrete Reinforced Other

(12) *Floor Finish:

- Carpet Concrete Dirt Parquet Slate/Marble
 Terrazzo Tile Varies Vinyl Wood Other

(13) * Foundation:

- Block Brick Concrete Concrete Piling
 Reinforced Caissons Steel Piling Stone Wood Other

(14) *Location:

- At Airport Business District Channel Front
 Comm./Industrial Park Corner Free Standing Ind. Park
 Lake Front Mixed Use Near Airport Office Park
 Out Lot Public Transport River Front Strip Mall
 Water Front Water View

(15) *Fire Protection:

- Alarm Monitored Alarm on Site Ansl System
 Fire Extinguishers Hydrant on Site Part Sprinklers
 Smoke/Fire Protect Sprinkler Wet Sprinklers Dry
 Stand Pipe Water Storage Tank None Other

(16) *Frontage Access:

- City Street County Road Easement Frontage Road
 Interstate Private Road Public Road Signal Intersection
 State Road Stop Sign Intersection US Highway Other

(17) *Heat /Ventilation:

- Ceiling Units Central Bldg. Heat Electric Heat Forced Air
 Gas Heat Gravity Heat Pump Hot Water Oil Heat
 Plenum Type Propane Heat Radiant Radiator
 Solar Heat Steam Wall Units Zoned None Other

(18) *Information:

- 24 Hr. Notice Req. 48 Hr. Notice Req. Confidentiality Requested
 Covenants Restrictions Exclusions CLO LAG Must Accompany
 None Other

(19) *Misc. Inside:

- ADA Compliant Atrium Cranes Elevator-Freight
 Elevator-Passenger Escalators Exercise Room Hoist
 Inside Corridors Janitor Service Lunch Room Meeting Room
 Multi Tenant Pool Private Restrooms Public Restrooms
 Shower / Locker Room Skylights Other

(20) Phone / Internet Service:

- Cable Internet DSL ISDN Phone System Satellite
 T-1 Line T-3 Line

(21) *Misc. Outside:

- ADA Compliant Balcony Conveyor System Courtyard
 Enclosed Stairs Fire Escape Hydraulic Lift Patio
 Pipeline Crossing Pool Satellite Dish Security Gate
 Security Lighting Security Patrol Security System Sundeck
 Trash Compactor Other

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GNAR MLS COMM. / IND. / BUS. LISTING INPUT

PROPERTY AMENITIES:

(22) *Parking:

- Assigned Spaces Common Parking Covered Parking
 Fee Parking Fenced Parking Garage Lighted Parking
 None on Site Open Parking Paved Parking Private Parking
 Public Parking Secured Parking Truck Parking Unpaved Parking
 Valet Off Site Valet On Site Other

(23) *Potential Use:

- Car Wash Church Conditional Use Condominium
 Convenient Stores Entertainment Flex Space Food Processing Bldg.
 Gas Station/Auto Ser Hall Ind./Manufact. Legal/Non Conf.
 Liquor License Available Medical Office Multifamily Non Conf.
 Office PUD Recreation Research/Dev. Restaurant./Food Service
 Retail Mall Retail -Mix Use Retail -Stand Alone Special Use
 Storage Lockers Tavern/Bar/Lounge Truck Terminal/Yard
 Warehouse/Shop Zone Change Required None Other

(24) *Roof Coverings:

- Comp Shingle Fiberglass Membrane Metal Reflective Coating
 Rubber Slate Tar & Gravel Tile Varies Wood Shakes
 Other

(25) *Roof Structure:

- Barrel Roof Flat Gable Gambrel HIP Mansard
 Metal Decking Pitched Pressed Concrete Steel Joist Truss
 Wood Joist Other

(26) *Rail Availability:

- Mainline Potential Siding Spur None

(27) *Terms:

- Assumable Cash Contract Conventional Lease/Purchase
 Owner Assisted Other

(28) *Tenant Pays:

- C.A.M. Electric Gas Janitorial Operating Stops
 Property Insurance RE Tax Repairs & Maint. Scavenger
 Tax Stops Water & Sewer None Other

Utilities: On Off

(29) *Utilities:

- Detention Pond Electric Near By Electricity on Site Gas Near By
 Gas on Site Holding Tanks Lift Station San. Sewer Near By
 San. Sewer on Site Septic Private Septic Required
 Storm Sewer Avail. Water Municipal Water Near By Water on Site
 Well Private Well Required Well Shared None Other

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09-09-16

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Weichert, Realtors – The Moke Agency
OFFICE POLICY FOR SELLERS

Consumer Agency Disclosure. Indiana law (I.C. 25-34.1-10-9.5) provides that a Licensee has an agency relationship with, and is representing, the individual with whom the Licensee is working unless:

- (1) there is a written agreement to the contrary; or
- (2) the Licensee is merely assisting the individual as a customer without compensation.

