HIGHLAND REDEVELOPMENT COMMISSION STUDY SESSION MINUTES TUESDAY, DECEMBER 14, 2021

The Highland Redevelopment Commission ("Commission", "RC") met in person at Town Hall. The study session was called to order at 6:30 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 Sean Conley, Robyn Radford, Bill Leep and Cyril Huerter. Commissioner George Georgeff was absent with notice. A quorum was established.

Additional Officials Present: Town Council Liaison Roger Sheeman and Kathy DeGuilio-Fox, Redevelopment Director. Attorney John Reed attended electronically by telephone.

Also Present: John Jurisa, Weichert Realtors; Lydia Shotts and Evan Runyan, both of Highland.

General Substance of the Discussion

- 1. **Review of Plenary Business Meeting Agenda**: Ms. DeGuilio-Fox reviewed the plenary business meeting agenda with the Commissioners. Brief discussion ensued.
- 2. Disposition of 2821 Jewett Report: Director DeGuilio-Fox advised that both parties attended closing on the property on Friday, December 10, 2021 at Meridian Title. And, she picked up the check from Meridian Title on Monday morning, December 13. The check was promptly given to Janice Figuerosa, Fiscal Analyst for the Highland Clerk-Treasurer, to be deposited in the Redevelopment Bond and Interest Fund as instructed by the Clerk-Treasurer. Ms. DeGuilio-Fox further reported that all Town equipment and theatre items salvaged when the theatre was demolished have been removed from 2821 Jewett and moved to the garage at 2811 Jewett. She also advised she'd contacted an auctioneer and was awaiting a return call as to whether his firm is interested in auctioning the items described during his conversation with Director DeGuilio-Fox.
- 3. **Bult Oil Property Update**: Ms. DeGuilio-Fox advised as to the nature of the communications as included on the plenary session agenda. She felt it necessary that the Commissioners understand that IDEM is inactivating the Site Status Letter request submitted earlier by the Redevelopment Department. And, she wanted to be certain that the Commissioners understood the nature of the advisory email sent by Morgan Saltsgiver of EnviroForensics. Discussion ensued. The Commissioners believe the buyer is fully aware of what their responsibility is in regard to the needed environmental remediation. Ms. DeGuilio-Fox went on to advise that the second resolution they will consider during their plenary session is so they may approve the sale and commercial use as proposed by the buyer of the Bult Oil property such that the Town Council may, as required under the specific circumstances of the property, approve the sale of the property to the buyer. Discussion ensued.

- 4. Speedway Property at 8436 Kennedy Avenue Update: Ms. DeGuilio-Fox reported that, as asked, she had attempted to contact NIPSCO with a proposal that they purchase the property at 8436 Kennedy Avenue and then "gift it" to the Redevelopment Commission however, she has not received a response. She also reported her email conversation with Alex Brown, Park & Recreation Department Superintendent in regard to their interest in using the property as a park. Discussion ensued. After much discussion the commissioners agreed that the size of the property, approximately .3 acres, would make it very difficult to development and having no specific interest by a developer they should not move forward with acquiring the parcel. Commissioner Huerter suggested that Ms. DeGuilio-Fox encourage a news story be written to try to get a buyer interested in the property. Commissioner Huerter also suggested reaching out to the businesses who were unsuccessful bidders of the 2821 Jewett property to encourage one of them to buy the property and develop it. Both suggestions may be taken up in 2022.
- 5. **EV Chargers: Update** Director DeGuilio-Fox reported to the Commissioners that the EV chargers signage will be installed this week. She went on to advise that, according to what the IT Director is seeing on the charger site, two potential customers made unsuccessful attempts to charge their vehicles. She reported reaching out to Ozinga Energy on Monday and asked them to send techs out to check the chargers to be certain they are functional. She also advised she would suggest to the Town IT Director that it might be an issue with the credit card reader.
- 6. **Welcome to Highland Sign: Discussion** Ms. DeGuilio-Fox reported that she had contacted Landmark Signs and asked for a quote for refurbishing the Highland sign. She has not received a reply to date and will follow up with them again after the holidays. Discussion ensued. Commissioners believe it is worthwhile to also look into keeping the sign but using a different technology, perhaps LED lighting components.
- 7. **2022 Redevelopment Goals**: The Commissioners were given an updated goal sheet showing those goals that they had accomplished during 2021, those that had been started and are well underway and new goals for consideration in 2022. Ms. DeGuilio-Fox advised that early in 2022 the commissioners should review their goals and then approve those they determine they want to pursue.

8. Redevelopment Commission Comments:

- a. Ms. DeGuilio-Fox reminded everyone that if that haven't already and are interested in serving on the Commission again in 2022 that they should submit a letter or email of interest to Michael Griffin.
- **b.** Ms. DeGuilio-Fox directed the commissioners attention to the letter attached to their meeting packet, that being a letter of resignation submitted by the Redevelopment Director. Discussion ensued.

