

**HIGHLAND REDEVELOPMENT COMMISSION
STUDY SESSION MINUTES
MONDAY, MARCH 19, 2018**

Members of the Highland Redevelopment Commission ("RC", "Commission") met on Monday, March 19, 2018 at 8:02 p.m. in the Council Chamber of the Municipal Building located at 3333 Ridge Road, Highland, Indiana. President Bernie Zemen called the meeting to order. Minutes were prepared by Kathy DeGuilio-Fox, Redevelopment Director.

Roll Call: Commissioners present were Michael Griffin, Mark Herak, Dan Vassar, Steve Wagner and Bernie Zemen. A quorum was attained.

Additional Officials Present: Pat Krull, School Town of Highland Commissioner; Rhett Tauber, Esq. Redevelopment Commission Attorney; and Kathy DeGuilio-Fox, Redevelopment Director were present.

Additionally present: Michelle Quinn and Craig Lyons, Post-Tribune; Chuck Haber, the TIMES and Larry Kondrat was additionally present.

General Substance of the Discussion

Town Theatre, Inc. Grant: Ms. DeGuilio-Fox advised the Commissioners she is considering applying for a grant from the Town Theatre, Inc. for expansion of the Downtown Arts District Mural program expansion. She asked for comments or concerns. None were heard.

2811 Jewett Update: Commissioners were advised that the furnace in the 2811 Jewett warehouse had been checked and cleaned and that a new thermostat had been installed. The thermostat has a security code such that the settings may not be changed without first having access to the code. And, a lock box was installed to encase the thermostat so no one would attempt changing the temperature. The temperature in the warehouse has been set at 55 degrees in an effort to reduce the NIPSCO heating bills which have been alarmingly high for the past 4-5 months.

Increasing Organizational Capacity: Ms. DeGuilio-Fox advised that Mr. Fleming is putting together a team that will lead a workshop and establish a development plan for areas of the downtown as discussed at the meet & greet with Mr. Fleming on March 14.

Interior Improvement Grant Program: Ms. DeGuilio-Fox introduced an idea to establish a new program similar to the current Façade Improvement Grant Program. She explained that as businesses who've been in the downtown for many years are beginning to retire and close up shop, the owners are not necessarily doing much to the property as they try to lease it to new tenants. Many small businesses, especially restaurants, want to move to the downtown but don't always have financing to open a new shop and pay for renovations at the same time. Providing a grant to the building owner if they close a long-term lease could be an incentive that would prove attractive to young entrepreneurs. Discussion ensued. Commissioners asked for additional information related to a program like this.

2018 Redevelopment Goals: Ms. DeGuilio-Fox submitted to the Commissioners a list of goals for 2018. Many are ongoing goals from previous years, a number of new ones have been added. The list was reviewed quickly and accepted as information.

There being no further discussion, the March 19, 2018 Study Session of the Highland Redevelopment Commission ended at 8:31 p.m.

**HIGHLAND REDEVELOPMENT COMMISSION
PUBLIC MEETING MINUTES
MONDAY, MONDAY, MARCH 19, 2018**

The Highland Redevelopment Commission ("Commission", "RC") met in a Public Meeting on March 19, 2018 in the Council Chambers of the Municipal Building located at 3333 Ridge Road, Highland, Indiana. President Zemen called the meeting to order at 7:32 p.m. and led those present in the Pledge of Allegiance. Taking minutes for the meeting was Director Kathy DeGuilio-Fox.

Roll Call: Present on roll call were Redevelopment Commissioners Michael Griffin, Mark Herak, Dan Vassar, Steve Wagner and Bernie Zemen. A quorum was attained.

Additional Officials Present: Pat Krull, School Town of Highland Commissioner, Rhett Tauber, Esq. Redevelopment Commission Attorney, and Kathy DeGuilio-Fox, Redevelopment Director were present.

Additionally present: Michelle Quinn and Craig Lyons, of the Post Tribune, Chuck Haber, The TIMES and Larry Kondrat were additionally present.

Minutes of the Previous Meetings: Commissioner Michael Griffin made a motion to approve the minutes of the Study Session and Public Meeting of February 26, 2018 and the minutes of the Study Session of March 5, 2018. Commissioner Mark Herak seconded the motion. Upon a roll call vote, the motion passed. The minutes were approved by a vote of five affirmatives and no negatives.

Special Orders: Public Hearing – Cardinal Campus Project:

President Zemen convened the public hearing at 7:33 p.m.

