

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

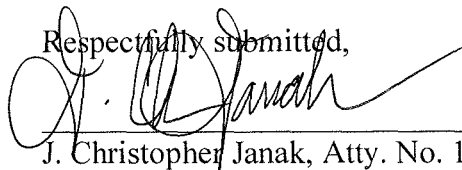
IN THE MATTER OF THE PETITION OF THE
TOWN OF WINFIELD, LAKE COUNTY,
INDIANA, FOR APPROVAL OF A
REGULATORY ORDINANCE ESTABLISHING
A SERVICE AREA FOR THE TOWN'S
MUNICIPAL SEWER SYSTEM PURSUANT TO
IND. CODE § 8-1.5-6 *ET SEQ.*

CAUSE NO. 45992

PREFILED RESPONSIVE TESTIMONY AND EXHIBITS
OF ZACHARY BEAVER

Prefiled Responsive Testimony of Zachary Beaver	<u>Petitioner's Exhibit 23</u>
Map of Proposed LBL Development (both inside and outside Winfield's current municipal limits)	<u>Petitioner's Exhibit 24</u>
Transcript of Crown Point City Council February 3, 2025 and March 3, 2025 Public Hearings on Sewer Rate Increases	<u>Petitioner's Exhibit 25</u>
Video of Crown Point City Council February 3, 2025 and March 3, 2025 Public Hearings on Sewer Rate Increases	<u>Petitioner's Exhibit 26</u>
Excerpt of August 7, 2025 Deposition of Greg Guerrettaz	<u>Petitioner's Exhibit 27</u>
Crown Point Response to Data Request No. 10.2	<u>Petitioner's Exhibit 28</u>

Respectfully submitted,



J. Christopher Janak, Atty. No. 18499-49

Jacob Antrim, Atty No. 36762-49

Gregory Loyd, Atty No. 23657-9

BOSE MCKINNEY & EVANS LLP

111 Monument Circle, Suite 2700

Indianapolis, IN 46204

(317) 684-5000 | (317) 684-5173 Fax

cjanak@boselaw.com | gloyd@boselaw.com |

jantrim@boselaw.com

David M. Austgen, No. 3895-45

AUSTGEN KUIPER JASAITIS P.C.

130 N. Main Street

Crown Point, Indiana 46307

(219) 663-5600 | (219) 662-3519 Fax

*Counsel for the Town of Winfield, Lake County,
Indiana*

PETITIONER'S EXHIBIT 23

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

**IN THE MATTER OF THE PETITION OF THE
TOWN OF WINFIELD, LAKE COUNTY,
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CAUSE NO. 45992

PREFILED DIRECT TESTIMONY

OF

ZACHARY BEAVER

ON BEHALF OF

THE TOWN OF WINFIELD, LAKE COUNTY, INDIANA

I.
INTRODUCTION

1
2
3 1. Q PLEASE STATE YOUR NAME, OCCUPATION, AND AFFILIATION WITH
4 THE PETITIONER, THE TOWN OF WINFIELD, LAKE COUNTY,
5 INDIANA ("WINFIELD").

6 A My name is Zachary Beaver and I am employed as an attorney for Residual Based
7 Finance Corporation located in Chicago, Illinois. I am also the current President of
8 the Winfield Town Council.

9 2. Q ARE YOU THE SAME ZACHARY BEAVER WHO PREFILED DIRECT
10 TESTIMONY AND EXHIBITS IN THIS CAUSE?

11 A Yes, I am. On April 21, 2025, I prefiled my Direct Testimony and Exhibits in this
12 Cause.

13 3. Q IN PREPARATION FOR YOUR RESPONSIVE TESTIMONY, DID YOU
14 REVIEW THE PREFILED TESTIMONY AND EXHIBITS FILED BY CITY OF
15 CROWN POINT, INDIANA ("CROWN POINT")?

16 A Yes, I did.

17 4. Q WHAT IS THE PURPOSE OF YOUR RESPONSIVE TESTIMONY AND
18 EXHIBITS?

19 A The purpose of my testimony is to respond to Crown Point's testimony and exhibits
20 and support Winfield's request to have its territorial ordinance approved. As noted in
21 my original testimony, Winfield's proposed service area includes an area of
22 approximately 1,846 acres that overlaps with ("Disputed Area") a similar request from

1 the City of Crown Point, Indiana ("Crown Point"). In this responsive testimony, I will
2 specifically discuss how Crown Point's request to serve the Disputed Area: (i) would
3 result in two different providers for the same development which would lead to
4 duplicative, unnecessary facilities and confusion for the ultimate users; (ii) would
5 disrupt more than twenty years of planning by Winfield; and (iii) is premature and
6 inappropriate until Crown Point fully complies with certain statutory and regulatory
7 requirements. I will also discuss Crown Point's Donation Agreement with LBL
8 Development, LLC ("LBL") and the economic development testimony from Crown
9 Point Witness, Greg Falkowski.

10 **II.**
11 **LOCATION OF DISPUTED AREA AND IMPACT ON ECONOMIC**
12 **DEVELOPMENT**
13

14 **5. Q CAN YOU DESCRIBE THE DISPUTED AREA AND ITS IMPORTANCE TO**
15 **WINFIELD?**

16 A Yes, I can. The Disputed Area is approximately 1,846 acres immediately south of
17 Winfield's existing municipal boundaries. Of the 1,846 acres, approximately 800
18 acres is owned or controlled by LBL Development, LLC ("LBL"), an intervener in
19 this Cause. LBL is seeking to develop its 800 acres as part of a 1,200 acre
20 development. The remaining four hundred (400) acres (of the 1,200 acre development)
21 is adjacent to the Disputed Area, is already within the Town of Winfield, and will
22 receive sewer service from Winfield.

23 **6. Q DOES WINFIELD ALREADY HAVE THE EXCLUSIVE RIGHT TO SERVE**
24 **THE 400 ACRES WITHIN WINFIELD?**

1 A Yes. Under Indiana law, municipalities such as Winfield have the exclusive right to
2 provide and control sewer and water service within their municipal boundaries. This
3 Cause only concerns whether Winfield should have the exclusive right to serve certain
4 areas immediately adjacent to its current municipal boundaries.

5 **7. Q WHAT WOULD OCCUR IF CROWN POINT WERE GRANTED THE**
6 **EXCLUSIVE RIGHT TO PROVIDE SEWER SERVICE TO THE DISPUTED**
7 **AREA INSTEAD OF WINFIELD?**

8 A If Crown Point were to serve the Disputed Area, then there would be two different
9 sewer providers for the same development. As more fully explained in the Prefiled
10 Responsive Testimony and Exhibits of Ms. Jennifer Wilson, there is a significant
11 difference in the user rates between Winfield and Crown Point. When considering
12 Crown Point's final rate and its 25% out-of-town surcharge, the ultimate customers in
13 the Disputed Area using 5,000 gallons per month would pay \$131.03 per month in
14 2026 which could increase to \$160.56 per month in 2027 if Crown Point issues sewer
15 revenue bonds to finance certain improvements required by the Indiana Department
16 of Environmental Management ("IDEM"). The other customers within the same
17 development that are served by Winfield would only pay \$59 per month. Considering
18 that the vast majority of the LBL Development will be developed and occupied by
19 customers or users other than LBL, there will be a great deal of confusion, anxiety,
20 and, quite frankly, anger, that some customers within the LBL's development are
21 paying \$131 - \$161 a month while others are only paying \$59 per month. Not only
22 would dividing the subdivision into two different service areas create potential ill-will,

1 confusion, and anger, it would also result in duplicative infrastructure. Because the
2 LBL development is a consolidated, contiguous 1,200 acre development, it is highly
3 likely that Winfield and Crown Point would have duplicative infrastructure across the
4 street from one another in many locations. Even if the rates of the two providers were
5 remotely similar, it still makes little or no sense to have two different providers for the
6 same neighborhood.

7 **8. Q ARE THERE ANY ECONOMIC DEVELOPMENT IMPLICATIONS**
8 **ASSOCIATED WITH CROWN POINT'S REQUEST?**

9 A Yes, absolutely. As I explained above and Ms. Wilson explains in great detail in her
10 testimony, the rates and charges for the two different utilities are vastly different.
11 Crown Point's user rates are more than double Winfield's user rates. In addition,
12 Crown Point's current connection charges are 77% higher than the connection charge
13 for Winfield. As Ms. Wilson explains in her testimony, Crown Point is planning within
14 the next year to increase its system development charge by two or three times. Thus,
15 Crown Point could have connection fees that are more than three times higher than
16 Winfield's connection charges. The connection charges are important in that it makes
17 it more expensive for potential economic development opportunities to locate in the
18 Disputed Area. I fear that Crown Point's rates and charges would be a significant
19 deterrent to economic development in the Disputed Area.