The Licensee (your broker) at Weichert, Realtors – The Moke Agency, represents the interests of the Seller as a Seller's agent to sell the Property. Such Licensee owes duties of trust, loyalty, confidentiality, accounting and disclosure to the Seller. However, Licensee must deal honestly with a buyer and disclose information to the buyer about the Property. All representations made by Licensee about the Property are made as the agent of the Seller. Seller is further advised that the Property may be sold with the assistance of other Licensees working as buyer agents and that Licensee's company policy is to cooperate with and compensate buyer agents. Buyer agents are Licensees who show the Property to prospective buyers, but who represent only the interests of the buyer. Buyer agents owe duties of trust, loyalty, confidentiality, accounting and disclosure to buyers. All representations made by buyer agents about the Property are not made as the agent of the Seller.

Limited Agency Disclosure/Authorization. The Licensee or the principal or managing broker may personally represent a buyer as a buyer's agent. If such a Buyer wishes to see the Property, then Licensee has agency duties to both Seller and Buyer which may be different or even adverse. If limited agency arises, Licensee shall not disclose the following without the informed consent, in writing, of both Seller and Buyer:

- (1) Any material or confidential information, except adverse material facts or risks actually known by Licensee concerning the physical condition of the Property and facts required by statute, rule, or regulation to be disclosed and that could not be discovered by a reasonable and timely inspection of the Property by the parties.
- (2) That a Buyer will pay more than the offered purchase price for the Property.
- (3) That Seller will accept less than the listed price for the Property.
- (4) Other terms that would create a contractual advantage for one party over another party.
- (5) What motivates a party to buy or sell the Property.

In a limited agency situation, the parties agree that there will be no imputation of knowledge or information between any party and the limited agent or among Licensees.

Required Duties Disclosure. Indiana law (I.C. 25-34.1-10-9.5) provides that a Licensee must perform at least the following duties for the Seller:

- (1) Be available to receive and timely present offers and counteroffers for the Property
- (2) Assist in negotiating, completing real estate forms, communicating, and timely presenting offers, counteroffers, notices, and various addenda relating to the offers and counteroffers until:
 - (A) a purchase agreement is signed; and
 - (B) all contingencies are satisfied or waived.

(3) Timely respond to questions relating to offers, counteroffers, notices, various addenda, and contingencies pertaining to the subject property.

If a Licensee fails to perform the above duties, and another Licensee performs those duties on behalf of or at the request of the Seller, then the performance of those duties by the other Licensee does not constitute an agency relationship. Further, a Licensee may lawfully perform duties in addition to those set forth above on behalf of or at the request of the Seller.

A Licensee's duties in a real estate transaction set forth in this office policy do not relieve the Seller from the responsibility to protect his/her own interests. The Seller should carefully read all documents to assure they adequately reflect the Seller's understanding of the transaction. If legal, tax or other expert advice is desired, the Seller should consult a qualified professional for those opinions.

Code of Ethics and Standards of Practice Disclosure. The Code of Ethics and Standards of Practice of the NATIONAL ASSOCIATION OF REALTORS® provides that REALTORS® must advise clients of the REALTOR®'s company cooperative compensation policies and the possibility that sellers or sellers' representatives may not treat the existence, terms, or conditions of offers as confidential unless confidentiality is required by law, regulation, or by any confidentiality agreement between the parties. Further, if a seller has approved disclosure of the existence of offers on the Property, REALTORS® shall also disclose whether offers were obtained by the listing licensee, another licensee in the listing firm, or by a cooperating broker.

Recordings at the Property. In the event Seller has a recording system at the Property which captures audio and/or video, Seller understands that the recording and transmitting of audio and/or video may result in violations of state and/or federal laws. Seller acknowledges that prospective purchasers may photograph or video the interior of the Property. Seller should remove any items of a personal nature that Seller does not want photographed, recorded or transmitted, such as family photos, paperwork and other personally identifiable information. Seller hereby releases and indemnifies Broker Company and its agents from any liability which may result from any recordings or transmitting at the Property.

