

**HIGHLAND REDEVELOPMENT COMMISSION
STUDY SESSION MINUTES
TUESDAY, AUGUST 25, 2020**

Members of the Highland Redevelopment Commission ("RC", "Commission") met in an electronically convened meeting using the Zoom platform on Tuesday, August 25, 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 2 September 2020 by his Order 20-38, 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 7:05 p.m. by Commission Vice President Bill Leep.

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

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

Additional Officials Present: Roger Sheeman, 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.

General Substance of the Discussion

1. **Review of Plenary Session 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. **Construction:** A brief overview was given of the construction activities since the last report. Buckeye Pipeline continues to request changes in the site plans citing extreme caution is needed to stay away from their pipeline area although NIPSCO has signed off and approved all plans as they stand. Bi-weekly meetings have been scheduled and Ms. DeGuilio-Fox has asked that the Mark Knesek and Ken Mika attend so there are no concerns as work progresses. Ms. DeGuilio-Fox is scheduled to meet with the project and constructions managers, electrical engineers and Ozinga EV Charger coordinator on Thursday afternoon on site.
 - b. **EV Charging Stations:** A brief overview of current construction activities as related to the EV charging stations was provided by Ms. DeGuilio-Fox. Commissioners were reminded of the responsibilities that Redevelopment accepts as an INDOT grant recipient should that come to be. Discussion ensued once again in regard to receiving one charging station through the grant program, with a minimal cost of \$500 to Redevelopment, as well as the purchase of a second charging station with Redevelopment paying the full cost of \$10,000 plus installation costs. It was agreed that Redevelopment wishes to purchase and install the second charging station at their expense.
 - c. **Khatra Petro:** Director DeGuilio-Fox relayed the information she had gathered during a meeting with Ken Mika and the Speedway representatives. She reported that although the meeting was initiated by Speedway to discuss their desire to expand their service station at 45th and Kennedy Avenue, she and Mr. Mika made it clear to that consideration of their expansion request would not be moved forward unless they bring the Ridge Road station up to code and develop their abandoned site on Kennedy Ave. Ms. DeGuilio-Fox advised

she had discussed with them the interest of a local, independent dealer in relocating to their site. Mr. Chakonas, Real Estate Manager for Speedway, advised that he would discuss the interest with their department however, advised they are not likely to accommodate any business that directly competes with them. Ms. DeGuilio-Fox confirmed that Mr. Chakonas had emailed confirmation of their policy. Speedway would be happy to work with the town to sell the property to a business but not to one that competed with them in the local market. Discussion ensued with Attorney Reed suggesting the Redevelopment Commission use eminent domain to take control of the property. Ms. DeGuilio-Fox verified the procedures lengthy legal process of eminent domain including the possibility of a judge ruling in Speedway's favor. She also confirmed that a judge would rule that the Redevelopment Commission would pay appraisal value or more of the property if the case were to go in favor of the Commission. She also mentioned that would be on top of the cost of purchasing the current location. Ms. DeGuilio-Fox urged that this was not the ideal way to proceed and asked that she, President Georgeff, Liaison Sheeman and Attorney Reed speak in this regard outside of the meeting before the conversation moves forward.