20 **9. Q HAS WINFIELD DEvised A PLAN TO SERVE THE ENTIRE 1,200 ACRE**
21 **DEVELOPMENT, NOT JUST THE 400 ACRE PORTION THAT IS WITHIN**
22 **ITS MUNICIPAL LIMITS.**

1 A Yes. As explained by Witness Duffy, Winfield has developed a rather straight forward
2 plan to provide service to the Development in less than a year. The plan and cost have
3 been provided to LBL as part of Discovery. Winfield is ready, willing, and able to
4 serve the entire 1,200 acre development. Quite honestly, it makes the most sense for
5 Winfield to simply extend its facilities from the 400 acre portion of the development
6 that is within its municipal limits into the remaining 800 acres immediately adjacent to
7 its boundaries.

8 **10. Q AS PART OF THESE DISCUSSIONS, HAS LBL PROVIDED THE TOWN**
9 **WITH A MAP OF ITS PROPOSED DEVELOPMENT?**

10 A Yes, it has. Attached to my testimony as Petitioner's Exhibit 24 is a copy of the map
11 that was provided to us by LBL. The map depicts the proposed subdivision that will
12 be developed both within and immediately adjacent to the Town's municipal limits.

13 **11. Q DOES ANYTHING ON THE MAP REFERENCE WINFIELD IN ANY WAY?**

14 A Yes, it does. In the southernmost portion of the LBL Development that is outside
15 Winfield's current municipal boundaries (but within the Disputed Area), the map
16 shows that certain buildings will contain Winfield municipal offices. This designation
17 is consistent with Winfield Comprehensive Master Plans that have been in place for
18 more than two decades.

1 **12. Q WHAT ARE THE TOTAL NUMBER OF PROPOSED UNITS WITHIN THE**
2 **LBL DEVELOPMENT?**

3 A LBL is proposing approximately 3,400 equivalent dwelling units.

4 **13. Q WHAT IS THE ESTIMATED PACE OF DEVELOPMENT?**

5 A Based on our conversations, LBL has indicated that it anticipates a 20 year buildout
6 for proposed subdivision or approximately 160-170 units per year.

7 **14. Q DO YOU AGREE WITH CROWN POINT'S TESTIMONY FROM MR.**
8 **STONG THAT CROWN POINT IS THE ONLY ENTITY WITH FACILITIES**
9 **CAN SERVE THE DISPUTED AREA?**

10 A No, I do not. As explained by Jeremy Lin and Mike Duffy in their Responsive
11 Testimonies and Exhibits, Crown Point estimates a large amount of flow or demand
12 from within its own municipal limits and from customers that Crown Point has
13 previously denied service (e.g. Petitioner's Exhibit 34, pp. 2-3). Crown Point still has
14 does not have a plan in place on how it will finance the facilities necessary to comply
15 with its outstanding IDEM Enforcement Orders and divert the flows from the Crown
16 Point residents to the proposed WWTP. (Petitioner's Exhibit 27, p. 23, lines 10-15)
17 Until these projects are complete, Crown Point does not have capacity to serve the
18 Disputed Area. At this point, Crown Point appears to be attempting to triple the size
19 of its territory and use the revenues, including surcharges, from the out-of-town
20 customers to pay for the improvements that should have been completed long ago.

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3 A Absolutely. As explained by Mr. Duffy in his Prefiled Direct Testimony, Winfield
4 can serve the Disputed Area with a combination of its existing and new facilities.
5 There is no need for Crown Point to size its plant to include the Disputed Area as
6 Winfield already has existing wastewater treatment capacity available. In this way,
7 Crown Point could potentially reduce the size of or phase in the improvements to its
8 plant with the hope of reducing Crown Point's current rates to a more acceptable level,
9 especially for its out of town users.

III.

DISRUPTION OF WINFIELD'S MASTER PLAN

12 **16. Q HAS WINFIELD PLANNED TO DEVELOP AND PROVIDE SERVICE TO**
13 **THE DISPUTED AREA?**

14 A Yes, it has. As I explained in my Direct Testimony, Winfield has spent years planning
15 to develop and provide service to the Disputed Area. This has included the completion
16 of Master Plans dating back more than 20 years, as well as meeting with all the
17 stakeholders in the area.

18 **17. Q WOULD APPROVAL OF CROWN POINT'S SERVICE AREA DISRUPT**
19 **THIS MASTER PLAN?**

20 A Yes. Unlike Winfield, Crown Point has done no Master Planning until recent years
21 concerning the development of provision of service to the Disputed Area. If Crown
22 Point were to provide service to the Disputed Area, it would disrupt, nullify, and
23 invalidate some of Winfield's planning and efforts over the last twenty (20) years.

1 **18. Q DOES CROWN POINT HAVE OTHER AREAS TO WHICH IT CAN**
2 **PROVIDE SERVICE IN ITS PROPOSED SERVICE AREA?**

3 A Yes, it does. As Mr. Duffy mentioned in his testimony, Crown Point's total service
4 area request in Cause No. 46035 is approximately 19,000 acres. Considering that
5 Crown Point has approximately 11,500 acres in its existing municipal boundaries, its
6 request, if granted, would result in a Crown Point service territory of almost 31,000
7 acres or almost triple its current area. Even if Winfield served the Disputed Area,
8 Crown Point's remaining territory would be approximately 17,200 acres. There will
9 be plenty of areas in which Crown Point can provide service, including some areas in
10 which LBL may develop (outside the Disputed Area).

11 **19. Q DOES CROWN POINT HAVE A GOOD TRACK RECORD OF PROVIDING**
12 **SERVICE TO ITS CURRENT SERVICE TERRITORY?**

13 A No, it does not. As explained in some detail by Mr. Lin, Crown Point has had a number
14 of violations over the last two decades and is subject to two different IDEM
15 Enforcement Orders. Mr. Lin further explained that Crown Point has denied service to
16 thousands of customers in recent years and there is a great deal of future anticipated
17 flow from new development inside the City and immediately adjacent to the City.
18 Considering Crown Point's history of violations, the need to complete certain
19 improvements to meet IDEM's Enforcement Orders, and the anticipated flows from
20 customers in and around its existing limits some of which have previously denied
21 service, Crown Point will suffer no hardship if the Disputed Area is granted to
22 Winfield.

23 **20. Q IS CROWN POINT'S CURRENT PLANT OUT OF CAPACITY?**

1 A According to testimony from Crown Point's engineer, Mr. Al Stong, at the Crown
2 Point Public Hearing, Crown Point has allocated all the existing capacity in its
3 wastewater treatment plant to serve within its municipal boundaries. At the March 3,
4 2025 Crown Point City Council public hearing, Mr. Stong specifically stated:

5 So, you don't have collection system capacity. If you want to
6 develop your existing service area, not the expanded service area,
7 you need the additional treatment . . . Again, if you don't want the
8 developers to receive treatment, don't approve it. They're if they're
9 outside of our service area, it's to your benefit to approve it because
10 the quicker we can get the customers, the more revenue we have to
11 do the existing debt service. (Petitioner's Exhibit 26, Stong
12 statement at 46.13 of March 3, 2025 hearing; Petitioner's Exhibit 25,
13 p. 16, lines 31 to p. 17, line 1).

14
15 A transcript of the Crown Point and video of the Crown Point public hearings in which
16 Mr. Stong made such representation are attached to my testimony as Petitioner's
17 Exhibits 25 and 26, respectively.

18 **21. Q WHAT IS YOUR RECOMMENDATION WITH RESPECT TO THE**
19 **DISPUTED AREA?**

20 A My recommendation is that the Commission grant the Disputed Area to Winfield.
21 This relief would allow Crown Point sufficient time to construct a new wastewater
22 treatment (and other related IDEM-required improvements) that can be used to serve
23 its remaining territory and to divert flows from inside the municipal limits so that it
24 can provide service to additional development within its existing municipal
25 boundaries. Because Crown Point is currently using or allocated all of its capacity
26 and has many other areas to serve, I believe it is in the best interest of the ultimate
27 customers who purchase lots within LBL's proposed development that they receive
28 the same service throughout the development upon the same terms, conditions, and

1 monthly user rates. I believe that it is in the best interest of the ultimate consumers
2 (maybe not the Developer) that Winfield be the provider in this area.

3 **22. Q WOULD YOUR RECOMMENDATION HAVE ADDITIONAL BENEFITS?**

4 A Yes, it would. By authorizing Winfield to be the provider to the Disputed Area,
5 Winfield's Master Planning over the last two decades will remain in place and
6 uninterrupted.