There being no further discussion the Redevelopment Commission study session was adjourned at 7:15 p.m.

Respectfully submitted by Kathy DeGuilio-Fox, Recording Secretary.

HIGHLAND REDEVELOPMENT COMMISSION PLENARY BUSINESS MEETING MINUTES TUESDAY, DECEMBER 14, 2021

The Highland Redevelopment Commission ("Commission", "RC") met in person at Town Hall. The Plenary Business Meeting was called to order by Commission President Cy Huerter at 7:15 p.m. Commission President Huerter called for a roll call.

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

Roll Call: Commissioners Bill Leep, Sean Conley, Robyn Radford and Cy Huerter were present at Town Hall. Commissioner George Georgeff was absent with notice. A quorum was established.

Additional Officials Present: Town Council Liaison Roger Sheeman; and Kathy DeGuilio-Fox, Redevelopment Director were present in person. Attorney John Reed attended electronically by telephone.

Also Present: John Jurisa, Weichert Realtors; Lydia Shotts and Evan Runyan, both of Highland.

Minutes of Previous Sessions: Commission President Huerter asked if everyone had received and reviewed the minutes. Hearing that everyone had reviewed the minutes he called for a motion to approve. Commissioner Bill Leep made a motion to approve the minutes as presented. Commissioner Sean Conley seconded the motion. There being no corrections or discussion Commission President Huerter approved the minutes of the November 23, 2021 study session and plenary meeting as presented.

Special Orders: None

Public Comment: Lydia Shotts, 10226 Kennedy Avenue, commented about the redevelopment goal list. In particular, she asked about the south Kennedy development that has been proposed by 1st Metropolitan Builders. She is concerned that it will cause issues for the residential property owners that live just north of the proposed site. Ms. Shotts was told that at this time it is a "proposed" development and has not gone before the Plan Commission nor the BZA for approvals yet. Evan Runyan, 10306 Kennedy Avenue, also expressed his concern about the proposed development. He explained that he and his wife just moved to the 10306 Kennedy Avenue location and they would like to know more about the project. Both were advised by Commission President Huerter that the project has not progressed and must go before the Plan Commission and BZA for approvals before the project would progress.

Communications:

- 1. <u>Indiana Department of Environmental Management Inactive Warning Letter</u>: Commissioners reviewed the letter from IDEM that was included in their packet. Discussion ensued. Commissioners commented that they believe the "buyer" understands the environmental issues and their responsibility as new owner.
- 2. Morgan Saltsgiver, EnviroForensics Advisory Email in Regard to the Sale of the Bult Oil Property: Commissioners advised they had reviewed the email. Discussion ensued. The commissioners all agree that they feel it was made clear to the "buyer" what their responsibility is in regard to the environmental remediation of the property. Commissioner Leep commented that he'd shared Morgan Saltsgiver's contact information with the "buyer" and so they are able to readily contact EnviroForensics should they have any questions in that regard.

Unfinished Business and General Orders: None **New Business**:

- Resolution 2021-31: A Resolution of the Highland Redevelopment
 Commission In Regard to Disposition of Surplus Personal Property.
 Commission President Huerter asked if there were any questions in regard to Resolution 2021-31. There being none he called for a motion to approve Resolution 2021-31. Commissioner Robyn Radford moved to approve. Commissioner Bill Leep seconded the motion. There being no further discussion a roll call vote was taken. The motion passed with a vote of four affirmatives and no negatives.
- 2. Resolution 2021-32: A Resolution of the Highland Redevelopment Commission to Approve the Sale of the Real Property Known as 2605 and 2609 Condit Street and 2605 and 2606 Garfield Avenue to Highland Auto Body for Use as a Commercial Property. Commission President Huerter asked if clarification was necessary. There being none requested he called for a motion to approve Resolution 2021-32. Commissioner Bill Leep moved to approve. Commissioner Sean Conley seconded the motion. There being no further discussion a roll call vote was taken. The motion passed with a vote of four affirmatives and no negatives.

Action to Pay Accounts Payable Vouchers: Commissioner Robyn Radford made a motion to pay accounts payable vouchers as filed on the pending accounts payable docket, covering the period November 25, 2021 through December 15, 2021 and the payroll dockets for December 3, 2021 in the total amount of \$13,805.02. Commissioner Sean Conley seconded the motion to approve the Accounts Payable Vouchers. There being no discussion, Commission President Huerter called for a roll call vote. Upon a roll call vote the motion passed with four affirmatives and no negatives.

Vendors Accounts Payable Docket:

Redevelopment General Fund, \$13,805.02; Highland Economic Development, \$0.00; Redevelopment Capital Fund, \$0.00; Downtown Redevelopment District Allocation Area, \$0.00; Redevelopment Bond & Interest, \$0.00; CEDIT Economic Development Income Tax Fund, \$0.00 and Cardinal Campus Allocation Area, \$0.00. Total: \$13,805.02.

