

**HIGHLAND REDEVELOPMENT COMMISSION  
STUDY SESSION MINUTES  
WEDNESDAY, June 8, 2016**

Members of the Highland Redevelopment Commission (“RC”, “Commission”) met on Wednesday, May 25, 2016 at 6:07 PM in the Upper Conference Room within the Municipal Building at 3333 Ridge Road, Highland, Indiana. President Greg Kuzmar called the meeting to order. Minutes were prepared by Cecile Petro, Redevelopment Director.

**ROLL CALL:** Commissioners present included Greg Kuzmar, , Kathy DeGuilio-Fox, Dominic Noce, and Ed Dabrowski. Also in attendance were Attorney Carol Green-Fraley, School Town of Highland Commissioner Pat Krull, and Redevelopment Director Cecile Petro. Commissioner Bill Leep was absent with notice. John Robles from SEH was present, also.

**General Substance of the Discussion**

**Agenda Review**

Commissioners reviewed the minutes and claims. No comments were received.

**Kennedy Avenue & Main Street Engineering Study Presentation from SEH**

Jon Ruble provided information on the process that was followed for the engineering study and provided three options or alternative for the utilization of the area. The first option was the maximum use of the area for a business park. The second option was to place commercial along Kennedy Avenue with the possibility of the public works garage and parks to the west. The third option was to utilize the area for public works and parks, only. The cost for each of the three scenarios varies depending on the highest use (option #1) and the lowest use (option #3). SEH will provide information on the cost to do each scenario, the cost to perform geotechnical borings, and contact NIPSCO to ascertain their willingness to utilize their land on the north end of this area for the mitigation of wetlands.

**Art & Cultural District Plan**

Jon Rubles also presented the final draft of the Plan for the proposed Art & Cultural District. Commissioners, having reviewed the plan previously, questioned Mr. Rubles about options for road traffic on Kennedy Avenue and plans for Condit Street.

**2929 Highway Avenue**

The Director stated that Mr. Tom Porter had delivered a partial application for a Façade Improvement Grant with the rest to follow. The Commission decided that a complete proposal was needed before they would entertain a motion to fund the project. The Director expects the proposal to be available at their next public meeting.

**Bike Rack Purchase**

Commissioners asked that the selection of a bike rack for the area around 2813 through 2821 Jewett Street be made at the next meeting.

The Study Session ended at 7:24 PM for the Public Meeting.

**HIGHLAND REDEVELOPMENT COMMISSION  
PUBLIC MEETING  
June 8, 2016**

The Highland Redevelopment Commission (“Commission”, “RC”) met in a Public Meeting on June 8, 2016 at 7:25 PM in the Upstairs Conference Room within the Municipal Building at 3333 Ridge Road, Highland, Indiana. President Kuzmar called the meeting to order.

**ROLL CALL:**

Present on roll call included Redevelopment Commissioners Greg Kuzmar, Ed Dabrowski, Dominic Noce and Kathy DeGuilio-Fox . Commissioner Bill Leep was absent with notice. Also in attendance were Attorney Carol Green-Fraley and School Town of Highland Commissioner Pat Krull, Taking minutes for the meeting was Director Petro.

**MINUTES OF PREVIOUS SESSIONS:**

Commissioner Dabrowski made a motion to approve the minutes as written for the Public Meeting and Study Session of May 25, 2016. Commissioner DeGuilio-Fox seconded the motion. **Motion carried by unanimous voice vote.**

**PUBLIC COMMENTS:** None

**SPECIAL ORDERS:** None

**COMMUNICATIONS:** None

**UNFINISHED BUSINESS AND GENERAL ORDERS:**

Commissioner Dabrowski made a motion to approve Resolution #2016-07, *A Resolution of the Highland Redevelopment Commission Approving an Agreement for Legal Services to the Highland Redevelopment Commission for 2016 with Green & Kuchel, P.C.* Commissioner Noce seconded the motion. Motion carried by unanimous voice vote.

**NEW BUSINESS:**

**ACTION TO PAY ACCOUNTS PAYABLE VOUCHERS:**

Commissioner Dabrowski made a motion to pay account payables as prepared in the amount of \$11,099.28. Commissioner Noce seconded the motion. **Motion carried by unanimous voice vote.** Claims are subject to the Clerk-Treasurer’s approval upon his return from a conference. Also claim #16-2511 for Officer Germonprez was removed because the Car Cruise date was changed due to rain and Officer Germonprez was not able to provide security for the rescheduled event.

**BUSINESS FROM THE COMMISSIONERS:** None

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**NEXT MEETING:**

A Special Public Meeting will be held on June 22, 2016, at 7:00 PM. A Study Session will precede the Public Meeting at 6:00 PM and may follow the meeting. The next full Study Session will be held on July 27, 2016, at 6:00 PM. The next Highland Main Street meeting will be held on Thursday, July 6, 2016 at 6:30 PM. All meetings will take place in the town hall.