7 **IV.**
8 **CROWN POINT'S TERRITORIAL REQUEST IS PREMATURE AND**
9 **INAPPROPRIATE**
10

11 **23. Q MR. BEAVER, HAVE YOU REVIEWED CROWN POINT'S PETITION**
12 **INITIATING THIS CAUSE?**

13 A. Yes, I have.

14 **24. Q DID CROWN POINT MENTION ANYTHING IN ITS PETITION**
15 **REGARDING THE AGREED ORDER OR INDIANA CODE § 8-1-1.9-5?**

16 A No, it did not. While I am an attorney, I am not intimately familiar with all of the
17 statutes affecting municipal sewer utilities. I do understand that Indiana Codes § 8-
18 1.5-6-9(b)(3) requires Crown Point to disclose if there are any administrative or
19 judicial proceedings involving its regulatory ordinance. As Mr. Lin explains in his
20 testimony, Crown Point is subject to an IDEM Agreed Order dated May 25, 2023
21 ("2023 Agreed Order") that mandates Crown Point to complete certain improvements
22 to its sewer system. These improvements are required to address multiple violations
23 from IDEM and, presumably, Crown Point desires to use such facilities to serve its
24 proposed territory. Mr. Lin also testified that there is still an outstanding Agreed

Judgement dated September 27, 2007 ("2007 Agreed Judgment"), which, like the 2023 Agreed Order, has yet to be fully satisfied (collectively, the 2023 Agreed Order and 2007 Agreed Judgment are "IDEM Enforcement Orders"). Finally, the Indiana Code § 8-1-1.9-5 requires Crown Point to submit to an investigation before the Commission when it is subject to an Agreed Order issued after June 30, 2022. Indiana Code § 8-1-1.9-5 states in pertinent part:

This section applies to a wastewater utility that:

(1) is not subject to the jurisdiction of the commission for the approval of rates and charges; and

(2) has been issued one (1) or more enforcement orders after June 30, 2022.

(b) As used in this section, "department enforcement action" means an action of the department of environmental management commenced under IC 13-30-3.

(c) As used in this section, "enforcement order" means an order, including an agreed order under IC 13-30-3-3:

(1) resulting from a department enforcement action; and

(2) relating to environmental or health and human safety issues.

(d) As used in this section, "wastewater utility" means any of the following that provides wastewater service in Indiana:

(2) A municipally owned utility (as defined in IC 8-1-2-1(h)).

(e) The following apply to a wastewater utility that is subject to this section:

(1) Upon the issuance of the first enforcement order with respect to the wastewater utility, the commission shall:

(A) perform an informal review, using such procedures as the commission may choose, of the rates and charges of the wastewater utility to determine if the rates and charges are sufficient to:

(i) operate and maintain the wastewater utility's collection and treatment system; and

(ii) pay all obligations of the wastewater utility's collection and treatment system; and

(B) determine whether all elements of an adequate asset management program are in place with respect to the wastewater utility's collection and treatment system.

1 In making a determination under clause (B), the commission may
2 consult with the drinking water and wastewater infrastructure research
3 and extension program authorized by IC 5-1.2-11.5-10.
4 Notwithstanding IC 8-1-1-5(b), commission staff shall not be subject
5 to cross examination in any subsequent proceeding in connection with
6 any documents prepared during an informal review under this
7 subdivision.
8
9

...

10 (h) An action by the commission under this section is subject to review
11 under IC 8-1-3. (emphasis added)
12

13 **25. Q DOES CROWN POINT'S PETITION INDICATE THE STATUS OF CROWN**
14 **POINT'S COMPLIANCE WITH THE IDEM ENFORCEMENT ORDERS**
15 **AND INDIANA CODE § 8-1-1.9-5?**

16 A No, it does not.

17 **26. Q DOES THE INVESTIGATION STATUTE, INDIANA CODE § 8-1-1.9-5,**
18 **RAISE ISSUES OR CONCERNS THAT ARE PARTICULARLY RELEVANT**
19 **TO CROWN POINT'S REQUEST IN THIS CAUSE?**

20 A Yes, it is. As noted in the plain language of the statute, the Commission shall
21 investigate Crown Point to determine whether its rates and charges are sufficient to
22 operate and maintain its wastewater utilities collection and treatment system and pay
23 all obligations of the wastewater utility's collection and treatment system. In this case,
24 it is undisputed that Crown Point must complete a final phase of improvements, the
25 Phase IV improvements, to satisfy the Agreed Order and 2007 Agreed Judgment. At
26 its March 6, 2025 public hearing, Crown Point declined to adopt the final phase of
27 rates that would be necessary for the issuance of debt that was intended to fund the

1 completion of the Phase IV improvements. At this point, Crown Point has not
2 implemented a financing plan that would satisfy the 2023 Agreed Order. When asked
3 about Crown Point's financing plan for the Phase IV improvements, Crown Point's
4 financial advisor, Greg Guerrettaz, admitted at his deposition:

5 Q Let me ask you this. Let me ask --At this point, we have no
6 financing -- "we," being Crown Point, have no financing in place
7 to pay for these lift stations and pipe improvements; is that
8 correct?

9 A Correct.

10 (Petitioner's Exhibit 27, Page 23, lines 10-15)

11
12 It is evident that Crown Point does not have a plan to finance all the improvements
13 needed to meet the requirements in the IDEM Enforcement Orders. Crown Point must
14 either increase its rates yet again in order to issue new sewer revenue bonds or find
15 another financing vehicle by using City taxes (which it has criticized Winfield for
16 doing) before it can proceed with seeking additional territory. Until Crown Point
17 actually finances and constructs the required improvements, its request to triple the
18 size of its service territory is premature and should be stayed or denied.

19 **27. Q ARE THERE OTHER ISSUES OR CONCERNS RAISED BY THE**
20 **INVESTIGATION STATUTE THAT ARE RELEVANT WITH RESPECT TO**
21 **CROWN POINT'S OPERATIONS?**

22 A Yes, I believe it is. Crown Point is seeking to build a rather significant plant which is
23 very expensive and which has resulted in extremely high rates for the existing Crown
24 Point customers and, especially, those customers residing outside of its municipal
25 boundaries who are subject to a 25 % surcharge. There is no indication that Crown

1 Point considered phasing in the improvements or that it attempted to in any way,
2 reduce the financial impact to the out-of-town customers. In fact, as noted by Ms.
3 Wilson in her testimony in Cause No. 45992, Crown Point's monthly sewer fees pays
4 for some of (or subsidizes) its stormwater costs which increases the rates even further.
5 This is particularly inappropriate in this case.

6 **28. Q WHY IS IT INAPPROPRIATE FOR CROWN POINT TO INCLUDE**
7 **STORMWATER COSTS IN ITS MONTHLY SEWER FEES, MR BEAVER?**

8 A I understand that Indiana law limits Crown Point to only providing stormwater
9 services to those customers within its municipal boundaries. To the extent the
10 customers reside in unincorporated Lake County, Indiana ("Lake County"), Lake
11 County is responsible for providing such services. This means that Crown Point is not
12 only charging the out-of-town customers a 25% surcharge, Crown Point is charging a
13 surcharge on stormwater services that are not being provided to the out-of-town
14 customers. Ostensibly, these customers are already paying Lake County for such
15 services. In other words, Crown Point is proposing that its out-of-town customers pay
16 for storm water services from Crown Point (including a 25% surcharge on such
17 services) while such customers are paying for and receiving the same services from
18 Lake County. It is particularly unfair to these out-of-town customers to pay a
19 surcharge for services that they do not receive from Crown Point. Quite frankly,
20 Crown Point's request for the Disputed Area appears to be an attempt to "soak" the
21 out-of-town customers to pay for improvements that should have been made and paid
22 for years ago by Crown Point.

1 **29. Q HAS CROWN POINT USED CONNECTION CHARGES FOR**
2 **OPERATIONAL EXPENSES RATHER THAN MAKING THE CAPITAL**
3 **IMPROVEMENTS REQUIRED BY IDEM?**

4 A Yes, it has. As Ms. Wilson explains in her testimony, Crown Point has cannibalized
5 its system development funds to subsidize monthly user rates.

6 **30. Q MR. BEAVER, DO YOU BELIEVE IT IS FAIR TO THE OUT-OF-TOWN**
7 **CUSTOMERS TO BE FORCED TO TAKE SERVICE FROM CROWN**
8 **POINT?**

9 A No, I do not. By virtue of the 25% surcharge, the out-of-town customers will now pay
10 a disproportionate amount of the costs associated with the City's misuse of its system
11 development funds and its failure to timely adjust its rates and charges and complete
12 the improvements required by IDEM's Enforcement Orders. Crown Point's user rates
13 for the out-of-town customers will soon be between \$131 and \$162 per month,
14 depending on Crown Point's financing plan. Crown Point openly admits that it is
15 seeking to expand its territory and add customers to pay for all of the costs that it has
16 to incur because of IDEM Enforcement Orders and the failure to have adequate rates
17 over the last twenty (20) years. Forcing the out-of-town customers to a
18 disproportionate share of the costs resulting from Crown Point's failures over the last
19 sixteen (16) years is exceedingly unfair, especially considering that the out-of-town
20 customers have no voice in City government and they did not vote for the City
21 administration.