Payroll Docket for Payday December 3, 2021: Redevelopment Department: Total Payroll: \$5,036.83.

Business from the Commissioners: There was no business nor additional comments from the Commissioners.

Next Meeting: President Huerter advised that the next Study Session is scheduled for Tuesday, January 11, 2022 and will convene at 6:30 PM. The next Plenary Business Meeting is also scheduled for Tuesday, January 25, 2022 immediately following the study session at 6:30 PM. 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 the Highland Main Street is tentatively scheduled to convene on Wednesday, January 12, 2022 at 6:30 p.m. The meetings will be convened in person at Town Hall unless otherwise advised through the issuance of a public notice.

Adjournment: There being no further business of the Highland Redevelopment Commission, the Tuesday, December 14, 2021 meeting of the Highland Redevelopment Commission was adjourned at 7:30 PM.

Respectfully submitted by Kathy DeGuilio-Fox, Recording Secretary

TOWN OF HIGHLAND HIGHLAND REDEVELOPMENT COMMISSION RESOLUTION 2021-31

A RESOLUTION OF THE HIGHLAND REDEVELOPMENT COMMISSION IN REGARD TO DISPOSITION OF SURPLUS PERSONAL PROPERTY

WHEREAS, the Highland Redevelopment Commission (the "Commission"), as the governing body for the Highland Redevelopment Department (the "Department"), pursuant to Indiana Code 36-7-14, as amended (the "Act"), has established the Highland Redevelopment Area (the "Economic Revitalization Area"), as an economic development area pursuant to Section 41 of the Act; and

WHEREAS, the Commission desires to dispose of surplus personal property, or a portion thereof, as was salvaged from the old Town Theatre upon purchase of the real property formerly located at 8616 Kennedy Avenue: and

WHEREAS, there is no statute specific to disposal of property by a redevelopment commission in Indiana; and

NOW, THEREFORE, BE IT RESOLVED by the Highland Redevelopment Commission that:

- 1. The Commission hereby authorizes and directs the Redevelopment Director to dispose of said surplus personal property.
- 2. Consideration is to be given to either auction or donation as the method for disposal of said surplus personal property.
- 3. This Resolution shall take effect immediately upon its adoption by the Commission.

DULY RESOLVED AND ADOPTED by the Redevelopment Commission of the Town of Highland, Lake County, Indiana this 14th day of December, 2021 having passed by a vote of _____ in favor and ____ opposed.

REDEVELOPMENT COMMISSION of the TOWN of HIGHLAND, INDIANA

Cyril Huerter, President

Bill Leep, Secretary 12-11-2| Dated Kathy DeGuilio-Fox, Redevelopment Director Town of Highland Department of Redevelopment

December 14, 2021 Dated

ATTEST:

Resolution 2021-31 Adopted 12-14-2021

TOWN OF HIGHLAND HIGHLAND REDEVELOPMENT COMMISSION RESOLUTION 2021-32

A RESOLUTION OF THE HIGHLAND REDEVELOPMENT COMMISSION TO APPROVE THE SALE OF THE REAL PROPERTY KNOWN AS 2605 AND 2609 CONDIT STREET AND 2605 AND 2606 GARFIELD AVENUE TO HIGHLAND AUTO BODY FOR USE AS A COMMERCIAL PROPERTY

WHEREAS, the Highland Redevelopment Commission (the "Commission"), governing body of the Town of Highland Department of Redevelopment (the "Department"), and the Redevelopment Area of the Town of Highland, Indiana (the "Redevelopment District"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in IC 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Commission on May 28, 1997, adopted Resolution No. 1997-01 declaring the Highland Redevelopment Area to be an area in need of redevelopment within the meaning of the Act; and

WHEREAS, Resolution No. 1997-01 was confirmed by the Commission with the adoption of Resolution No. 1997-02 on July 8, 1997; and

WHEREAS, Subsequent Resolutions, No. 2003-01, No. 2005-11, No. 2006-10, No. 2007-08, and No. 2008-09 confirmed expansion of the Redevelopment Area; and

WHEREAS, the Commission accepted the 2007 Comprehensive Plan for the Highland Redevelopment Area on March 14, 2007; and

WHEREAS, the Commission, from time-to-time, may find that it is in its best interests to dispose of and sell certain parcels of real property for development purposes; and

WHEREAS, the Commission properly approved Resolution No. 2020-21 authorizing the appraisals of the subject property in accordance with I.C. §36-7-14-12.2(a)(13) and I.C. 36-7-14-22(b) in preparation for the advertisement and sale of same; and

WHEREAS, the Commission properly approved Resolution No. 2020-26 authorizing the disposition and advertisement of the subject properties for sale pursuant to I.C. 36-7-14-22(c) & (d); and

WHEREAS, the Commission caused to be recorded in the property records of the Office of the Recorder of Lake County, Indiana, a Declaration of Environmental Covenants, Conditions, and Restrictions pursuant to Resolution No. 2020-27; and