- a. **Verification of Proofs of Publication:** Attorney Tauber verified he personally provided notice of publication of the hearing to both the Post Tribune and the TIMES and that both notices were published on February 19, 2018 pursuant to Indiana Statute.
- b. **Consideration of Resolution 2018-07: Confirmatory Resolution of the Highland Redevelopment Commission Amending the Highland Acres Economic Development Area.** Commissioner Michael Griffin moved to adopt Resolution 2018-07. Commissioner Dan Vassar seconded the motion. Upon a roll call vote the motion passed five affirmatives and no negatives.
- c. **Consideration of Resolution 2018-08: Resolution of the Highland Redevelopment Commission Pledging TIF Revenues.** President Zemen asked for comments and/or questions. Commissioner Herak asked for clarification. James Shanahan of Taft, Stettinus and Hollister, LLP responded regarding TIF revenues and pledging them to a project. No further questions were asked and Commissioner Steve Wagner moved to adopt Resolution 2018-08. Commissioner Vassar seconded the motion. Upon a roll call vote the motion passed five affirmatives and no negatives.

There being no further business for consideration, the public hearing was adjourned at 7:40 p.m.

Public Comment: None

Communications: None

Unfinished Business and General Orders:

Review of Resolution 2017-19: A resolution of the Highland Redevelopment Commission Approving Expenses to Move a Current Tenant from 8620 Kennedy Avenue, Unit #3 to Another Location. During a previous meeting the subject of this resolution was discussed and Commissioners asked to review the resolution, which was not earlier adopted. Director DeGuilio-Fox advised that this resolution did not require their action at this time and that is was only for their review as requested.

New Business:

- 1. Resolution 2018-09: A Resolution of the Highland Redevelopment Commission Authorizing a Contract with Thunder Road Productions for Car Cruise Consulting and Organization Services.** Commissioner Vassar moved to adopt Resolution 2018-09. Commissioner Wagner seconded the motion. Upon a roll call vote the motion passed five affirmative and no negatives.
- 2. Authorization for the Redevelopment Director to Apply for a Town Theatre, Inc grant with matching funds form the Redevelopment Commission.** Director DeGuilio-Fox advised the Commissioners that she would like to apply for a grant from the Town Theatre, Inc. This is the non-profit corporation that was formed by the Town Theatre board. Grants are provided from their membership funds. Approval was given although no formal action was necessary.

Action to Pay Accounts Payable Vouchers: Commissioner Vassar made a motion to pay account payables as presented in the amount of \$15,139.53. Commissioner Wagner seconded the motion. Upon a roll call vote, and with an abstention from Commissioner Michael Griffin, the motion passed.

Business from the Commissioners: None

Next Meeting: The next full Study Session will be held on April 2, 2018 at 7:30 p.m. The next Public Meeting will be convened on April 16, 2018 at 8:00 p.m. A Study Session at 7:30 p.m. will precede the public meeting and reconvene following the public meeting if deemed necessary. The next meeting of the Highland Main Street will be Thursday, April 5, 2018 at 6:30 p.m. in the upper Conference room of the Town Hall.

Adjournment: There being no further business of the Highland Redevelopment Commission, Commissioner Vassar made a motion to adjourn the meeting. Commissioner Wagner seconded the motion. Upon a voice vote, the motion passed. The March 19, 2018 public meeting of the Highland Redevelopment Commission was adjourned at 7:50 p.m.

Respectfully submitted by Kathy DeGuilio-Fox, Recording Secretary

RESOLUTION No. 2018-07

**CONFIRMATORY RESOLUTION OF THE HIGHLAND
REDEVELOPMENT COMMISSION AMENDING THE HIGHLAND
ACRES ECONOMIC DEVELOPMENT AREA**

WHEREAS, the Highland Redevelopment Commission (the "Commission") of the Town of Highland, Lake County, Indiana (the "Town"), exists and operates under the provisions of Indiana Code 36-7-14, as amended (the "Act"), and the Commission has investigated, studied and surveyed economic development areas within the corporate boundaries of the Town; and

WHEREAS, the Commission on October 10, 2007, adopted and approved Resolution No. 2007-10 (the "Declaratory Resolution") that designated and declared an area within the Town as an economic development area (the "Highland Acres Economic Development Area"), approved the Economic Development Plan for the Highland Economic Development Area (the "Economic Development Plan"), and designated the Highland Acres Allocation Area (the "Highland Acres Allocation Area"); and

WHEREAS, on January 22, 2018, the Commission adopted an amending Declaratory Resolution (the "2018 Declaratory Resolution") to amend the Declaratory Resolution to amend and supplement the Economic Development Plan for the Highland Acres Economic Development Area (the "2018 Amendment"), to amend the allocation provision of the Declaratory Resolution in order to designate a new allocation area within the Highland Acres Economic Development Area for new economic development opportunities presented to the Commission and for proposed redevelopment projects and programs designed to stimulate future economic development, and to authorize the Commission to undertake all activities in the Highland Acres Economic Development Area that are allowed by the Act; and