3. **Downtown Streetlight Retrofit or Replacement – Update:** Director DeGuilio-Fox reported she has spent a great deal of time on this effort and that through asking more questions she learned that the proposal price from Hyre and Chicago Light Works do not include electrical work nor labor. And, the lumens will not necessarily be increased using the retrofits nor will the optics be improved. She also reported that Chicago Light works has been asked to provide two different fixtures for a test installation. And, she has also spoken with a representative of Hallophane at the urging of Derek Snyder from NIES Engineering. Holophane has also agreed to provide two fixtures for comparison. The above mentioned will have to be installed by Midwestern Electric as Public Works does not have the capacity to do so. These charges will be billed to Redevelopment. Pricing proposals will be forthcoming once a specific fixture is chosen. Ms. DeGuilio-Fox also relayed two additional conversations she's had during the research for this effort. In speaking with Derek Snyder he cautions against installing anything that is not up to safety code and regulation. And, she relayed her conversation with Clerk-Treasurer Griffin who cautioned that the Redevelopment Commission should determine if this project is truly redevelopment. It appears that it may be construed as more of a maintenance or public works type of project than Redevelopment. In light of this Mr. Griffin reminded Director DeGuilio-Fox of the use of allocation area and certain other funds at the disposal of Redevelopment. Not all monies may be used for a project such as this as it is not considered economic development of redevelopment. Ms. DeGuilio-Fox asked the Commissioners to consider this and that the expenditure would decrease their ability to begin other projects in the downtown. Discussion ensued. Ms. DeGuilio-Fox will pursue the installation of the luminaires from Chicago Light Works and Holophane for lighting comparison.
4. **Container Market – Discussion:** At the August 11th study session commissioners expressed interest in reviving discussion of a container market in downtown Highland and asked that Ms. DeGuilio-Fox provide additional information as to the possible cost of a project. Having gone back to the container market information and budget that was collected a year ago, Ms. DeGuilio-Fox was able to provide additional information and advise the Commissioners of the cost of various different sizes of containers including: 1) a 20' standard retail unit with bathroom; 2) a 20' double unit café space; 3) a 40' bar unit; 4) a 16' bathroom unit; and 5) a 20' tower unit. She advised that these basic units could be used to configure numerous market layouts and referred the commissioners to the site rendering options she had provided at the prior meeting. Ms. DeGuilio-Fox also suggested that if the commissioners are interested in pursuing this sort of development she felt Latent Design, the Chicago firm she had worked with previously, be brought back to the discussion. She reasoned that the firm's president is already familiar with Highland's downtown, the location and site on which the market would be constructed as well as the design options. Design options have already been provided and It

would be less costly to pick up where we'd left off than to bring in a new firm to start all over. Discussion ensued. Commissioners requested additional information: market data, lease rates and ROI.

5. **Budget vs Project – Discussion:** Director DeGuilio-Fox advised that she felt a Budget vs Project discussion should transpire since the commissioners were discussion so many different projects. She reminded them that the Redevelopment spending potential is quite limited and certain sources are not renewed each year. She opened the discussion reviewing the current parking lot, depot and bike trail project and the approved appropriation. She reminded the commissioners that they'd approved \$900,000.00 for the project and that the source of the funds is the Highland Downtown Redevelopment Area I Allocation Area. For the period ending July 31, 2020 the fund balance (Fund 098-Highland Economic Development) was \$1,098,789.61. Their approval of the parking lot, depot and bike trail project would reduce that fund by \$900,000.00 and leave a balance of \$198,789.61. Another smaller source of funds (Fund 095) has been earmarked for the EV Charging Station that the commissioners have approved. Director DeGuilio-Fox reminded the Commissioners that a grant application to INDOT is being submitted and should Highland receive the award costs up to \$9500.00 on a \$10,000.00 EV station will be paid by the grant. In consideration of the minimal cost (\$500.00) plus installation to Redevelopment the determination was made to purchase a second at full price. This will reduce Fund 095 from \$37,936.00 to about \$27,000.00. Finally, the remaining fund (Fund 096: Redevelopment Capital) includes an account (096-0000-4001 – Land Purchase) that currently has a balance of \$1,460,270.00. A portion of those monies may be transferred into an account to be used as a potential source of funds for the container market. However, the bulk of it may be used for purchase of properties, ex. corner service station at Highway and Kennedy Avenue should the Commission determine this is a project they want to continue to address. Director DeGuilio-Fox advised that these are the primary funds for larger projects and that the Commissioners must determine what project(s) they wish to pursue and which may be put on hold for a future time. Discussion ensued although no determination was made as to what project(s) the Commissioners want to pursue at this time.