**ADJOURNMENT:** Commissioner Noce made a motion to adjourn the meeting. Commissioner DeGuilio-Fox seconded the motion. **Motion carried by unanimous voice vote to adjourn the meeting at 7:28 PM.**

**HIGHLAND REDEVELOPMENT COMMISSION  
STUDY SESSION RECONVENED  
June 8, 2016**

The Highland Redevelopment Commission ("Commission", "RC") reconvened at 7:31 PM in the Upper Conference Room of the Municipal Building at 3333 Ridge Road, Highland, Indiana.

**ROLL CALL:** Present on silent roll call included Commissioners: Greg Kuzmar, , Dominic Noce, Kathy DeGuilio-Fox and Ed Dabrowski. Commissioners Bill Leep was absent with notice. Also in attendance Attorney Carol Green-Fraley and School Town of Highland Commissioner Pat Krull.

**General Substance of the Study Session**

**2711 and 2717 Condit Street**

Commissioners discussed previously received appraisals for properties located at 2711 & 2717 Condit Street. Attorney Green-Fraley suggested that the Commissioners contact the two appraisers and ask them if there have been any facts or circumstances to value the property over the appraisals that were conducted in December 2014 and February 2015. Commissioners directed the Director to ascertain the cost to bring utilities to the site, also.

**8630 Kennedy**

The Director informed the Commission that an agreement has been signed with a private party and the current owners of 8630 Kennedy Avenue. According to the realtor, the prospective buyers are performing their due diligence before they close on the property.

**Art & Cultural District**

Commissioners discussed the ranking of parcels for potential purchase within the proposed Art & Cultural District. The Town Council has requested that the RC acquire the properties.

Commissioners directed Ms. Petro to invite Jim Louthen from RETOWN to present at the next meeting.

Study Session ended at 8:33 PM.

**THE TOWN of HIGHLAND  
REDEVELOPMENT COMMISSION RESOLUTION NO. 2016-07**

**A RESOLUTION OF THE HIGHLAND REDEVELOPMENT COMMISSION  
APPROVING AN AGREEMENT FOR LEGAL SERVICES TO THE HIGHLAND  
REDEVELOPMENT COMMISSION FOR 2016**

**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 includes performing all acts incident to the statutory powers and duties of a redevelopment commission; and

**Whereas,** The Redevelopment Commission may adopt rules and by-laws 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

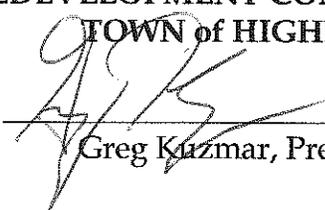
**Whereas,** The Redevelopment Commission needs legal advice to carry out its duties; and,

**Now Therefore Be it hereby Resolved** by the Highland Redevelopment Commission, Lake County, Indiana:

That it is in the best interest of the Town to enter into a Legal Agreement with Green & Kuchel, P.C., for the year 2016 at an hourly rate of one hundred and eighty dollars (\$180) per hour.

**DULY, PASSED and RESOLVED** by the Highland Redevelopment Commission, Lake County, Indiana, this 8th day of June, 2016 having passed by a vote of 4 in favor and 0 opposed.

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

  
\_\_\_\_\_  
Greg Kuzmar, President

Attest:

  
\_\_\_\_\_  
Ed Dabrowski, Secretary

**AGREEMENT**  
**FOR PROFESSIONAL LEGAL SERVICES**

This Agreement entered into and effective the 1st day of January, 2016 by and between the Town of Highland, State of Indiana, the Redevelopment Commission (hereinafter referred to as "Local Public Agency") and CAROL GREEN-FRALEY of the law firm of GREEN & KUCHEL, P.C., 322 Indianapolis Blvd., Suite 104 of Schererville, State of Indiana (hereinafter referred to as the "Attorney").

**WITNESSETH**

WHEREAS, the Local Public Agency is undertaking certain activities necessary for the planning and execution of a project situated in the Project Area described below; and

WHEREAS, the Local Public Agency desires to engage the Attorney to render certain technical advice and assistance in connection with such undertakings of the Local Public Agency.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. **EMPLOYMENT OF THE ATTORNEY.** The Redevelopment Commission agrees to engage the Attorney to perform the services as hereinafter set forth

2. **SCOPE OF SERVICES.** The Attorney agrees to perform all of the necessary services provided under this Contract in connection with and respecting the following:

- A. Attend Local Public Agency meetings to advise on legal matters.
- B. Prepare legal documents with the exception of deeds, contracts and loan documents which establish new programs being undertaken by the Redevelopment Commission, as well as with the exception of any bonding issues involving the Redevelopment or Economic Development Commission, as well as the establishment of any new Redevelopment Areas, TIF Areas, STIF Areas or Economic Revitalization Areas or Recreational Districts.
- C. Furnish legal opinions with regard to general matters.
- D. Prepare, file and litigate civil actions or claims on behalf of the Local Public Agency whenever said civil actions are required.
- E. Defend on behalf of the Local Public Agency any civil action or claim wherein the Local Public Agency and/or its employees are named as defendants.