WHEREAS, the Commission now desires to take action to confirm the 2018 Declaratory Resolution; and

WHEREAS, on February 7, 2018, the Highland Plan Commission reviewed and approved the 2018 Declaratory Resolution and the 2018 Amendment; and

WHEREAS, on February 12, 2018, the Town Council of the Town reviewed and approved the 2018 Declaratory Resolution and the 2018 Amendment; and

WHEREAS, pursuant to Section 17 of the Act, the Commission caused to be published, in accordance with Indiana Code 5-3-1, a notice of public hearing regarding the 2018 Declaratory Resolution, and caused all such further notices to be provided as required by law; and

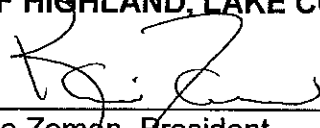
WHEREAS, at the public hearing held by the Commission on March 19, 2018, at 7:00 p.m. in the Municipal Building, 3333 Ridge Road, Highland, Indiana, the Commission considered all written remonstrances and objections filed, if any, and heard all persons interested in or affected by the proceedings and such other evidence presented;

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

1. After considering the evidence presented at the hearing on the 19th day of March, 2018, the Commission hereby finds that the 2018 Declaratory Resolution and the 2018 Amendment are reasonable and appropriate when considered in relation to the Declaratory Resolution and the purposes of the Act and that it will be of public utility and benefit to proceed with all action to be taken under the 2018 Declaratory Resolution.
2. The Commission hereby finds that the Declaratory Resolution as amended by the 2018 Declaratory Resolution and the 2018 Amendment conforms to the comprehensive plan for the Town.
3. The amendment of the Declaratory Resolution as set forth in the 2018 Declaratory Resolution and the 2018 Amendment is hereby confirmed.
4. The Secretary of the Commission is hereby directed to file a certified copy of this Resolution with the minutes of this meeting and directed to record the final action taken by the commission pursuant to Section 17(d) of the Act.

DULY RESOLVED and ADOPTED this 19th day of March, 2018 by the Highland Redevelopment Commission of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

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

By: 
Bernie Zemen, President

ATTEST:

By: 
Mark A. Herak, Secretary

RESOLUTION No. 2018-08

**RESOLUTION OF THE HIGHLAND REDEVELOPMENT
COMMISSION PLEDGING TIF REVENUES**

WHEREAS, the Highland Redevelopment Commission (the "Commission") has previously (i) designated the Highland Acres Economic Development Area (the "Area") as an economic development area; (ii) approved and adopted the Economic Development Plan for the Area (the "Plan"), and (iii) designated a portion of the Area as an allocation area (the "Cardinal Campus Allocation Area") for the purpose of capturing taxes real property to utilize tax increment financing to implement the Plan for the Area; and

WHEREAS, the Town of Highland, Lake County, Indiana (the "Town"), intends to issue its Economic Development Revenue Bonds, Series 2018 (Cardinal Campus Project) (the "Bonds"), pursuant to a Trust Indenture (the "Trust Indenture"), between the Town and a bank to be appointed by the Clerk-Treasurer of the Town of Highland, as Trustee, the proceeds of which will be used for the benefit of CG Holdings, LLC, an Indiana Limited Liability Company or its designee (the "User"), for the financing of the development of certain real estate owned or to be owned by the User and located in the Area, including but not limited to: (i) the construction of a boutique hotel, a veterinary surgical center, and six (6) class A professional buildings, and (ii) the payment of costs of issuance and other related financing costs as are determined permissible under INDIANA CODE 36-7-11.9, INDIANA CODE 36-7-12 and INDIANA CODE 36-7-14 located in or connected to the Highland Acres Economic Development Area (collectively, the "Project"); and

WHEREAS, in order to finance the Project, the Commission determines that it is in the best interest of the Town and its residents to pledge all real property tax proceeds attributable to the assessed valuation of real property located within the Cardinal Campus Allocation as of each assessment date in excess of the base assessed value, and deposited in the allocation fund for the Cardinal Campus Allocation Area pursuant to Indiana Code 36-7-14-39 and 36-7-14-39.3 (the "TIF Revenues"); and

WHEREAS, the Commission believes that pledging TIF Revenues to the payment of the Bonds will help further the accomplishment of the Plan;

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

1. The Commission hereby finds that the pledge of the TIF Revenues to the payment of the Bonds, once issued, to finance the Project will help accomplish the Plan for the Area and will promote the economic development of the Town and the Area.