34. Q DO YOU AGREE WITH MR STONG?

1 A No, I do not. As Mr. Lin testified, Crown Point already has allocated any remaining
2 capacity at its existing plant. Based on Petitioner's Exhibit 34, an attachment to Crown
3 Point's Preliminary Engineering Report ("PER"), Crown Point has allocated .92 MGD
4 to existing development within the City limits. Crown Point's current average day
5 usage is 4.16 MGD. The existing WWTP has an average day capacity of 5.2 MGD.
6 Consequently, it appears that with its Crown Point's existing usage of 4.16 MGD
7 and the capacity allocated to existing development in and around the City limits of .92
8 MGD, Crown Point does not have extra capacity for LBL. Crown Point now seems
9 to be suggesting that it will not honor that obligation, but instead serve LBL. In
10 addition, there is 1.17 MGD of flows to which Crown Point has previously denied
11 service. Crown Point seems to be prioritizing LBL to the detriment of its existing
12 customers and those customers to which it has previously denied service. This
13 treatment would appear to be discriminatory and unfair to the customers who have
14 allocated capacity (but not used the capacity as of yet) and also the property owners
15 that have previously been denied service.

16 **35. Q HAS CROWN POINT PROVIDED AN ESTIMATED COST OF EXTENDING**
17 **SERVICE TO THE DISPUTED AREA ON AN INTERIM BASIS?**

18 A Yes, it has. It indicated that the cost would be approximately \$1,000,000.

19 **36. Q DO YOU BELIEVE THIS AGREEMENT IS CONSISTENT WITH INDIANA**
20 **LAW?**

21 A No, I do not. While I am a lawyer, I do not typically practice in the area of municipal
22 law. As a Winfield Town Council member, I am generally aware of the statutes
23 affecting municipalities and their utilities. It is my understanding that Indiana Code §

1 36-1-10.5 provides the exclusive means for municipalities to purchase property. This
2 statute generally requires, among other things, that the municipality obtain an
3 appraisal for the property at issue. In this case, Crown Point did not obtain an appraisal
4 to determine the value of the property. (Petitioner's Exhibit 28)

5 **37. Q IN YOUR OPINION, ARE THERE OTHER POTENTIAL ISSUES WITH THE**
6 **DONATION AGREEMENT?**

7 A Yes. It is my understanding that within the last five years, the Indiana General
8 Assembly adopted a statute requiring municipal water and sewer utilities to comply
9 with the Commission's Main Extension Rules. In the Main Extension Rules, a
10 municipality should not extend free service to a Developer's property. Contrary to the
11 Main Extension Rules, Mr. Stong's testimony suggests that Crown Point will extend
12 3,900 feet of gravity sewer to the LBL Development if the LBL Development needs
13 service on a temporary basis before the proposed WWTP is completed basis. If this
14 sewer line is provided by Crown Point, it is effectively a Main Extension that is subject
15 to the Commission's Main Extension Rules. By extending service for free to the
16 development, Crown Point is not only potentially violating Indiana Code § 36-1-10.5,
17 but also the Commission's Main Extension Rules.

18
19 **VI.**

20 **CROWN POINT'S ECONOMIC DEVELOPMENT TESTIMONY**
21

22 **38. Q HAVE YOU REVIEWED THE PREFILED TESTIMONY OF MR. GREG**
23 **FALKOWSKI, CROWN POINTS ECONOMIC DEVELOPMENT**
24 **DIRECTOR?**

1 A Yes, I have.

2 **39. Q DO YOU HAVE ANY COMMENTS REGARDING MR. FALKOWSKI'S**
3 **TESTIMONY?**

4 A Yes, I do. Almost all of Mr. Falkowski's testimony talks about Crown Point's
5 economic development successes. On page 14 of Mr. Falkowski's testimony, he
6 specifically states that Crown Point cannot deploy its full array of economic
7 development resources in the Disputed Area without the assurance of reliable and
8 timely water and sewer service. In my opinion, this testimony is not relevant and not
9 particularly helpful for the Commission to determine the issue before them.

10 **40. Q WHY IS MR. FALKOWSKI'S TESTIMONY IRRELEVANT AND NOT**
11 **USEFUL IN THIS PROCEEDING?**

12 A Mr. Falkowski testifies about Crown Point's economic development efforts and its
13 ability to provide economic development resources in the Disputed Area. Mr.
14 Falkowski's testimony, however, is inappropriate and misplaced and Crown Point
15 misinterprets Indiana Code § 8-1.5-6-8. Section 8(g) sets forth the criteria that the
16 Commission should consider when reviewing a proposed territorial Ordinance. The
17 statute provides, among other things, that the Commission should review the potential
18 effect of its Order on customer rates and charges, as well as the impact on present and
19 future economic development in the "regulated territory". By definition, a "regulated
20 territory" is an unincorporated area of a county. The county, which in this instance is
21 Lake County, not Crown Point, will have exclusive economic development
22 jurisdiction over the area. With this in mind, it is my opinion that the role of the

1 Commission is not to determine who would be the best at economic development.
2 Rather, the Commission will focus on, among other things, which provider will offer
3 the most competitive rates and charges for the area in question and be best able to
4 provide service that meets the needs and facilities present and future economic
5 development in the area. Based on the evidence in this case, Winfield's rates are
6 significantly lower than the proposed rates from Crown Point. The evidence also
7 indicates that Crown Point's rates could increase even further in the future. Finally, it
8 is not particularly beneficial for economic development in the Disputed Area to pay a
9 25% surcharge on already exceedingly high rates. This will result in rates that actually
10 deter, not promote, economic development. For these reasons, the Commission should
11 ignore Mr. Falkowski's testimony.

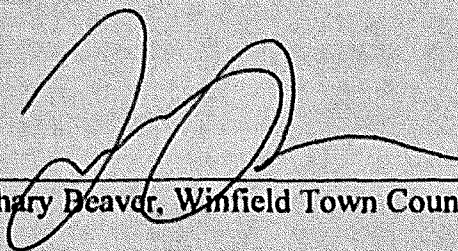
12 **VII.**
13 **CONCLUSION**
14

15 **41. Q DOES THIS CONCLUDE YOUR TESTIMONY?**

16 A Yes, it does.

VERIFICATION

I affirm under the penalties for perjury that the foregoing testimony is true to the best of my knowledge, information, and belief.



Zachary Beaver, Winfield Town Council President

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon the following by electronic mail this 19th day of August, 2025:

Daniel Le Vay
Indiana Office of Utility Consumer
Counselor
115 West Washington St., Suite 1500S
Indianapolis, IN 46204
dlevay@oucc.in.gov
infomgt@oucc.in.gov

David M. Austgen
AUSTGEN KUIPER JASAITIS P.C.
130 N. Main St.
Crown Point, IN 46307
akapc@austgenlaw.com

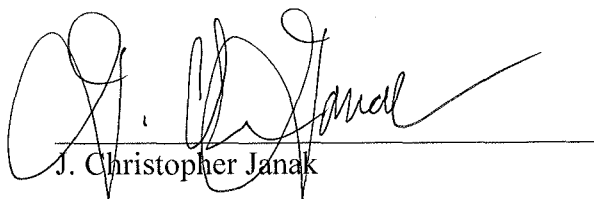
Brett R. Galvan
121 N. Main Street
Hebron, IN 46341
brettgalvanlaw@gmail.com

Jonathan Lotton
LBL Development, LLC
14400 Lake Shore Dr.
Cedar Lake, IN 46303
jonathan.lotton27@gmail.com

Steven W. Krohne
Jennifer L. Schuster
Jack M. Petr
Ice Miller LLP
One American Square, Suite 2900
Indianapolis, IN 46282-0200
steven.krohne@icemiller.com
jennifer.schuster@icemiller.com
jack.petr@icemiller.com