F. Perform such other services as called upon.

3. **TIME AND PERFORMANCE.** The services of the Attorney are scheduled to commence on January 1, 2016 and shall be undertaken and completed by December 31, 2016 or as mutually agreed upon between both parties, and shall be undertaken and completed in such sequence as to assure their expeditious completion in light of the purposes of the contract.

4. **COMPENSATION.** The Local Public Agency will pay the hourly rate of One Hundred Eighty (\$180.00) Dollars per hour for services rendered under aforementioned "Scope of Services."

5. **SUBSEQUENT CHANGES.** The Redevelopment Commission may, from time to time, request changes in the scope of services of the Attorney to be performed hereunder. Such changes, including any increase or decrease in the amount of compensation which are mutually agreed upon between the Redevelopment Commission and the Attorney shall be incorporated into a written amendment to the Agreement.

6. **METHOD OF PAYMENT.** The Attorney shall request payment for services rendered in writing.

In addition to the compensation provided above, the Local Public Agency will pay to the Attorney the amount of his billings, from time to time, in connection with the services provided for by paragraphs "D" through "F", as well as for those services rendered in preparing deeds, contracts establishing entirely new programs, to be undertaken by the Redevelopment Commission, services rendered in connection with any bond issues, establishment of any Redevelopment Area, TIF Area, STIF Area, Economic Revitalization Area or Recreational Districts, and for those services rendered and billed to the Commission pursuant to past practices. Said compensation shall be made to the Attorney upon submission of a detailed claim in support thereof. In the event Attorney deems it necessary to initiated action under paragraph 2(D), Attorney shall advise Commission prior to commencing action.

It is expressly understood and agreed that in connection with all services, Attorney shall be entitled to reimbursement for document reproduction, telephone tolls, postage, mileage and all costs advanced in connection with services hereunder, in accordance with past practice.

It is further understood that in the event Attorney has a conflict, Attorney may assign attorneys and paralegals tasks hereunder.

FURTHER, as required by IC 22-5-1.7, Carol Green-Fraley of the law firm of Green & Kuchel, P.C. (also known as "the Contractor") swears or affirms under the penalties of perjury that:

(1) The Contractor does not knowingly employ an unauthorized alien.

(2) The Contractor shall enroll in and verify the work eligibility status of all his/her/its newly hired employees through the E-Verify program as defined in

IC 22-5-1.7-3. The Contractor is not required to participate should the E-Verify program cease to exist. Additionally, the Contractor is not required to participate if the Contractor is self-employed and does not employ any employees.

(3) The Contractor shall not knowingly employ or contract with an unauthorized alien. The Contractor shall not retain an employee or contract with a person that the Contractor subsequently learns is an unauthorized alien.

(4) The Contractor shall require any subcontractors who perform work under this Contract to certify to the Contractor that the subcontractor does not knowingly employ or contract with an unauthorized alien and that the subcontractor has enrolled and is participating in the E-Verify program. The Contractor agrees to maintain this certification throughout the duration of the term of a contract with a subcontractor.

(5) The Department may terminate for default if the Contractor fails to cure a breach of this provision no later than thirty days after being notified by the Department.

FURTHER, as required by IC 5-22-16.5, Carol Green-Fraley of the law firm of Green & Kuchel, P.C. (also known as "the Contractor") certifies that the Contractor is not engaged in investment activities in Iran. Providing false certification may result in the consequences listed in IC 5-22-16.5-14 including termination of this Contract, denial of future contracts, as well as an imposition of a civil penalty.

IN WITNESS WHEREOF, the Local Public Agency and the Attorney have executed this Agreement as of the date first above written.

TOWN OF HIGHLAND, INDIANA  
REDEVELOPMENT COMMISSION

By: \_\_\_\_\_

Title: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

Title: \_\_\_\_\_

GREEN & KUCHEL, P.C.