By signing below, Seller acknowledges that Limited Agency Authorization has been read and understood. Seller understands that Seller does not have to consent to Licensee(s) acting as limited agent(s), but gives informed consent voluntarily to limited agency and waives any claims, damages, losses, expenses, including attorneys' fees and costs, against Licensee(s) arising from Licensee's(s') role of limited agent(s).

Seller's Signature & Date

Printed Name

Seller's Signature & Date

Printed Name

BROKER QUALIFICATIONS

52 Years Business Experience

Education:

- Graduate, Purdue University, Calumet Campus
- Associate in Applied Science, Computer Technology 1969
- Bachelor of Science, with Distinction, Supervision Technology 1972

Licensed Indiana Real Estate Broker (26 years)

Legacy Broker, Weichert Realtors, the Moke Agency

Former Regional Director, Prime Real Estate

MLS Board of Directors 2012-2014, Re-Elected 2016

Director, Greater Northwest Indiana Association of Realtors

Professional Designations:

GRI: Graduate Realtor Institute

ABR: Accredited Buyer Representative

Scope of Experience:

Residential, Multi-Unit, Vacant Land, Commercial Real Estate, Commercial Leasing, Facilitator of 1031 Tax Exchange

Awards:

- #1 Prudential Commercial Agent, State of Indiana, 1st Quarter 2005
- Salesperson of the Year, Prudential Partners Real Estate Schererville Office 1997, 2002, 2004, #2 or 3 for several years
- #3 Individual Agent, Prime Real Estate Schererville Office 2013 & 2014
- Recruiter of the Year, Prime Real Estate 2013



Weichert
REALTORS®
The Moke Agency

219.791.4690 24-7 VM
219.662.3000 Office
219.791.4690 Fax
nwiRealty@live.com
www.nwiRealty.net



John Jurisa ABR GRI
Legacy Broker.

Your Property Receives the Best Web Presence

With John Jurisa

219-718-5531

Weichert

REALTORS

The Moke Agency

Multiple Listing System (MLS) - Over 2500 Agents

Member ICBR: Indiana Commercial Board of Realtors

Loopnet - CoStar for commercial listings

Personal Website: nwiRealty.net

Syndication site to site

IDX: co-op system between brokers

I.e: All franchise and non-franchise company sites

Local Association Public Site: GNIARMLS.com

National Association Site: Realtor.com


PLUS, I subscribe to List Hub !

Includes the following websites:

 **Homes.com** (<http://www.homes.com/>)

 **wikiREALTY** (<http://www.wikirealty.com>)

 **HomeSpotter** (<https://homespotter.com/>)

 **kahping** (<http://www.kahping.com>)

LandWatch (<http://www.landwatch.com>)

 **foreclosure.com** (<http://www.foreclosure.com>)

PUBLIC NOTICE OF MEETINGS
Issued pursuant to I.C. 5-14-1.5 et seq

HIGHLAND REDEVELOPMENT COMMISSION
2021 Meeting Schedule

(Approved and Adopted January 26, 2021 as Advertised)

2nd Tuesday of the Month

6:30 PM Study Session

January 12, 2021
February 9, 2021
March 9, 2021
April 13, 2021
May 11, 2021
June 8, 2021
July 13, 2021
August 10, 2021
September 14, 2021
October 12, 2021
November 9, 2021
December 14, 2021

4th Tuesday of the Month

6:30 PM Review Session,
Plenary Business Meeting
to Follow Immediately

January 26, 2021
February 23, 2021
March 23, 2021
April 27, 2021
May 25, 2021
June 22, 2021
July 27, 2021
August 24, 2021
September 28, 2021
October 26, 2021
November 23, 2021
December 21, 2021*

**The Study Session and Plenary meeting regularly scheduled for the 4th Tuesday of the month will be rescheduled to the 3rd Tuesday of December 2021 due to holiday schedules.*