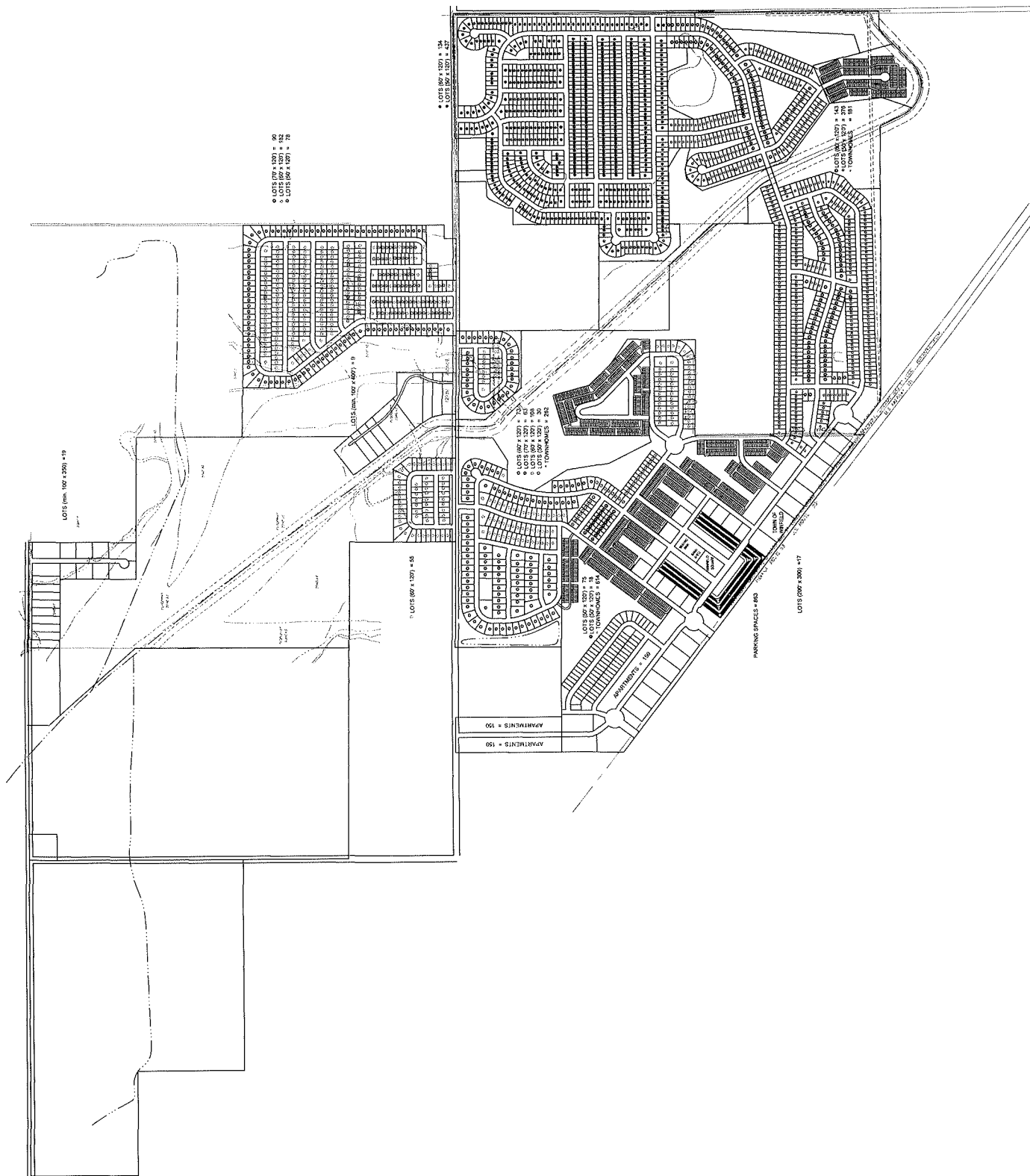
Mark W. Cooper
Attorney at Law
1449 N. College Ave.
Indianapolis, IN 46202
attymcooper@indy.rr.com

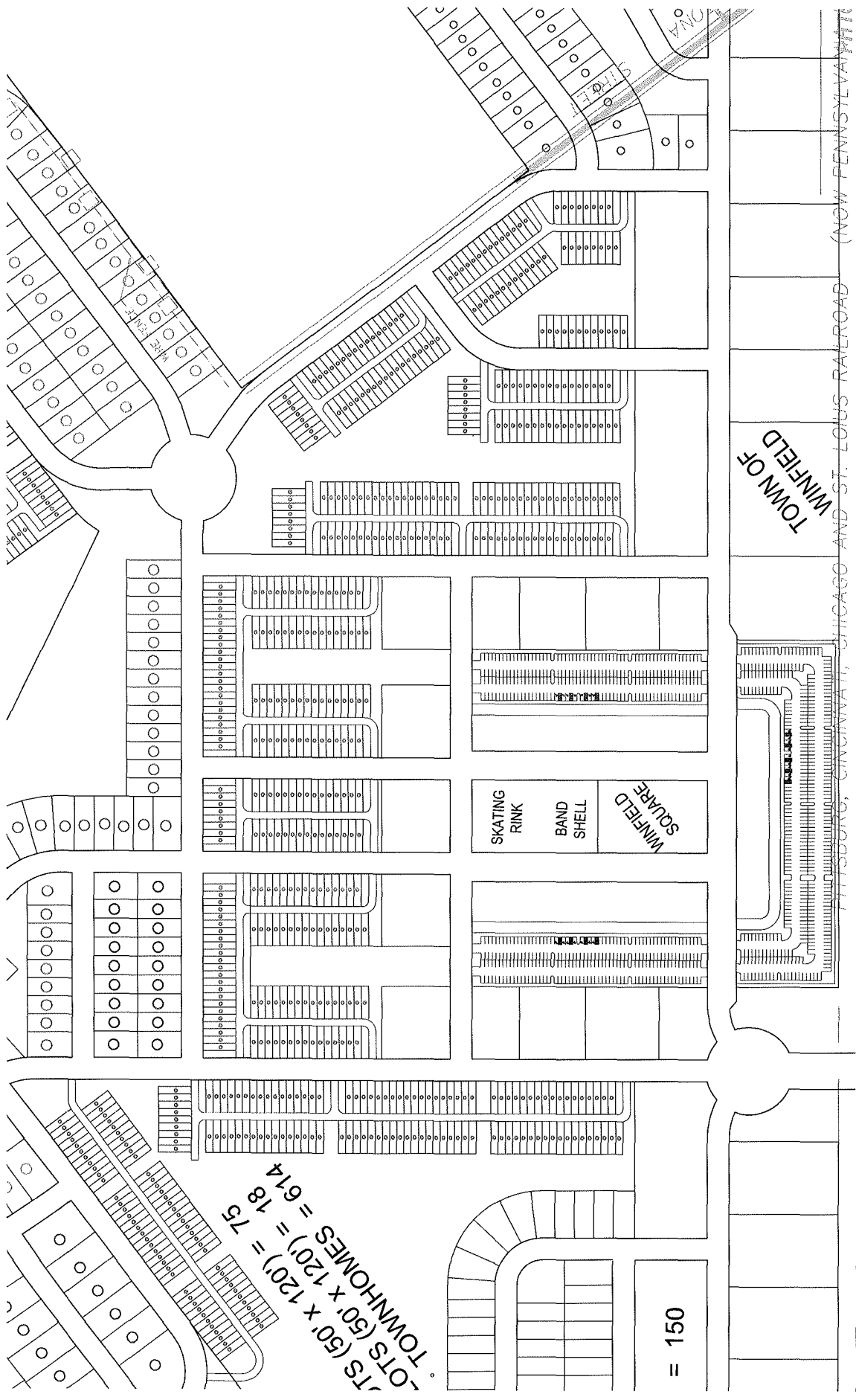
Robert M. Glennon
Robert Glennon & Associates
3697 N. 500 E.
Danville, IN 46122
robertglennonlaw@gmail.com



J. Christopher Janak

Petitioner's Exhibit 24





= 150

INDIANA ROUTE 53 U.S. ROUTE 231

Petitioner's Exhibit 25

1 **Audio file**

2 Crown Point Meeting 2.3.2025. Recording 2025-02-16 193043.mp3

3 **Transcript**

4 **All** – Pledge of Allegiance

5 **Mayor Pete Land** -

6 Good afternoon everyone. This is the regular City Council meeting scheduled for Monday,
7 February 3rd. Can I get a Roll call number.

8 **David Benson**

9 Scott Evorik

10 **Scott Evorik [Zoom]**–

11 Here.

12 **David Benson** -

13 Zack Bryan

14 **Zack Bryan**-

15 Here.

16 **David Benson** -

17 Bob Clemons

18 **Bob Clemons** -

19 Here.

20 **David Benson** -

21 Laura Sauerman

22 [No response]

23 **David Benson** -

24 Joe Sanders

1 **Joe Sanders -**

2 Here.

3 **David Benson -**

4 Council President Chad Jeffries

5 **Chad Jeffries –**

6 Here.

7 **Mayor Pete Land -**

8 OK. Thank you, David. So we do have a quorum for tonight. First on the agenda is the
9 approval of the Minutes of the previous meetings, which we're regular meeting with January
10 6th and the Executive Council meeting is on January 22nd. So we'll Motion the minutes. We
11 have a second second. And second, any further discussion on the motion? Hearing none.
12 All in favor, aye. Opposed?