WHEREAS, the Commission did not receive any properly composed and submitted offers for the subject property as a result of the aforementioned advertisement for same; and

WHEREAS, through negotiation with a private party, Highland Auto Body, ("Purchaser"), a purchase price and other items of consideration have been agreed to between the Commission and the Purchaser for a development intended to create additional business traffic, and catalyze investment through improved aesthetics; and

WHEREAS, Purchaser has agreed to pay a purchase price of \$20,000.00, of which the Commission has agreed to contribute seventy-five percent (75%), to a maximum of \$20,000.00, as reimbursement for eligible sewer project costs related to establishing sanitary sewer service at the subject property, to be paid upon completion of the work with approved receipts; and

WHEREAS, the Purchaser has submitted a basic development plan for the subject property, attached hereto as Exhibit A, which, while not containing the detail required by other Town of Highland bodies for final approval, has been reviewed and approved by the Commission as to the basic form and use thereof.

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

- 1. That the Commission finds and determines that it will be of public benefit to approve the sale of the property located at 2605 AND 2609 CONDIT STREET AND 2605 AND 2606 GARFIELD AVENUE.
- 2. The purchase price of the property, (\$20,000.00), and the sewer service reimbursement arrangement are deemed to be fair and reasonable when all of the factors associated with the subject property are taken into consideration.
- 3. The Commission approves, and will provide up to seventy-five percent (75%), not to exceed a maximum reimbursement of twenty thousand dollars (\$20,000.00), as reimbursement for eligible sewer project costs related to establishing sanitary sewer service at the subject property, to be paid upon completion of the work with approved receipts.
- 4. That this Resolution shall be in full force and effect after its adoption by the Commission.

DULY RESOLVED AND ADOPTED by the Redevelopment Commission of the Town of Highland, Lake County, Indiana this 14th day of December, 2021 having passed by a vote of in favor and opposed.

REDEVELOPMENT COMMISSION of the TOWN OF HIGHLAND, LAKE COUNTY, INDIANA

Cyril Huerter, President

ATTEST:

Kathy DeGuilio-Fox
Redevelopment Director
Highland Redevelopment Department

EXHIBIT A

VIS LAW, LLC NATHAN D. VIS, ESQ. ATTORNEY AT LAW

Licensed in Illinois and Indiana

NATHAN D. VIS
ndv@nvislaw.com

P. O. Box 980, Cedar Lake, Indiana 16303 Telephone (219) 689-4079 Facsimile (219) 533-1281

LISA M. KMETZ. PARALEGAL paralegal@nvislaw.com

November 23, 2021

VIA EMAIL TOJPRATLAW@AOL.COM AND NWIREALTY@LIVE.COM

Town of Highland Town Council and Redevelopment Commission

Re: Redevelopment Plan

Dear Town Council and Redevelopment Commission Members:

Please be advised the undersigned represents Dan and Jim Eriks. As you are aware, in the purchase of 2605 Condit Street, Highland, Indiana, the parties have agreed that in order to move forward with the purchase, a proposed development plan is to be remitted by my client for approval prior to engaging in the purchase of same. I have included below and in following both the proposed site development for which my clients intend on utilizing the property, as well as a timeline of events for same.

Proposed Development Plan

The Proposed Site Development Plan which my clients desire to add to this commercial area is foremost to clear the land of the existent underbrush and trees, which have grown upon it in the past two decades.

Upon removing same, it is the intention of my clients to construct a commercial steel building, which they anticipate upon initial design to be composed of three sections, with large overhead doors, interior office spaces, and onsite asphalt parking.

The purpose of same would be to provide opportunities for three additional businesses to house and locate their business operations therein.

Attached hereto are the preliminary drawings and depictions that my clients have procured from involved builders. It is anticipated that the structure would be approximately 128 feet long by 8 feet wide, and the exterior would consist of a fascia which includes both steel as well as a stone/brick exterior, approximately 5 feet up from the ground.



In conjunction therewith, the property would be tied into the local storm drainage system, as well as sewer and water would be run through the property, also extending to my client's existing business operations.

Please find attached proposed pictures of basic drawings that my client has received in working with builders at the present time, as well as depictions as to a basic set up of what he is envisioning on the property. My client has expressed that he intends to put a façade on the building to ensure facially that it continues to improve the area.

Timeline

Over the course of the past 12 months, my clients have engaged in extensive energies and financial investment into their ongoing business operations. Recognizing this investment, it is my client's plan to commence this winter with the removal of the trees and underbrush from the property, and leveling of same during the course of 2022.

Subsequent thereto, in the spring of 2023 they anticipate seeking approval from both the Development Commission. Planning Department and Building Department for development which is similar to the attached herein. It is also anticipated they would like to commence building in the spring of 2023 on same.