2021 Goals
HIGHLAND REDEVELOPMENT COMMISSION

- | | |
|--|---------------------|
| 1. Development of Kennedy/Condit corridor of Downtown Highland | |
| A. Determine best and highest use of property | 1 st Qtr |
| B. Determine potential use/projects | Ongoing |
| C. Meet with developer(s) to discuss potential PUD | 2 nd Qtr |
| D. Appraisals/assemble properties for PUD footprint | 2 nd Qtr |
| E. Research zoning and property use | 2 nd Qtr |
| F. Consider Development of Container Market | 3 rd Qtr |
| G. Consider use of Master Developer | 2 nd Qtr |
| H. Identify possible financing for project | 3 rd Qtr |
| I. Begin negotiations for sale and development of properties | Ongoing |
| J. Determine when offering incentives is applicable | Ongoing |
| 2. Downtown Lighting | |
| A. Retrofit or replace with new Highway & Jewett Street Lighting | 4 th Qtr |
| B. Pursue grant for project funding assistance | 4 th Qtr |
| 3. Public Offerings | |
| A. Review recent public offering | 1 st Qtr |
| B. Prepare Public Offering for (former) Bult Oil site | 4 th Qtr |
| C. Prepare Public Offering for Kennedy Avenue properties | 4 th Qtr |
| D. Continue pursuit of sale 2811 and 2821 Jewett Street properties | Ongoing |
| 4. Multigenerational Housing for Kennedy Ave Corridor | |
| A. Commission housing/commercial use study | 1 st Qtr |
| B. Meet with developer(s) to discuss potential PUD | 2 nd Qtr |
| C. Appraisals/assemble properties for PUD footprint | 2 nd Qtr |
| D. Research zoning and property use | 2 nd Qtr |
| E. Consider use of Master Developer | 2 nd Qtr |
| F. Identify possible financing for project | 3 rd Qtr |
| G. Begin negotiations for sale and development of properties | Ongoing |
| H. Understand and Offer incentives, if applicable | Ongoing |
| 5. Continue Commercial Property Improvement Grant Program | |
| A. Consider applications | Ongoing |
| B. Review and approve grant application(s) | Ongoing |
| C. Fund <u>at least</u> two façade grant properties (\$40K max per property) | Ongoing |
| D. Allocate initial dollars for 2021 | 4 th Qtr |
| E. Review program and projects | 4 th Qtr |

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|---|---------------------|
| 6. Continue to Explore Feasibility of a New Business Park on Kennedy Ave and Main Street | |
| A. Determine highest and best use | 2 nd Qtr |
| B. Planning for potential use(s) and barriers to development | 2 nd Qtr |
| C. Begin discussions with developers to determine highest and best use | 3 rd Qtr |
| D. Begin discussions with property owners, if applicable | 3 rd Qtr |
| E. Decide on whether an Allocation Area should be established | 4 th Qtr |
| F. Establish Allocation Area or other incentives for the area if necessary | 4 th Qtr |
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| 7. Explore Options to Develop North Kennedy/Riverfront Property | |
| A. Determine best and highest use of property | 1 st Qtr |
| B. Pursue potential PUD development of property | 1 st Qtr |
| C. Identify possible financing tools | 2 nd Qtr |
| D. Identify potential sites for softball fields | 2 nd Qtr |
| E. Identify significant barriers to development | 2 nd Qtr |
| F. Design concepts for consideration | Ongoing |
| G. Pursue developers and development agreement(s) | Ongoing |
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| 8. Relocation of Public Works Complex | |
| A. Identify at possible location(s) that would accommodate use | 1 st Qtr |
| B. Meet with owners of the locations | 2 nd Qtr |
| C. Order Appraisals with Redevelopment Cm'n Approval | 2 nd Qtr |
| D. Identify potential financing for project | 2 nd Qtr |
| E. Begin negotiations/development agreement/purchase | 2 nd Qtr |
| F. Site engineering/Building design | 3 rd Qtr |
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| 9. Develop Retention/Recruitment Plan | |
| A. Review revitalization and master plans | Ongoing |
| B. Review current Placemaking/efforts to assist recruitment | Ongoing |
| C. Maintain data on occupancy in the downtown | Ongoing |
| D. Advertise properties for sale & lease on the website | Ongoing |
| E. Meet with prospective businesses to locate in Highland | Ongoing |
| F. Communicate with realtors listing DT properties | Ongoing |
| G. Communicate with property owners regarding lease/sale potential | Ongoing |
| H. Work with Highland Main Street | Ongoing |
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| 10. Highland Main Street | |
| A. Review HMS 2020 Plan of Work; provide feedback if appropriate | 1 st Qtr |
| B. Appoint commissioner to serve on HMS | 1 st Qtr |
| C. Provide assistance with recruiting new members if required | Ongoing |
| D. Review programs, projects and events and offer input/approval | Ongoing |

11. Review Properties for Future Development

- A. Update Acquisition list if necessary
- B. Conduct appraisals on properties when appropriate
- C. Continue with acquisition process when appropriate