13 **All –**

14 Aye

15 **Mayor Pete Land -**

16 Passes.

17 **Mayor Pete Land -**

18 Council tonight we'll have the reading of the agenda, addition of any new items which we
19 do not have any to add tonight, approval of claims and SRF distributions. We do have two
20 presentations, one by our Clerk Treasure updating the Council on the some stale dated
21 checks. We do have a presentation for the Tour of Lights winner. It's been a while since the
22 holiday season was upon us, but we do want to announce and recognize our where came
23 in first place of the voting for the for Tour of Lights.

24 So. We will do that tonight too. A lot of the petitions, announcements and public
25 statements and they're moving on to old and deferred business. We do have three items.
26 We do have two on old business. The second and third proposed ordinances there are
27 public hearings attached to those. So the first one, number two is the public hearing
28 regarding the water utility rates and number three is a public hearing regarding sewage
29 utility rates, those we get to those on the agenda, there'll be a part that will open it up for
30 public hearing. So anybody can get up and when we're up for going on the water and can
31 comments about the proposed water rate utility and once we complete that go on to the

1 next item. Everybody will have an opportunity once we get to the public hearing part come
2 up to the podium, participate under that.

3 Under new business, we do have a total of nine items. Culminating with the approval of
4 various conflict of interest matters. But that is our agenda for tonight.

5 First is approval of claims and SRF distributions, Zack.

6 **Zack Bryan -**

7 I've reviewed the claims and the SRF disbursement for this period. They all appear to be in
8 the normal course of city business, so I moved to approve them as presented.

9 **Mayor Pete Land -**

10 OK, you have a motion for approval. Second, don't move. And a second. Any further
11 discussion on the motion.

12 **Mayor Pete Land -**

13 None. All in favor signify. With an aye.

14 All –

15 Aye.

16 **Scott Evorik –**

17 Aye. Sorry.

18 **Mayor Pete Land -**

19 Motion passes. OK. David Benson.

20 **David Benson -**

21 I just want to make the Council aware that we have a list attached of some stall dated
22 checks. They're two or three years old and we want to void them. Bookkeepers did their
23 due diligence and trying to locate these vendors or people that the checks are coming to
24 with absolutely no luck. We don't really need all we just want to make the Council aware.

25 **Mayor Pete Land -**

26 OK. Questions for Dave on his request and checks? Thank you, David. Appreciate it.

27 OK, Tour of light winners Diana.

28 **Diana Bosse-**

1 All right. Thank you. The 2024 tour of Lights was again a huge success. This is one of our
2 very well attended and popular events through the season we had eight homes that that
3 participated, we had a few additional that were honorary stops with the Guard House
4 being one of those. But I will run through them real quickly.

5 808 N Court Street. Christmas is the Phillips family families favorite time of year. Their
6 display features lots. Lots and lots of holiday favorites, including The Grinch and Rudolph
7 the Red Nose reindeer.

8 139 S Chase Dr. The Birkenfeld's have been decorating their house for the past eight years.
9 If you look in the garage window, you can see Santa and his elves hard at work making last
10 minute toys. Family believes the spirit of the season is best expressed through connection,
11 generosity and joy. They hope their home serves as a reminder for the magic that comes
12 from giving.

13 180 W 126th place. The Dubberts have been decorating for the holidays for 15 years
14 between their Crown Point house and their previous home. The Dubberts complete all their
15 work themselves because they enjoy the happiness it gives others. Their favorite part of the
16 display is the Nativity scene.

17 271 Walnut Lane Christmas is the Pulver family's favorite holiday. The Pulvers have been
18 decorating their home for more than 40 years. Their display includes Rudolph the Red Nose
19 reindeer, presents, and lots of lit trees. Every year they have a tree dedicated to Mrs.
20 Pulver's father.

21 349. Sawgrass. Dr. This is Mosak's families second time decorating this house. They
22 decorated their home in White Hawk for about 8 years. Their theme for this year is Charlie
23 Brown Christmas. They commissioned the Charlie Brown silhouettes to be made because
24 Mr. Mosak is a huge snoopy fan. Charlie Brown Christmas tells the true reason for the
25 season. The family loves Snoopy on his doghouse and Charlie Brown.

26 416 Martin Dr. The Bohlings have been decorating their home for seven years to spread
27 holiday cheer to their children and the neighborhood. Everyone loves the decorations
28 because they were handmade by Mark Bowling's father, Jim Bohling nearly 25 years ago.
29 The Bohlings add more to their display every year and they love seeing people stop by.

30 2047 Lewis Dr. The Chibicki family has been decorating their house for more than 10 years.
31 Their theme for this year's classic North Pole, one of their favorite aspects of decorating for
32 the holidays, is the lights on their home. The twinkling lights create a magical glow that can
33 be seen from afar, instantly lifting spirits and spreading fear throughout the neighborhood.
34 They also love adding their cheerful Santa.

2700 W 132nd Lane that their royal family has been decorating since 2001, they have always had blow molds and enjoy expanding their collection when they can. If you look at the windows, you can see Santa and Mrs. Claus, the favorite scene part is the Nativity scene and the 8 1/2 foot tall Santa.

This year's winner is the Mosak family on Sawgrass Drive. We have [applause]. They're actually in Florida for the holiday after the holiday, enjoying some warm weather hopefully. But you come on up and grab a picture. Got the award for you.

Mayor Pete Land -

So I would say there are three reasons why a lot of people [inaudible] with the quality of life. What is more simple [inaudible].

Still being done today. Fantastic. Thank you to all the participants for [inaudible] with the two trolleys sells out like that. Great job and hope you had [inaudible]

Anything you want to say.

Diana Bosse -

I just want to say a quick thank you to the Crown Point Library for partnering with us. The tour of lights would not be possible without their help. We appreciate their partnership. They provide us the the use of the library. This year we extended it for two weeks. Huge undertaking for them and their staff as well as our staff, so we definitely couldn't do without their help.

Mayor Pete Land -

No.

All right. Thank you, Diana.

OK. [inaudible] Next on the agenda is the public statements. So this is we do ask because we do have a lot of people tuning in that we're not able to come tonight physically, but they'll definitely watch it. That if you want to make any comment about the two public hearing utility rates wait till they get up on the agenda when you're free to come up and make your comments, so this is just like anything else you want the Council to know. General topic so we'll open up the public comment if you're interested, you can come up to the podium state your name and address for the record and share with the Council.

Sam Kozaitis -

225 E 113th Avenue. I have to say I hate having to be up here to do this because I'm very uncomfortable and this doesn't come easy, but there's a lot of things that cause me to

1 come up here, so I have this I want to read. Sorry I have not attended the last few meetings
2 I was in Florida on vacation. I know a lot of you in here like to vacation in Florida, spent a lot
3 of time in Disney, golfing, you know, Destin. Which you know is kind of connected with or
4 reminds me of Foundation Risk Partners, which is located in Destin. You know, they're the
5 ones that contributed \$31,166 to your campaign in 2024.

6 Which leads me to Commonwealth Engineering, LLC. I'll see who's going to be speaking
7 here tonight. You know, they're the ones that are running the show for this water and sewer
8 project. Matter of fact, business is so good up here for them that they've moved to office or
9 got an office up here in Crown Point. Running from Alex, the city attorney. Matter of fact,
10 most oh they donated 7500, by the way, in 2024 to your campaign. Matter of fact, most all
11 companies that have been business dealings and contracts with the city have donated to
12 your campaign. UM. Is it? Is it illegal for a company to to donate to a campaign? Probably
13 not. Is it illegal or questionable to have multiple? Camp. You know, business majority of.
14 All of them. But we're gonna find out. So some of those along of those.

15 Lost my train of thought.

16 Along with most of the city officials and employees with the highest paying positions
17 interesting to look up the salaries of Crown Point employees and find row after row of
18 employees with the same last name and all part of the same family. Also, to compare
19 which of those employees has received better raises over the past few years compared to
20 other city employees in similar positions. Is there something to see about this? We may
21 find out soon. Pete, you work for us, the taxpayers, the residents of of Crown Point, not Ice
22 Miller, the one that handles our property and casualty agreements that donated \$5000 to
23 your campaign. Not Austgen Equipment that donated \$4500. They're doing the they got the
24 bid for Solomon Woods drainage, which was, you know, \$4.8 million. You don't work for
25 Mississippi Parkway partners that donated 5 grand to campaign in 2024. You know, just to
26 mention Marvin Crook and Dennis Caldwell were very interesting to to look, look into them.
27 Dennis Caldwell. You know, Jenna Caldwell's husband. She's a realtor. I'm still working on
28 trying to find out all the shell companies, maybe not shell companies. All the LLC
29 companies that have been donating to your political campaign since you took office. But I
30 think the most disgusting, is the fact that Cal Ripken baseball donated 45-47 hundred
31 dollars just in 2024. They are a 501-C3 nonprofit organization, which is strictly prohibited
32 by federal law. I guarantee that most people, most parents that have their children in Cal
33 Ripken would be appalled to find out and would not want their money that they're paying
34 for their kids to go towards your campaign. You have failed the residents of Crown Point.
35 You need to be removed or resigned and as far as I'm concerned, most of your

administration and some of these Council members up here can go as well. Thank you.
Thanks, Dan. Appreciate it.