2. Pursuant to the applicable provisions of Indiana Code 36-7-14-39(b)(3)(D) and Indiana Code 5-1-14-4, the Commission hereby irrevocably pledges the TIF Revenues to the payment of the Bonds, if and when issued, for a term of years not less than the term of the Bonds as provided in the Trust Indenture. There are no prior liens,

encumbrances or other restrictions on the Commission's ability to pledge the TIF Revenues.

3. On each date which is at least fifteen days prior to any Interest Payment Date (as defined in the Trust Indenture), beginning on the date that is fifteen days prior to the initial Interest Payment Date, a sufficient amount of TIF Revenues shall be transferred to the Trustee for the Bonds for deposit into the funds and accounts and application in accordance with the Trust Indenture.

4. The Commission reserves the right to enter into other obligations or leases payable from TIF Revenues, in whole or in part, and to pledge the TIF Revenues on a parity with the pledge of TIF Revenues to the Bonds to be issued for the Project for the purpose of raising money for future local public improvements located in, or physically connected to, the Cardinal Campus Allocation Area (the "Parity Obligations"). The authorization and issuance of such Parity Obligations shall be subject to the following conditions precedent:

(a) All interest and principal payments due under the Bonds and any Parity Obligations payable from the TIF Revenues shall be current to date in accordance with the terms thereof, with no payment in arrears.

(b) For Parity Obligations payable from TIF Revenues without a special benefits tax levy under INDIANA CODE 36-7-14-27 authorized to pay such Parity Obligations, the Commission shall have received a certificate prepared by an independent, qualified accountant (the "Certifier") certifying the amount of the TIF Revenues estimated to be received in each succeeding year, adjusted as provided below, which estimated amount shall be at least equal to one hundred fifty percent (125%) of the lease rental and debt service requirements with respect to the then outstanding Bonds and the proposed Parity Obligations for each respective year during the term of the then outstanding Bonds. In estimating the TIF Revenues to be received in any future year, the Certifier shall base the calculation on assessed valuation actually assessed or estimated to be assessed as of the assessment date immediately preceding the issuance of the Parity Obligations; provided, however, the Certifier shall adjust such assessed values for the current and future reductions of real and depreciable personal property tax abatements granted to property owners in the Cardinal Campus Allocation Area.

(c) Principal of and interest or lease rentals on any Parity Obligations or junior obligations shall be payable semiannually on the same dates as the Bonds.

5. So long as any of the Bonds are outstanding, no additional bonds or other obligations payable from TIF Revenues shall be authorized, executed or issued by the Town or the Commission, unless all the Bonds are redeemed and retired coincidentally with the delivery of such additional bonds or other obligations, or, funds sufficient to effect such redemption are available and set aside in accordance with the Trust Indenture for that purpose at the time of issuance of such additional bonds or other obligations.

6. This resolution shall be effective upon passage.

DULY RESOLVED and ADOPTED this 19th day of March, 2018 by the Highland Redevelopment Commission of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

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

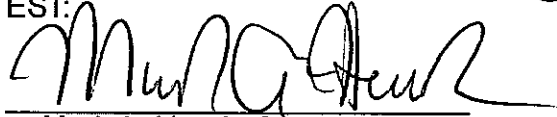
BY:



Bernie Zemen, President

ATTEST:

BY:



Mark A. Herak, Secretary

RESOLUTION NO. 2018-09

RESOLUTION OF THE HIGHLAND REDEVELOPMENT
COMMISSION AUTHORIZING A CONTRACT WITH THUNDER ROAD
PRODUCTIONS FOR CAR CRUISE CONSULTING AND
ORGANIZATIONAL SERVICES

WHEREAS, the Highland Redevelopment Commission (the "Commission"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act in I.C. 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Highland Redevelopment Commission is authorized to negotiate and enter into contracts by statute; and

WHEREAS, the Highland Redevelopment Commission has requested a proposal for consulting and organizational services.

NOW, THEREFORE, be it resolved as follows:

That it is in the best interest of the Town to enter into a contract with Thunder Road Productions for consulting and organizational services for an amount not to exceed \$400.00.


Adopted and approved at a meeting of the Highland Redevelopment Commission held on the 19th day of March, 2018 having passed by a vote of 5 in favor and 0 opposed.

