

1HIGHLAND REDEVELOPMENT COMMISSION

PLENARY BUSINESS MEETING MINUTES

MONDAY JANUARY 13TH, 2025

The Highland Redevelopment Commission ("Commission", "RC") met in person at Town Hall on Monday January 13th, 2025. The regular scheduled study session was called to order at 6:00 P.M. by Commissioner Robertson

Roll Call: Commissioners Phil Scheeringa, Commissioner Tom Black and Commissioner Alex Robertson and Patrick Krull (non -voting) were present in person at Town Hall , Commissioner George Georgeff and Commissioner Doug Turich were excused .

Additional Officials Present: Attorney Reed ,Maria Becerra, Redevelopment Director, Kendra Hernandez redevelopment commission Assistant

Also Present: Several people were present from the public

One person made a comment

Maria announced that Dan Botich was 10 minutes away and could we move down the agenda till he arrives.

Approval of the minutes for December 16th . All in favor 3-0

Resolution 2025-03 for Financial Services for Dan Botich motion made to adopt made by Commissioner Black seconded by Commissioner Robertson . All in favor 3-0

Resolution 2025-04 for Engineering Services for NIES Eng. motion made to adopt made by Commissioner Black seconded by Commissioner Robertson . All in favor 3-0

Resolution 2025-05 for Legal Services , Attorney Reed gave an explanation as to the services, that he had a partner that he had for a very long time. He turned 90 this year and decided to retire. I formed my own firm and it's now called JPR. Legal Services. It will be at the same rate \$190 an hour that I've been charging since I started here 5 years ago. I would ask that they approve the contract with JPR. Legal services for \$190 an hour. motion to adopt made by Commissioner Scheeringa and seconded by Commissioner Black . All in Favor 3-0.

Old Business Confirmatory Resolution 2025-02 Dan Botich said that it is a resolution confirming the Declaratory Resolution that was passed earlier in 2023 on the Kennedy Avenue, South Kennedy, Expansion of the Consolidated redevelopment area for the town of Highland. The confirmatory resolution itself confirms all the prior actions that have taken place. So , just to recap the declaratory resolution went to the Plan Commission. The Plan Commission took action

to recommend to the Town Council that the redevelopment plan as an expansion is consistent with the town's plan. That action was forwarded to the Town Council. The Town Council took action as the body that controls ordinances and legislation that it is consistent with official documents, with official plans and the zoning ordinance.

It came back to the Redevelopment Commission. The purpose of the Redevelopment commission at that time is to hold the public hearing and to publish notice of that public hearing and to notify all the entities in the town that have a planning exercise or an authority meaning the Plan Commission, the Board of Public Works, the Building Commissioner, so that they're aware that there is a pending plan that will be approved or may be approved by the Redevelopment Commission to become an official document as a planning document. So, and we filed the required overlapping taxing unit benefit with the overlapping taxi units in a timely manner. So that being said the notice of the public hearing was published in the paper in a timely manner. The overlapping taxi units were provided with certified mail receipts of an impact statement showing the impact because there is an allocation provision for the redevelopment plan redevelopment area. It's providing for designated allocation provision. I will turn these green receipts over to. I've had. I have them in the electronic format, too. But those are the originals for your files.

This evening the confirmatory resolution basically reiterates those facts that you've taken the necessary processes in order to approve this document, after a public hearing and after notification to the overlapping tax units, providing them an opportunity to respond or make comment and you publish notice of the public hearing in the paper. Other than that, it becomes an official document once the resolution 2025 - 02 is approved. it would be filed with the Lake County Auditor or the recorder first, and then filed with the Lake County Auditor, so that because there is an allocation provision, the allocation area can be set up in the county system. The base assessment date would be January 1st 2024, the preceding date of the declaratory resolution.

It's my recommendation that you now hold the public hearing as scheduled. Take comment from the public, or any interested overlapping taxi units or discussion amongst yourselves, and at that time it's at your privilege and authority to consider the confirmatory resolution to confirm. Everything was done according to State statute. I would defer to Attorney Reed to verify that that's in fact the correct process was taken.

Attorney Reed stated we have to remember when we open the public hearing this now becomes a question and answer session. It's not a comment. It is when you engage questions you can answer them, but it must happen before you consider a confirmatory, and everybody come forward and be heard. So, when we are done with it we are done with it.

Dan Botich then stated you can table the confirmatory resolution for a subsequent or future meeting . You don't have to take confirmatory resolution action tonight you could, but you don't have to. I will leave it up to the public hearing process.

Commissioner Robertson then asked Attorney Reed if everything was to his liking ?

Attorney Reed Yes, we did the publication. We did this introduction with Maria and Kendra through my office. It was published in the Northwest Indiana Times on January 3rd, 2025, which is less than 30 and more than 10 days before tonight's meeting.