Mayor Pete Land -

OK. Anybody else?

Susan McKendry -

Good evening. I'm Susan McKendry you all have seen me here before. Tonight I'm with at 481 E 114th Ave. Tonight I come here with disappointment in our city leadership again. The deceptions are starting to become clear in some research that has been ongoing. It seems our or some of our city officials believe that we're too ignorant to catch up to their schemes, but in reality they've grown too comfortable acting as if they're above the law and beyond ethical accountability. First I'm going to address something that is deeply disturbing to me. In this research I found that 2023 and in 2024 Mayor Pete Land accepted campaign donations from several of our 501-C3 local charities. Crown Point, Cal Ripken youth baseball donated a total of \$5950 over the last two years. Crossroads YMCA donated \$3050. The Disabled American Veterans donated \$750, and the American Legion Post 20 donated \$750. Donating these funds to a political campaign is in direct violation of IRS 501-C3 exempt tax status, and the Johnson Act. I find it truly despicable that you Mayor Land or any other city mayor anywhere would accept donations to their campaign out of funds that were given to an organization intended to benefit our youth, our community, and our veterans. As a military spouse, mother and donator donor to these types of organizations, I'm outraged. Frankly, this alone should be enough to ask this Community to recall you from office. You lack the integrity and ethical values required to serve the city of Crown Point, and I urge you to return these funds to those organizations. Secondly, at the July 2024 Council meeting, Councilwoman Laura Sauerman and requested that all real estate petitions include not just the company name but also the owner's name. Then at last month's meeting, during the first reading of Ordinance 2025 0101, she made the same request. There's a video recording of that in which she notes that the owner's name was illegible on the paper with paperwork and shockingly, no one in this room could identify the owner of Gold Nests Property LLC, despite the company having been on this Council's agenda in July 2023 with the owners name listed specifically on resolution. 2023-0716R. It's just amazing. Attorney Kunowski is the registered agent for Gold Nest Property LLC. He knows who owns that property and he should have recused himself, disclosed his conflict of interest and stepped away as his position as city attorney during the discussion and vote of this topic. Instead, he and others in this room remained silent, assuming that the public wouldn't notice. We notice, we are watching. The lack of transparency is disgraceful. Why all this secrecy? There's conflict of interest disclosures that appear on nearly every council

1 agenda. And are they even reviewed before you approve them? These forms should be
2 publicly accessible on the city website. Tonight as you consider resolutions 2025-01 and
3 2025-0202 R, I request that you ponder a couple of things. Firstly, this 2023 petition for this
4 property lists the owners as Tanny and Jacqueline Chang Strongman. You were requested
5 by Miss Sauerman to have that name present. I hope that it is on the paperwork. Secondly,
6 there was a building permit 20230325 issued on 9/18/2023 for that plot of land and the
7 general contractor on it was on Miter Kudinov. Under that issued permit, a large number of
8 trees were taken down by a contractor on that lot, and then city employees spent two days
9 providing labor, all the trucks, city equipment to chip and haul away the trunks and limbs
10 of those trees. The city website clearly states that if the service is hired to do tree work, the
11 service equipment. This. If, but. If the service is hired to do tree work. The service company
12 is responsible for removal of the brush. I ask you what other property owner of a vacant lot
13 in this city has received free labor, equipment, gas, and helped to remove the waste
14 created from clearing their land for development. I bet there isn't another one. How many
15 tax dollars are spent over these two days? Additionally, I urge you to demand
16 accountability and transparency. Any official hiring hiding business dealings of the city?

17 **Mayor Pete Land -**

18 Thank you, Susan. Appreciate you.

19 **Susan McKendry -**

20 Dismissed.

21 **Mayor Pete Land -**

22 Is there anyone else that would? Like to come up for public [inaudible]?

23 OK.

24 **Michelle Kozaitis -**

25 Michelle, is that is 225 E 113th Ave. I'm going. To finish Susan's statement.

26 **Mayor Pete Land -**

27 Sure.

28 **Michelle Kozaitis -**

29 Secondly, I urge you to demand accountability and transparency.

30 Any official hiding business dealings with the city should be dismissed. I support
31 Councilwoman Sauerman's call for the full disclosure of any real estate ownership

1 ownership. Furthermore, all of the city contracts and agreements should require the same
2 transparency. Failure to disclose these relationships creates the appearance of
3 corruption. Your residents deserve better. Lastly, since the very first time I voiced my
4 concerns in this Chamber and we met with hostility from the Mayor, disturbingly, a false
5 report, a false police report, was filed against residents and officers have been sent to
6 intimidate them. Since starting the Crown Point Open Forum page, Community members
7 are coming forward with stories of misconduct in the cities spanning years. In the light of
8 that, I want to publicly say here if anything happens to me, my family, or any other
9 concerned citizens that investigates to look at the individuals in this very room. The Mayor
10 appears to believe he can use our Police Department as his personal enforcers. I ask you
11 all, what is he trying to desperately hide? Thank you for your time.

12 **Mayor Pete Land -**

13 Thank you. Appreciate you. Anybody else under the public comment portion? Yes, ma'am.
14 Hi.

15 **Natalie Heidler -**

16 My name is Natalie Heidler. I live at 409 Magnolia Dr. We've been there since 2011 and I'd
17 like to see, I've called several times to the the building department, I think the in our
18 subdivision we have a lot of homes that flood in our backyard and I think that the pipes and
19 the sewers are old and I don't know the size of them, but I haven't had anybody been able
20 to come out and take a look at it. I think you were out in our subdivision last month, 2 doors
21 down, a lady called you over. And so we lived 2 doors down from her. And I was wondering
22 if you would be able to take a look at that. Our subdivision is pretty old, but we've had an
23 issue and I we we think the sewers are not up to date and we see all these new
24 developments here in Crown Point, baseball field, etcetera. And you know it's an older
25 subdivision and I think it's been neglected.

26 **Mayor Pete Land -**

27 OK, if if you can you give our clerk treasure your phone number and then Terry, can you
28 follow up with her on the phone call and Terry's in charge of our public works.

29 **Natalie Heidler -**

30 OK

31 **Mayor Pete Land -**

32 That way he can contact you at the phone number that you give her.

33 **Natalie Heidler -**

1 Thank you. Bye.

2 **Mayor Pete Land -**

3 Thank you. OK, anyone else from the public? Yes, Sir.

4 **Dennis Lunkes -**

5 Is this regarding the rate increases on the water?

6 **Mayor Pete Land -**

7 No, that is so that later.

8 **Dennis Lunkes -**

9 OK all right.

10 **Mayor Pete Land -**

11 No, that's that's coming up on the agenda. Yes, Sir. I'll definitely announce the public
12 hearing part.

13 **Liz Messing -**

14 Hi, my name is Liz Messing. I live at 348 Ellendale Parkway. I just came here tonight
15 because I'm sure all of you are aware that the prices have gone up considerably and I also
16 know that Crown Point has an ordinance in place for no chickens, but I was wondering how
17 I would go about or what it what we could do to Have chickens again.

18 **Mayor Pete Land -**

19 You're right, that's definitely been broached more than once.

20 **Liz Messing -**

21 I mean, they have chickens in Chicago right down the street from my mom, not in the
22 suburbs even, just Chicago itself. You have chickens and Carmel and this is a smaller
23 town.

24 **Mayor Pete Land -**

25 Yeah.

26 I mean the first step your, your Joe's constituent. I'd reach out to Joe directly and then Joe
27 can communicate with the. It would require an ordinance change by this Council.

28 **Liz Messing -**

1 OK.

2 **Mayor Pete Land -**

3 But my first step before you attempt that, is contact Joe, exactly what you're looking for and
4 so forth and running.

5 **Public –**

6 Free eggs

7 **Liz Messing -**

8 I'll just write down.

9 **Mayor Pete Land -**

10 OK, I'll go ahead and close the public comment part. Moving on jumping ahead, number
11 one on the old old deferred business. Ordinance No. 2025-01-01 and 1/3 rezone from B-3
12 business to R-3 residential at 1820 E South St.

13 This looks like a reading.

14 Are you representing Fisher?

15 **Jack Huis -**

16 Yes, Jack Huis from DVG representing the petitioner, Gold Nest LLC this evening. I believe
17 Josh has a report for you and I'll follow up with any questions that you may have.