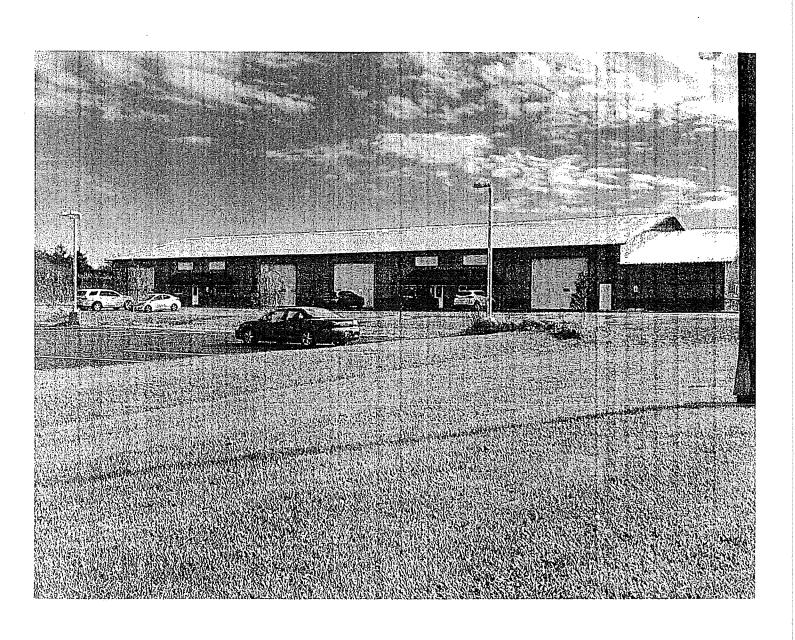
This proposed timeline is contingent upon the financial/business environment existent in Northwest Indiana and in the United States.

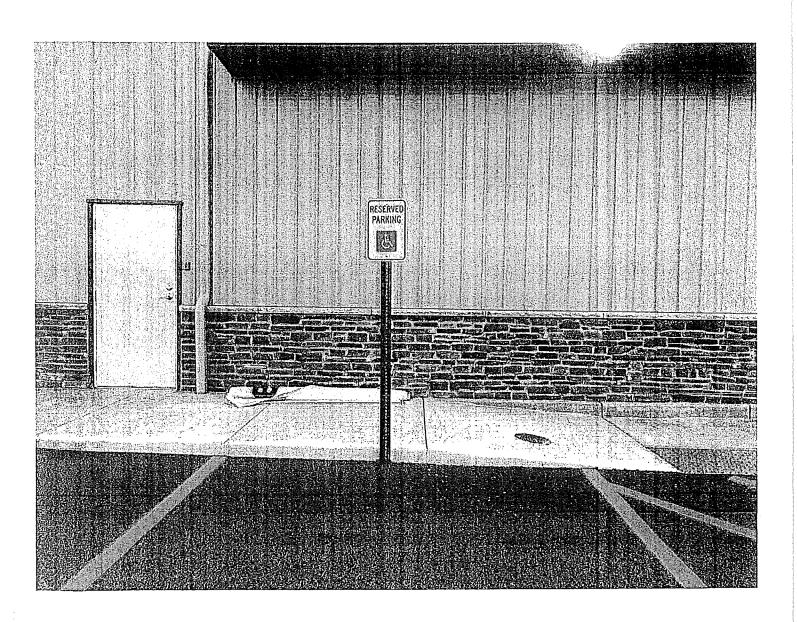
Please advise should you have any further questions.

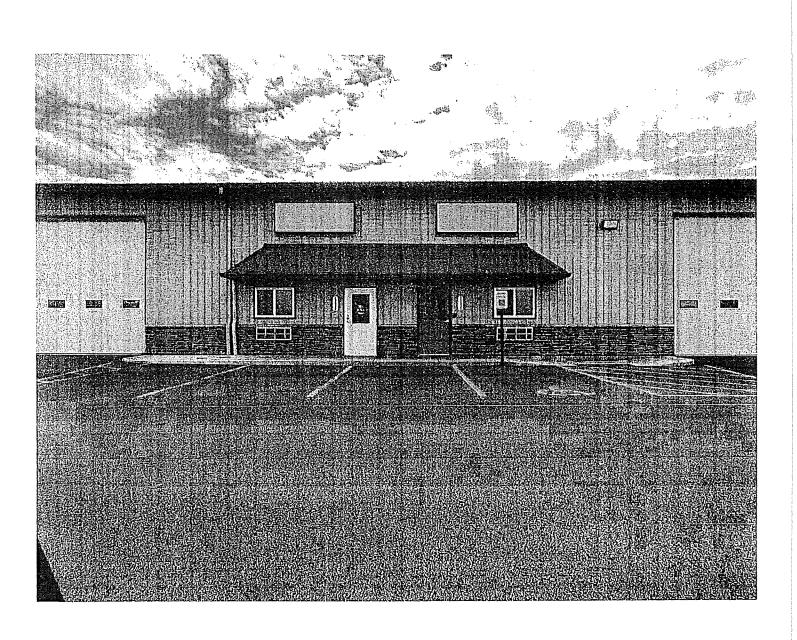
Respectfully.