A member of the public asked Who is the overlapping taxing unit that got the certified letter because I never got anything?

Dan Botich answered the overlapping taxing units in this case are certified and they are identified, pursuant to overlapping tax units that have the authority to budget and levy taxes in the town of Highland, as well as the redevelopment district for the town of Highland, for which the Department of Redevelopment Commission oversees and manages the overlapping tax units that were mailed were the office of the Lake County Council, Christine Sid is the President Office of the North Township Trustee, Adrian A. Santos as the trustee. Philip Scheeringa President of the Highland Town Council. Victor A. Garcia Board of School Trustees. He's the President, Carol Dahmer Gutjhar, the CEO Director of the Lake County Public Library, .Richard Garcia, President of the Board of Sanitary Commissioners. George E. Smith, President of the Highland Water Works Department. and Kira Hageman, Executive Director of the Lake County solid waste management district. I believe all the green cards were sent back to the town of Highland. They were to be returned to the redevelopment department. Those will be placed into the record.

A member of the public asked Why she wasn't notified ?

Attorney Reed then stated We notify the overlapping taxing district. You're not a taxing district

She stated why didn't they let the people that live there know what was going on? 2 years I've been watching for this and waiting, and it just seems to me like it's all underhanded. Nobody knows anything. When I've asked my neighbors what they know they're like, we've never heard anything about it. Nobody told us anything about it. What do you mean? This is going to happen?

and why don't we know why we're going to do this? There's nothing going to be developed there. How come I got the packet that says Hyre Electric is going out there behind the gas station and you know nothing.

Commissioner Scheeringa This is the comment section. This is where we can answer. Now, this isn't just the comment section. Okay, so we, we are in ongoing negotiations with a developer of possibly developing that parcel south behind the gas station, which is property. They own. That is what is going on.

She then stated what happens when Mr. Zandstra, who is just biting at the seams, to become on this commercial entity, so that he could move his business, which is right next to me and get in on that loop. Are you staying on the other end of town, or are you going to eventually open it up to everybody Is it going to be 10 years from now before Mr. Zandstra can do anything with this property, or does he get included in this? Are we going to turn it to commercial ?

Commissioner Scheeringa stated That it would all have to be rezoned and redone and It hasn't been even brought up at this time.

She then stated I know it, and I live there. I know Mr. Zandstra is going to be talking to somebody out here about this? When can I get onto this commercial changeover so that I could take my white house property and the back part of my property and make a commercial right away.

Attorney Reed then stated any landowner may come forward and ask for a zoning change, you can ask for a variance. You can ask for whatever you like.

She then stated If he decides he wants to do it next year. Is this going to be a 10 year wait ,Tom before anything happens before any of this happens that they develop the whole area from the railroad tracks to Main Street

Commissioner Black said right now, there are no plans. We've been approached by a developer and I've heard nothing about Mr. Zandstra looking for any kind of rezoning or anything like that. The allocation area is good for 10 years.

She asked if nothing happens then what you're going to take it back to residential?

Commissioner Black stated It's still going to remain residential

Then She asked what happens to the taxing on my property when this becomes commercial?

Attorney Reed said I don't think there's any plan to rezone your property.

She said If everybody else is paying commercial taxes, mine will remain residential taxes.

Attorney Reed then stated So the way the taxes work is that your tax as the property is used. It's that's how your market value is termed its market value and use. I could have a piece of land that's owned industrial. and I could have an approval for nuclear power facility. It might be worth a billion dollars. But if I'm using it as a single-family home, it's only worth what a single-family home is worth, and it's taxed as residential, because that's how it's used not zoned and that happens a lot. There's a lot of property through Lake County that zone commercial. You'll see a house on US 30, the property underneath its own commercial, but the tax rate is still capped at one.

She then stated If I decide to sell my house next month what do I sell it as Residential or Commercial ?

Attorney Reed said I believe your land is also zoned residential

She stated If I sell it?

Attorney Reed then stated You need get an appraiser and have it appraised.

She stated Do I sell it commercial? Do I sell it residential?

Attorney Reed stated she should contact a Title Company and get a zoning certification

She said what I remember about the houses that were on 45th Street when they were residential, and in the middle of the transaction, it went into commercial, and the guy lost everything. That's

what I remember. That's what I'm thinking about. If I got to go in a nursing home or do anything and then the middle of my transaction, it goes to commercial because you're going to say you can't do it residential when you're not there.

Attorney Reed stated Well, in theory, commercial properties worth more than residential, generally speaking, but that doesn't mean that's what you want it to be.

She said who is going to buy ½ an acre .