6. **Bult Oil Property – Update:** Ms. DeGuilio-Fox advised that since the end of July she has had no further communication with IFA in regard to the Town's Site Status Letter application. Updates will be provided as appropriate.

7. **Redevelopment Commissioner Comments:** No comments were received from the Commissioners

There being no further business, Commissioner Georgeff moved to adjourn the meeting. The motion was seconded by Commissioner Huerter. The motion passed by a voice vote of five affirmatives and no negatives. The August 25, 2020 study session of the Highland Redevelopment Commission was adjourned at 7:54 P.M.

Respectfully submitted by Kathy DeGuilio-Fox, Recording Secretary.

**HIGHLAND REDEVELOPMENT COMMISSION
PLENARY MEETING MINUTES
TUESDAY, AUGUST 25, 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 2 September 2020 by his Order 20-38, allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 emergency. The Plenary Meeting was called to order at 7:56 p.m. by Commission Vice President Bill Leep.

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

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

Additional Officials Present: Roger Sheeman, 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: Commissioner Cyril (Cy) Huerter moved to approve the minutes of the Study Session and Plenary Business meeting of July 28, 2020. Commissioner Robyn Radford seconded the motion. There was no discussion. Upon a roll call vote, the motion passed. The minutes of the July 28, 2020 study and plenary sessions were approved by a vote of five affirmatives and no negatives.

Commissioner Robyn Radford moved to approve the minutes of the Study Session of August 11, 2020. Commissioner Cyril (Cy) Huerter seconded the motion. There was no discussion. Upon a roll call vote, the motion passed. The minutes of the August 11, 2020 study session were approved by a vote of five affirmatives and no negatives.

Special Orders: None

Public Comment: None

Communications: None

Unfinished Business and General Orders: None

New Business:

1. **Resolution 2020-25: A Resolution of the Highland Redevelopment Commission Authorizing Appraisals of Real Property, Located at 2744 Highway Avenue, in the Highland Downtown Redevelopment Area, Pursuant to IC 36-7-14-12.2.** Vice President Leep called for a motion. However, in light of the recent activity and name change of the Khatra Gas Station the Commissioners felt it important to discuss the subject prior to a motion being made. Subsequently, Commissioner George Georgeff moved to table Resolution 2020-25 and revisit the commissioning of appraisals at a later date. Commissioner Cyril (Cy) Huerter seconded the motion. There being no additional discussion Vice President Leep called for a roll call vote. Upon a roll call vote the motion passed by a vote of five affirmatives and no negatives.

Action to Pay Accounts Payable Vouchers: Commissioner Cyril (Cy) Huerter made a motion to pay accounts payable vouchers as filed on the pending accounts payable docket, covering the period July 30, 2020 through August 26, 2020 and the payroll dockets for July 31, 2020 and August 14, 2020 as presented, in the amount of \$25,721.16. Commissioner Robyn Radford seconded the motion to approve the Accounts Payable Vouchers. Upon a roll call vote the motion passed with five affirmative votes and no negatives.

Vendors Accounts Payable Docket:

Redevelopment General Fund, \$16,685.56; Highland Economic Development, \$0; Redevelopment Capital Fund, \$9,035.60; Redevelopment Bond & Interest, \$0; CEDIT Economic Development Income Tax Fund, \$0 and Cardinal Campus Allocation Area, \$0. Total: \$25,721.16.