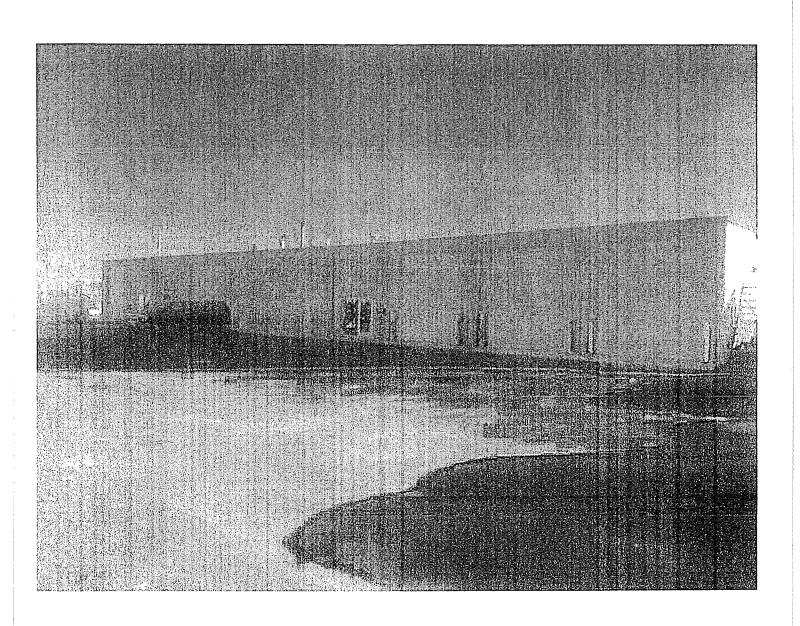
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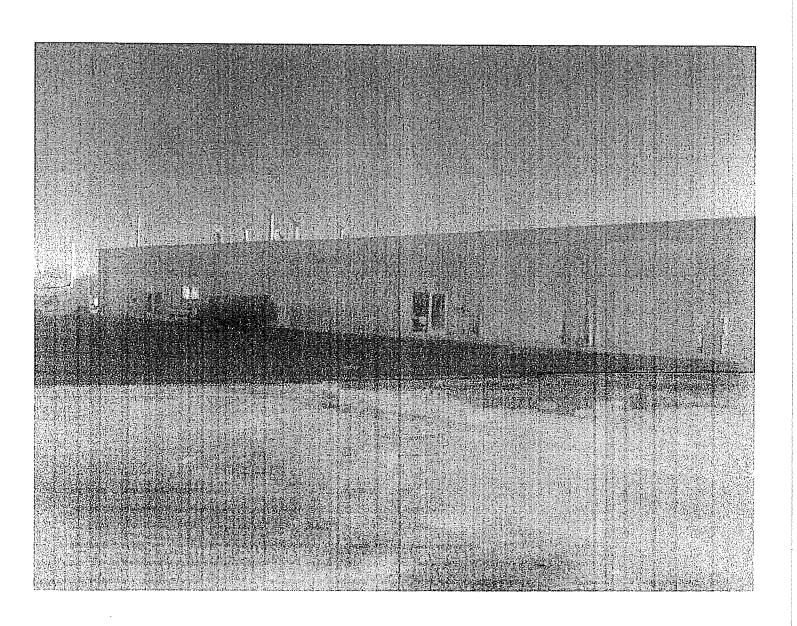
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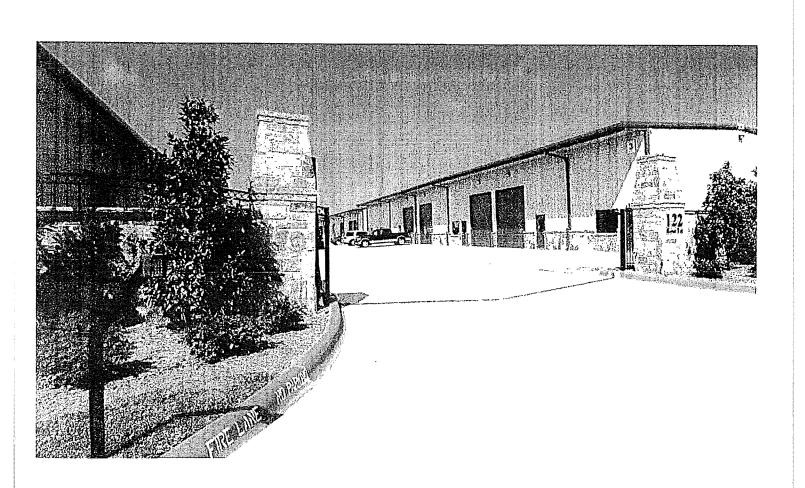