By: \_\_\_\_\_

DATE: \_\_\_\_\_

GL Number Invoice Line Desc Vendor Invoice Description Amount Check #

Fund 094 Redevelopment General

| Dept 0000 | 094-0000-20004 | CAR CRUISE PRIZES               | BRUMM'S BLOOMIN BARN     | CAR CRUISE PRIZES                     | 105.77   |       |
|-----------|----------------|---------------------------------|--------------------------|---------------------------------------|----------|-------|
|           | 094-0000-20004 | MUSICIAN POSTERS-FARMERS MKT    | CJP CORPORATION/DBA      | MUSICIAN POSTERS-FARMERS MKT          | 50.75    |       |
|           | 094-0000-20004 | CAR CRUISE VOLUNTEER TSHIRTS    | THE CORPORATE THREAD     | CAR CRUISE VOLUNTEER TSHIRTS          | 110.00   |       |
|           | 094-0000-20004 | CAR CRUISE PRIZES               | VAN SENUS AUTO VALUE     | CAR CRUISE PRIZES                     | 146.78   |       |
|           | 094-0000-34023 | ALTA SURVEY FOR 8618, 8612, & 8 | TORRENGA SURVEYING       | ALTA SURVEY FOR 8618, 8612, & 8610 KE | 2,200.00 |       |
|           | 094-0000-34043 | HEALTH                          | TOWN OF HIGHLAND INS FUN | 6/16 D/S REDDEV INS PREMIUMS          | 767.30   |       |
|           | 094-0000-39030 | LIFE                            | TOWN OF HIGHLAND INS FUN | 6/16 D/S REDDEV INS PREMIUMS          | 9.40     |       |
|           | 094-0000-39030 | 2016 CAR CRUISE SECURITY        | ANDREW GERMOMPEZ         | 2016 CAR CRUISE SECURITY              | 150.00   |       |
|           | 094-0000-39030 | 2016 CAR CRUISE SECURITY        | RALPH J POPESTA JR (W)   | 2016 CAR CRUISE SECURITY              | 150.00   |       |
|           | 094-0000-45200 | REDEVELOP GEN TRANSFER GROSS    | PAYROLL ACCOUNT          | 5/27PRL D/S TRANSFER REDEVELOPMENT    | 4,338.36 | 25203 |
|           |                | Total For Dept 0000             |                          |                                       | 8,028.36 |       |

Total For Fund 094 Redevelopment General 8,028.36

Fund 096 Redevelopment Capital

| Dept 0000 | 096-0000-31005   | KENN AVE. CORRIDOR PLAN (ART &  | SHORT-ELLIOTT-HENDRICKSO | HIGHLAND KENNEDY AVE, CORRIDOR PLAN R | 2,800.00 |  |
|-----------|--|---|--------------------------|---------------------------------------|----------|--|
|           | 096-0000-31007 <td>GAS SERVICE-2821 JEWETT- THRU 5 <th>NORTHERN IN PUBLIC SERV</th> <th>GAS SERVICE-2821 JEWETT-THRU 5/20</th> <th>32.66</th> <th></th> </td>      | GAS SERVICE-2821 JEWETT- THRU 5 <th>NORTHERN IN PUBLIC SERV</th> <th>GAS SERVICE-2821 JEWETT-THRU 5/20</th> <th>32.66</th> <th></th>      | NORTHERN IN PUBLIC SERV  | GAS SERVICE-2821 JEWETT-THRU 5/20     | 32.66    |  |
|           | 096-0000-31007 <td>UTILITIES-8610/8612 KENNEDY-THR <th>NORTHERN IN PUBLIC SERV</th> <th>UTILITIES-8610/8612 KENNEDY-THRU 5/16</th> <th>134.70</th> <th></th> </td> | UTILITIES-8610/8612 KENNEDY-THR <th>NORTHERN IN PUBLIC SERV</th> <th>UTILITIES-8610/8612 KENNEDY-THRU 5/16</th> <th>134.70</th> <th></th> | NORTHERN IN PUBLIC SERV  | UTILITIES-8610/8612 KENNEDY-THRU 5/16 | 134.70   |  |
|           | 096-0000-31007 <td>UTILITIES-2811 JEWETT-THRU 5/16 <th>NORTHERN IN PUBLIC SERV</th> <th>UTILITIES-2811 JEWETT-THRU 5/16/16</th> <th>103.56</th> <th></th> </td>    | UTILITIES-2811 JEWETT-THRU 5/16 <th>NORTHERN IN PUBLIC SERV</th> <th>UTILITIES-2811 JEWETT-THRU 5/16/16</th> <th>103.56</th> <th></th>    | NORTHERN IN PUBLIC SERV  | UTILITIES-2811 JEWETT-THRU 5/16/16    | 103.56   |  |
|           |  | Total For Dept 0000   |                          |                                       | 3,070.92 |  |

Total For Fund 096 Redevelopment Capital 3,070.92

INVOICE GL DISTRIBUTION REPORT FOR TOWN OF HIGHLAND  
 EXP CHECK RUN DATES 05/27/2016 - 06/09/2016  
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

GL Number      Invoice Line Desc      Vendor      Invoice Description      Amount      Check #

Fund Totals:

Fund 094 Redevelopment      8,028.36

Fund 096 Redevelopment      3,070.92

Total For All Funds:      11,099.28