HIGHLAND REDEVELOPMENT COMMISSION

BY: _____


Bernie Zemen, President

ATTEST:


Mark Herak, Secretary


ADDENDUM

Thunder Road Productions (Performer) agrees to provide Highland Redevelopment Commission (Sponsor) an invoice for services on the date of the event, or no later than Monday, June 11, 2018, for processing. Sponsor shall make payment to Performer upon proper presentation of a claim made in a public meeting, in accordance with Indiana law.

Date: _____, 2018

BY: _____
On behalf of Thunder Road Productions

Date: _____, 2018

BY:  _____
On behalf of Highland Redevelopment Commission

A F F I D A V I T

I, the undersigned, authorized representative, authorized officer or agent of Thunder Road Productions, hereinafter called "contractor", which has a contract for services or goods with the Town of Highland, Lake County, Indiana, having given solemn affirmation, hereby depose(s) and say(s), that the contractor does not knowingly employ an unauthorized alien.

FURTHERETH AFFIANT SAYETH NOT.

Signed: Barbara J. Vlietstra, Affiant.

Certificate of Notary

On this 30 day of March, 2018, before me personally came and appeared the affiant herein named, known and known to me to be the individual described in and who executed the foregoing instrument, and who duly acknowledged to me that she executed same for the purpose therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

My commission expires: 2/9/2021.

County of Residence: Cook.



Julia M. Venem
NOTARY

Affidavit pursuant to IC 22-5-1.7-11

User: KAM
 Dept: Highland

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

Fund 094 Redevelopment General

Fund	Dept	Account	Ref #	Vendor	Description	Amount	Check #
094-0000-31001	0000	LEGAL FEES-GENERAL MATTERS	72246	TAUBER LAW OFFICE PC	LEGAL FEES-GENERAL MATTERS	1,406.00	
094-0000-31003		FINANCIAL SERVICES-2018	72251	SHORT-ELLIOTT-HENDRICKSON,	FINANCIAL SERVICES-2018	1,442.50	
094-0000-31003		FINANCIAL CONSULTING EXPENSES	72252	SHORT-ELLIOTT-HENDRICKSON,	FINANCIAL CONSULTING EXPENSES-201	15.12	
094-0000-34023		HEALTH INS	72250	TOWN OF HIGHLAND INS FUND	HEALTH/LIFE INS PREM REDEV 2018 M	1,622.48	
094-0000-34043		LIFE INS	72250	TOWN OF HIGHLAND INS FUND	HEALTH/LIFE INS PREM REDEV 2018 M	13.06	
094-0000-35008		UTILITIES-2821 JEWETT-THRU 2/	72247	NORTHERN IN PUBLIC SERVICE	UTILITIES-2821 JEWETT-THRU 2/23/1	85.78	
094-0000-35008		UTILITIES-2811 JEWETT-THRU 2/	72248	NORTHERN IN PUBLIC SERVICE	UTILITIES-2811 JEWETT-THRU 2/23/1	492.45	
094-0000-35008		UTILITIES-8620 KENNEDY-THRU 2	72241	TOWN OF HIGHLAND UTILITIES	UTILITIES-8620 KENNEDY-THRU 2/16/	72.06	
094-0000-35008		STORM-8618 KENNEDY-THRU 2/13/	72243	TOWN OF HIGHLAND UTILITIES	STORM-8618 KENNEDY-THRU 2/13/18	40.67	
094-0000-35008		STORM-2605 CONDIT-THRU 2/13/1	72243	TOWN OF HIGHLAND UTILITIES	STORM-2605 CONDIT-THRU 2/13/18	10.14	
094-0000-45200		REDEVELOP GEN TRANSFER GROSS	72032	PAYROLL ACCOUNT	3/2PRL D/S TRANSFER REDEVELOPMENT	4,718.33	28480
094-0000-45200		REDEVELOP GEN TRANSFER GROSS	72278	PAYROLL ACCOUNT	3/16PRL D/S TRANSFER REDEVELOPMENT	4,718.35	28508
Total For Dept 0000						14,636.94	
Total For Fund 094 Redevelopment General						14,636.94	

Fund 096 Redevelopment Capital

Fund	Dept	Account	Ref #	Vendor	Description	Amount	Check #
096-0000-31007	0000	FEBRUARY MGT FEES	72244	ROSE REAL ESTATE	FEBRUARY MGT FEES	215.84	
096-0000-31007		OVERHEAD DOOR REPAIR-2811 JEW	72245	ROSE REAL ESTATE	OVERHEAD DOOR REPAIR-2811 JEWETT	286.75	
Total For Dept 0000						502.59	
Total For Fund 096 Redevelopment Capital						502.59	

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

Fund 094 Redevelopment General					14,636.94	
Fund 096 Redevelopment Capital					502.59	

15,139.53