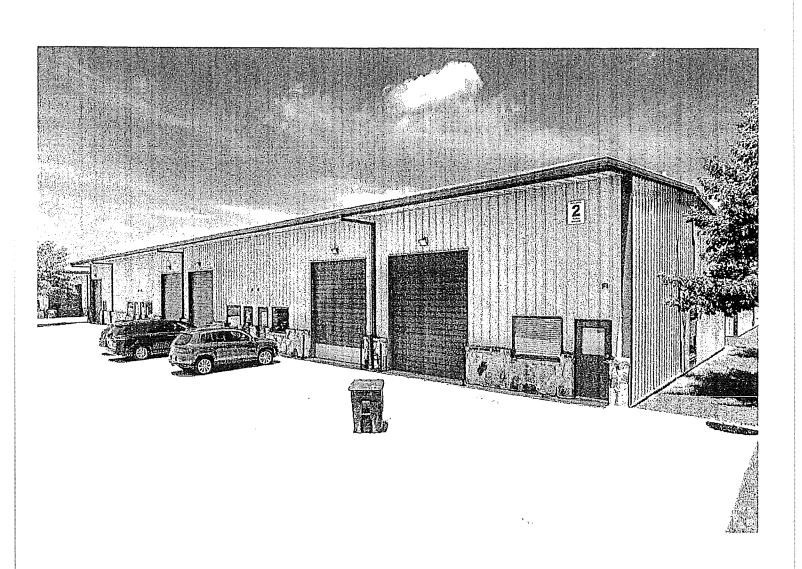


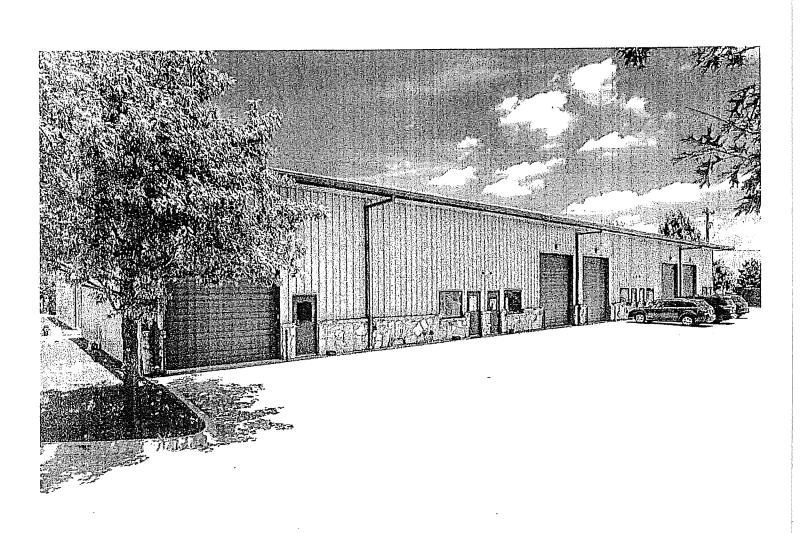


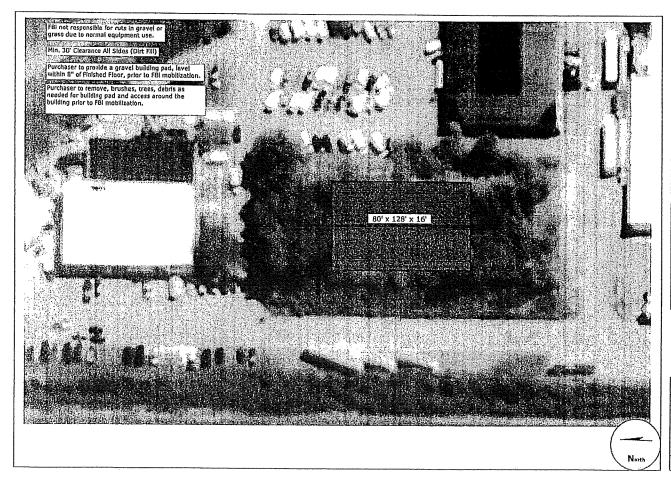
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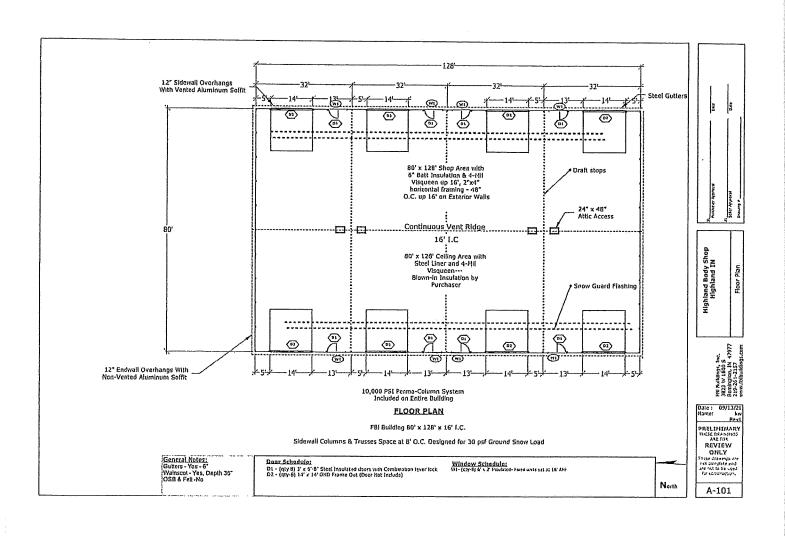
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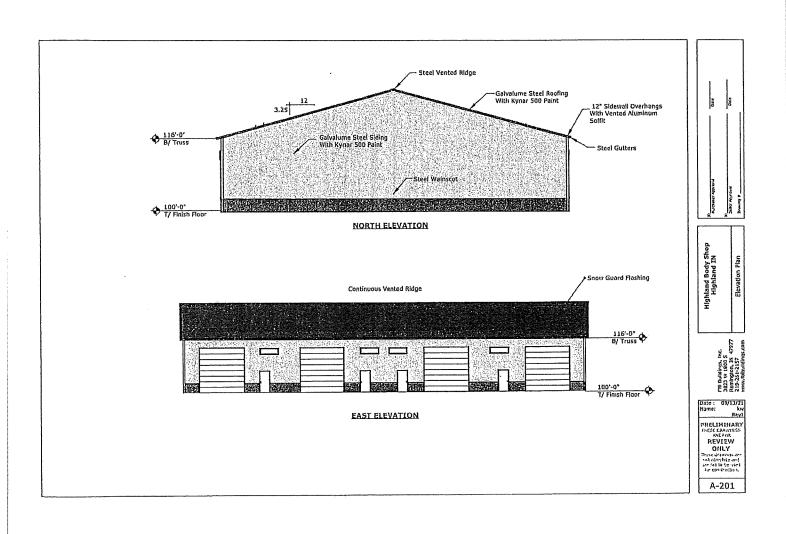
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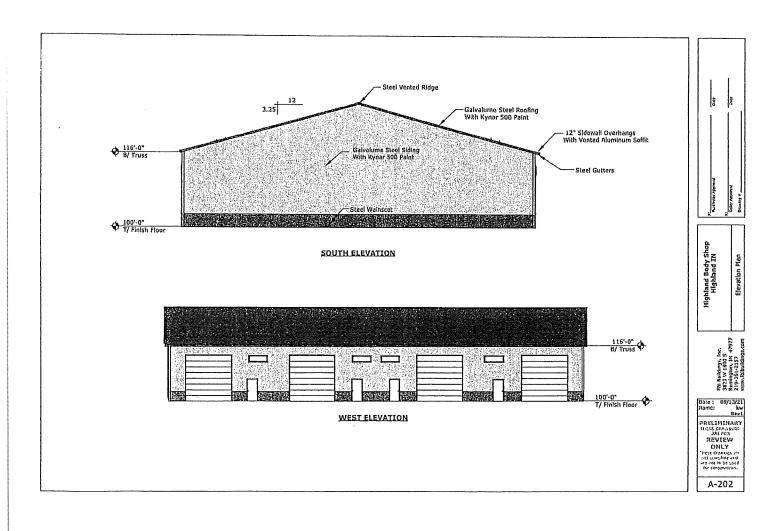
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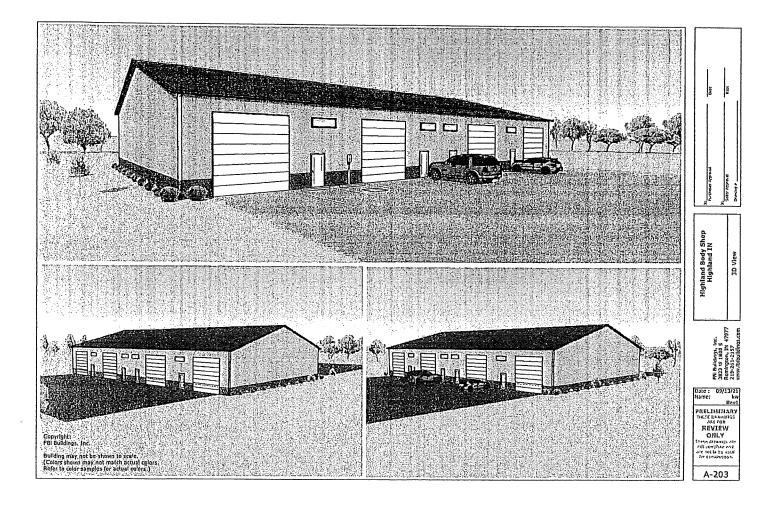
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EXP CHECK RUN DATES 11/25/2021 - 12/15/2021
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID
Ref # Vendor Invoice Descrip

Page: 1/2

Invoice Description

Amount

Check #

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BOTH JOURNALIZED AND UNJOURNALIZED

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Page: 2/2

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Fund Totals:
Fund 094 REDEVELOPMENT GENERAL