**Payroll Docket for Payday of July 31, 2020 and August 14, 2020: Redevelopment Department:
Total Payroll: \$8009.60.**

Business from the Commissioners: Commissioner Huerter asked if there was any additional information regarding the 8100 Indianapolis Boulevard property. Director DeGuilio-Fox advised that she had spoken to three real estate brokers all of whom had interest in the properties. She advised that the interest ranged from trucking companies to restaurants to a hotel. The brokers will be in touch as interest and potential sale progresses. Commissioner Huerter also asked about the Independent Senior Living facility proposed for the Griffland property between Cline Avenue and Kleinman Road. Council Liaison Sheeman responded and provided an update on the activities surrounding that potential project. Director DeGuilio-Fox added that with the Plan Commission approvals the matter was now pending before the Town Council and waiting for that body to take up the matter. Commissioners also asked about the various Speedway discussions in play including their request to renovate and upgrade their station at Kennedy Avenue and 45th Street. She advised that she and Ken Mika had met with Speedway representatives and that they had been told that their project not only would require numerous variances but that until their properties on Ridge Road and at 8436 Kennedy were improved there would be no consideration of their request to rebuild the 45th Street and Kennedy Avenue property. Ms. DeGuilio-Fox advised she had spoken to the real estate representative about having a potential user for the 8436 Kennedy Avenue property and Mr. Chakonas' initial response was no due to the covenants in place on the property prohibiting a competing gas station. Ms. DeGuilio-Fox asked that he speak with others in the Speedway Real Estate department and all inform them of the Town's determination that this property should be utilized and no longer left vacant and uncared for. Discussion ensued. Attorney Reed encouraged the Commissioners to consider condemnation of the property and to sue for control of the Speedway property located at 8436 Kennedy Avenue. Ms. DeGuilio-Fox asked numerous questions and clarified her knowledge of condemnation, also known as eminent domain. She asked if it wasn't true that at the end of a long legal process a judge would determine how much the owner would be compensated and reminded the Commissioners of their discussion earlier in the evening that resources are limited. She also reminded them that condemning the property for control would also include their purchase of the Khatra station at Kennedy and Highway and of the potential costs for the entire project. She further advised that as she'd mentioned earlier this was only one of several projects being discussed and it was necessary for the commissioners to weigh each project for their potential to add development to the downtown area. Discussion ensued. Ms. DeGuilio-Fox suggested further discussion be held between Liaison Sheeman, President Georgeff, Attorney Reed and herself before moving forward on the suggested condemnation of the property. A brief discussion of the proposed YMCA project ensued. Liaison Sheeman reported the information he'd learned at a meeting with the developers of the YMCA. Ms. DeGuilio-Fox interjected that it would be very harmful to the well-being of Highland Parks & Recreation Lincoln Center as well as the Griffith and Hammond Y's and the Munster pool. Commissioner Huerter asked about it being moved to the former Highland (Ultra) Plaza. Ms. DeGuilio-Fox reminded everyone that property is owned and managed by two different business entities and that the YMCA is a not for profit that

would not pay taxes on a development. She advised that the tax base in Highland should be expanded by tax-paying business and not diminished by non-taxpaying entities. Brief discussion ensued. No further business from the Commissioners was discussed.

Next Meeting: Vice President Leep advised that the next Study Session is scheduled for Tuesday, September 8, 2020. The next Plenary Meeting will convene on Tuesday, September 22, 2020 immediately following the study session. A Study Session will precede the public meeting and reconvene following the public meeting, if deemed necessary. The next meeting of the Highland Main Street is scheduled to convene on Thursday, September 3, 2020 at 6:30 p.m. In response 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 of the Highland Redevelopment Commission, Vice President Bill Leep asked for a motion to adjourn. Commissioner George Georgeff made a motion to adjourn the meeting. Commissioner Cyril (Cy) Huerter seconded the motion. Upon a roll call vote, the motion passed with five affirmatives and no negatives. The August 25, 2020 public meeting of the Highland Redevelopment Commission was adjourned at 8:45 p.m.

Respectfully submitted by Kathy DeGuilio-Fox, Recording Secretary

08/17/2020 11:02 AM

User: DMJ

DB: Highland

Invoice Line Desc

Ref # Vendor

Invoice Description

Amount -check #

INVOICE GI DISTRIBUTION REPORT FOR TOWN OF HIGHLAND
EXP CHECK RUN DATES 07/30/2020 - 08/26/2020
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Fund Totals:

Fund 094 REDEVELOPMENT GENERAL
Fund 096 REDEVELOPMENT CAPITAL

16,685.56
9,035.60
25,721.16