Attorney Reed went on to say When your land is rezoned to another classification, you'll be a legal, nonconforming use, in other words, that's not zoned residential, its zoned commercial. However, because I'm still there, and I'm using it as residential. It becomes a legal, nonconforming use unless you abandon it for over a year, or the structure, I think more than 50% of the value is destroyed. It maintains its residential care.

She went on to say now it's open to the public and now it can be posted on Facebook. And now I can go out and talk to people about it. It's open

Commissioner Scheeringa . You always can

She said Yeah. But until it becomes official and everybody hears it. It's different

Commissioner Scheeringa I think you're misunderstanding what's happening tonight. It's not rezoning your area.

She stated No , not yet

Attorney Reed It's expanding an existing allocation

She then responded but it's going to happen and I don't want to wait until it's already done, and then come in here and say, Save me! Save me!

Attorney Reed stated There are going to be a whole bunch of public hearings, if and when any, if and when any project occurs.

A gentleman from the audience came up and started to speak and stated When you guys have a public hearing. You guys understand that you never answer any questions.

Attorney Reed stated did you not just hear us answer a bunch of questions

The gentleman then stated Yeah, you answered a bunch of questions she asked you. When all this is going to happen every time, somebody comes here for a public hearing or to ask a question, we're told, Nonsense. Mr. Black? Somebody should tell him that there's plans because she has drawings of one.

Attorney Reed answered That discussions with private developers that are covered by the Indiana Open Door law. They're allowed to be done during executive session for very important strategic reasons. In any event, if anything ever does happen or a development plan or agreement is approved, that will all be a public hearing.

The gentleman then went on speaking of executive session, I don't recall a lot of executive session notifications.

Attorney Reed went on to state They're all executive sessions are always notified

The gentleman asked Have we had any? why are we doing this? This is my question from before that you didn't have to answer but now we're in a public hearing, and I'm asking you why we are doing this.

Attorney Reed answered I'm happy to give what my answer is, why the town would do something would be to encourage development, increase assessed valuation, take land that is otherwise in need of redevelopment or development that will otherwise lie fallow and see if there's an opportunity to increase the town's tax base. Every 1 million dollars of value that ultimately comes on the tax rolls incrementally reduces everyone else's tax burden.

The gentleman then proceeded to ask just because you increase the tax base does not necessarily mean that you increase the town tax receipts ?

Attorney Reed answered Every town that I'm aware of that has its own school district towns. I prefer most of the time. Because you control your children's education and things like that. And a local level school system is incredibly expensive. And right now, Highlands over, you know, we're pressed up against the cap. We lose a lot of money to the cap.

Your AV, your assessed value is so much your requirements are so much and you can go ahead and get your budget approved. But you're not going to collect it because you're going to hit the cap. So, if you can put another 100 million dollars of value in the ground you might be under that, captain. You might collect your whole budget .

The gentleman answered Numbers wise you could be under that thing but my house still goes up because the allocation area isn't spending off any extra additional tax dollars for all development to happen.

Attorney Reed Once the allocation areas bonds are paid off and the allocation area expires. All of that assessed value goes on to the tax rolls.

The gentleman asked Do you all know how old your going to be by the time the bonds and the allocation area expires

Commissioner Scheeringa answered 10 years

The gentleman stated I haven't seen one yet that's less than 25 or 30 years . I wonder how you guys get a 10 year one

Attorney Reed then asked Dan Botich to answer the timing of our various allocation areas

Dan Botich spoke There isn't that much outstanding on the allocation areas. As far as existing debt service or bonding the allocation provision for this allocation area or portion of the Consolidated allocation area.

The gentleman asked why the public doesn't get a copy of the declaratory resolutions and then also, I'm going to ask you how much money are you negotiating? You don't have to give me a dollar figure, but a range to give to the developers when they finally develop this and why?

Attorney Reed answered Because it's part of an executive session, and those numbers have not been determined.

Dan Botich went on to answer the question concerning the Declaratory Resolution and the allocation areas

The person who got up earlier and spoke had additional comments to make concerning her property and the area surrounding it and made comments to Commissioner Scheeringa concerning this.

Resolution 2025-02 a motion was made by Commissioner Scheeringa to table it for now and it was seconded by Commissioner Black . Approved 3-1-abstain

Communication : Maria explained the Cash Balance report for 2024

Action to pay claims motion made by Commissioner Scheeringa and seconded by Commissioner Black. Approved 3-1- abstain

Meeting was adjourned at 6:40pm

DULY PASSED AND RESOLVED by the Highland Redevelopment Commission, Highland, Lake County, Indiana, this 24 day of FEB 2025, having passed by a vote 3 in favor and 0 opposed.

Highland Redevelopment Commission



President

ATTEST:

Secretary