Ongoing
Ongoing
Ongoing

12. Review Current and Expected Allocation Areas and Funds

- A. Review a list of current Allocation Areas and Funds generated
- B. Maintain a listing of Allocation Areas with Semi-Annual Distributions
- C. Review current and potential projects that may utilize funds
- D. Discuss fund use options by reviewing acquisition list and priorities
- E. Develop a list of funding priorities and begin funding the projects

1st Qtr
Ongoing
2nd Qtr
3rd Qtr
4th Qtr

Revision 7_Oct 20 2020

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 094 REDEVELOPMENT GENERAL						
Dept 0000						
094-0000-45200	REDEVELOP GEN TRANSFER GROSS	89563	PAYROLL ACCOUNT	11/20PRL D/S TRANSFER REDEVELOPMEN	5,165.82	33123
			Total For Dept 0000		<u>5,165.82</u>	
			Total For Fund 094 REDEVELOPMENT GENERAL		<u>5,165.82</u>	

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
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Fund Totals:

Fund 094 REDEVELOPMENT GENERAL	5,165.82
	<u>5,165.82</u>

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 094 REDEVELOPMENT GENERAL						
Dept 0000						
094-0000-45200	REDEVELOP GEN TRANSFER GROSS	89993	PAYROLL ACCOUNT	12/18PRL D/S TRANSFER REDEVELOPMENT	4,882.12	33308
			Total For Dept 0000		<u>4,882.12</u>	
			Total For Fund 094 REDEVELOPMENT GENERAL		<u>4,882.12</u>	

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
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Fund Totals:

Fund 094 REDEVELOPMENT GENERAL	4,882.12
	<u>4,882.12</u>

GL Number Invoice Line Desc Ref # Vendor Invoice Description Amount Check #

Fund 094 REDEVELOPMENT GENERAL

Dept 0000						
094-0000-20003	MINUTE BOOK SHEETS	90402	A E BOYCE CO INC	MINUTE BOOK SHEETS	36.47	
094-0000-20003	OFFICE SUPPLIES	90403	OFFICE DEPOT, INC	OFFICE SUPPLIES	440.68	
094-0000-31001	DECEMBER LEGAL FEES	90400	ABRAHAMSON, REED & BILSE	DECEMBER LEGAL FEES	627.00	
094-0000-31003	GENERAL ENGINEERING SERVICES	90399	NIES ENGINEERING, INC.	GENERAL ENGINEERING SERVICES	1,483.35	
094-0000-35008	UTILITIES- 2821 JEWETT	90404	NORTHERN IN PUBLIC SERVICE	UTILITIES- 2821 JEWETT	120.52	
094-0000-35008	UTILITIES-2811 JEWETT	90405	NORTHERN IN PUBLIC SERVICE	UTILITIES- 2811 JEWETT	198.24	
094-0000-35008	DECEMBER STORMWATER PAYMENTS	90401	TOWN OF HIGHLAND UTILITIES	DECEMBER STORMWATER PAYMENTS	111.76	
094-0000-39001	2021 DUES	90406	HIGHLANDGRIFFITH CHAMBER OF	(2021 DUES	65.00	
094-0000-45200	REDEVELOP GEN TRANSFER GROSS	89680	PAYROLL ACCOUNT	12/4 PRL D/S TRANSFER REDEVELOPMENT	4,882.10	33212
094-0000-45200	REDEVELOP GEN TRANSFER GROSS	90120	PAYROLL ACCOUNT	12/31PRL D/S TRANSFER REDEVELOPMENT	6,690.44	33383
094-0000-45200	REDEVELOP GEN TRANSFER GROSS	90210	PAYROLL ACCOUNT	1/15PRL D/S TRANSFER REDEVELOPMENT	4,884.72	33387
			Total For Dept 0000		19,540.28	

Total For Fund 094 REDEVELOPMENT GENERAL

19,540.28

Fund 096 REDEVELOPMENT CAPITAL

Dept 0000						
096-0000-34002	COMM PROPERTY IMPROVEMENT GRAN	90422	HODDYPEAK HOLDING LLC	COMM PROPERTY IMPROVEMENT GRANT	40,000.00	

Total For Dept 0000

40,000.00

Total For Fund 096 REDEVELOPMENT CAPITAL

40,000.00

GL Number Invoice Line Desc Ref # Vendor Invoice Description Amount Check #

Fund Totals:

Fund 094 REDEVELOPMENT GENERAL	19,540.28
Fund 096 REDEVELOPMENT CAPITAL	40,000.00
	<u>59,540.28</u>