18 **Mayor Pete Land -**

19 Josh

20 **Josh Watson -**

21 Yeah.

22 In the second reading, Gold Nest Property LLC is requesting to change its zone for 1820 E
23 South St. from B-3 business to R-3 residential property surrounded by R-3 to the North Part
24 2 to the West and South, and B3 to the east. If approved, the position will return to the
25 Board of Zoning Appeals. Which they have, and received a favorable recommendation for
26 special use of townhomes to be built on the property. Parcel was changed from R-3 to B-3
27 by both Planning Commission and City Council in July 2022. Since that time, the
28 developers changed their plans for the business owner property and so would like to go
29 back to residential. During your original change of zone there were numerous calls of
30 remonstrations and complaints from the neighbors. As of this time, going to residential,

1 everyone is in support of it. At this point, we recommend approval [inaudible] and to
2 upload the BCA [inaudible].

3 **Jack Huis -**

4 Yeah. Yeah. So if there's any questions that you have regarding this, I'll be happy to answer
5 this. This parcel is located on 113th and in Madison on the northeast corner. [inaudible]
6 So.

7 **Mayor Pete Land -**

8 Letter to the Council.

9 2nd reading.

10 **Scott Evorik -**

11 Mr. Mayor, if I may.

12 **Mayor Pete Land -**

13 Yes.

14 **Scott Evorik -**

15 Well, I had something to say, but the woman that came up and spoke already stole it from
16 me. I wouldn't had a problem with this whatsoever if there was more transparency. I looked
17 it up and it's the Indiana Secretary of State right here says that Alex is the registered agent
18 for Gold Nest Property, why are we not being transparent people? So I'm a definite no
19 because this is ridiculous just come up and say it.

20 **Alex Kutanovski -**

21 So Scott, I'm a I'm a registered agent for probably 100 companies that I've formed over the
22 course of my 20 years of of, of law practice. So that is all.

23 **Scott Evorik -**

24 Then be transparent about. It. That's all I ask. Say hey, yeah.

25 **Mayor Pete Land -**

26 Scott, let him finish, and then you respond.

27 **Alex Kutanovski -**

28 So Pat, I think that's a question for you.

1 Like, I mean, is there any federal, state or local law that would require a disclosure for
2 these types of applications on who the members of the LLC are?

3 **Pat Schuster -**

4 So there [inaudible].

5 **Alex Kutanovski -**

6 Is there any federal, state or local law that would prevent a city attorney or a city employee
7 from owning property in the city of Crown Point?

8 **Pat Schuster -**

9 As far as I know no.

10 **Alex Kutanovski -**

11 Does any city attorney have any voting rights on this Council, the Planning Commission or
12 the PTA?

13 **Pat Schuster -**

14 [Inaudible]

15 **Alex Kutanovski -**

16 Josh is this project that Gold Nest have any tax dollars, tax abatements, tax incentives from
17 the City going towards this project.

18 **Josh Watson -**

19 No

20 **Alex Kutanovski -**

21 So, I wasn't authorized at the last meeting by any of the other members of the LLC to
22 disclose anything with regard to who owns that LLC. So I I couldn't sit up here and tell you.
23 Based on individuals that own that LLC, whether I'm able to provide them their names to
24 the question when federal law, state law and local law doesn't require it. The question was
25 brought up by Councilman Saurman at the last meeting. I've now received the authority
26 from those members to make that disclosure. So for the interest of transparency, I will do
27 that. That LLC, that Gold Nest LLC is owned by 4 individuals. In equal parts myself,
28 [inaudible] Kutanovski, [inaudible] Karofsky, and Tom Salkovski.

29 **Scott Evorik -**

1 That's all I ask for. Be transparent every time that you're a registered agent on any LLC, you
2 should be transparent to the people, especially the Council. That's all I'm asking.

3 **Alex Kutanovski -**

4 I understand your concern, but that there there I don't have that authority for every LLC that
5 I am a registered agent to to disclose that information, nor am I required to.

6 **Mayor Pete Land -**

7 Alright, so bring it bring it to the Council. Just a reminder, this is unanimous approval.

8 **Joe Sanders -**

9 So I have a question for Pat. Can the, in the future, can the City Council propose a an
10 ordinance for the city that transparently like that, is required?

11 **Pat Schuster -**

12 [Inaudible] Yeah. Yeah, it did. Nothing exists at this point in time there is no state statute
13 requiring.

14 **Joe Sanders -**

15 According to the law. As much as I agree with transparency and all that the the. Everything
16 was done within the law, correctly filed. The BZA approved the change of zoning right and
17 the Planning Commission approved the usage. I'd like to say hell no. You know, we've got
18 to be, but it it's the law. I mean, there's nothing out of compliance here.

19 **Pat Schuster -**

20 There's nothing and and correctly it's something I would want to research if you're thinking
21 about going that way. I don't know that that the power of force, identification of the LLC.

22 **Joe Sanders -**

23 Yeah. I mean, there's various reasons why an LLC would not want to be identified. And not
24 all of them are nefarious. There are real reasons.

25 **Pat Schuster -**

26 Alright. Absolutely. Yeah, yeah.

27 **Joe Sanders -**

28 I mean it's. OK. Thank you.

29 **Mayor Pete Land -**

1 What would be the Council?

2 **Chad Jeffries -**

3 Well, I will just speak to this again. That I live right across the the entrance to my
4 subdivision, right across from the right, I received numerous calls of remonstrations when
5 Doctor Stroman, Chang and Jacqueline had had rezoned to the business and they were
6 thinking about putting at one point, I believe it was going to be a sports athletics type
7 medical facility there and then something else was going to use that property. The people
8 of Prairie View did not like it, since this has been proposed to go back to residential I've
9 heard nothing but approval from the residents that surround and with the three
10 existing duplexes that are up I think it adds value to that corner. I think, I think when we
11 look at the kind of holistically as the rest of that property goes I think it can be a very nice
12 residential component with with some kind of neat landscaping opportunities, we're next
13 to the big ditch right there. There's plenty of set back on that property for, you know, more
14 of a horseshoe shaped drive. I think it's a very different product than what we see typically
15 out of what we look at for R3. So I mean just to be upfront everybody, I mean what what
16 we had heard before was a lot of her remonstrations. Way more people at any of our
17 Council and Planning Commission meeting that didn't want that project to go. And now I I
18 don't hear anything in remonstrations from anybody, just basically positive about that
19 project.

20 **Mayor Pete Land -**

21 Yeah. And that parcel, you know, then your pitch is here and there that work out.

22 **Chad Jeffries -**

23 It's that parcel set with a tree going through the front porch for years.

24 So the sense the.

25 **Mayor Pete Land -**

26 It was in dire, it was in a bad state.

27 So the fact that we can now develop something, put it on the actual.

28 **Zack Bryan -**

29 I like that though what Chad mentioned previously that when this was when the zone
30 change went through previous time, there was a lot of remonstrations despite it being a
31 good project, having it going back to residential is more cohesive with comprehensive plan.
32 It's also less impactful for the residents and that's the primary cause of the remonstrations.

1 Back a few years ago, so looking at this project as a piece. Planning in the city that's what
2 really this is. It definitely seems to be a better fit than that [inaudible].

3 **Joe Sanders -**

4 Can I ask one more question?

5 **Mayor Pete Land -**

6 Yes.

7 **Joe Sanders -**

8 So did the attorneys position put him at an advantage to to gain this property?

9 Yeah. Put it on. Was it on the market and then it got sold.

10 **Alex Kutanovski -**

11 That's. Sure. With the ongoing transaction was put on the market, an offer was made and it
12 was accepted. No city dollars were involved.

13 **Joe Sanders -**

14 I know, I know, yeah. Like this being.

15 **Alex Kutanovski -**

16 Anybody could have bought that property.

17 **Zack Bryan -**

18 Thank you. That's all I need.

19 **Mayor Pete Land -**

20 OK so. Looks to make action by the Council.

21 **Joe Sanders -**

22 Well, I'll move to accept this and and pass this ordinance on the rezone.

23 **Mayor Pete Land -**

24 We have a motion for that adoption and a second any further discussion on the motion.

25 **Zack Bryan -**

26 I'll second.

1 **Mayor Pete Land -**
2 Any further discussion on this motion?
3 [Inaudible]
4 OK, it's gotta work.
5 Ok Call the Role please David
6 **Scott Evorik -**
7 No.
8 **Zack Bryan -**
9 Yes
10 **Bob Clements-**
11 Yes
12 **Joe Sanders -**
13 Yes.
14 And **Chad Jeffers -**
15 Yes
16 **David Benson -**
17 Four yes's
18 **Mayor Pete Land -**
19 Yes, council 2. Thank you Jack, 2 ordinance number 2025-01-03.
20 Ordinance amending monthly rates and charges by the water utilities public hearing and
21 second reading [inaudible] promise. So tonight we have and before I'll turn it over.
22 Just in case you guys don't know, you see him at different meetings, Al Stong, the president
23 and project manager for Commonwealth and Greg Guerretaz from FSG, Greg, and
24 compare longtime financial advisors for the City.
25 So before I turn over to them so just the water utility. We buy, the City Crown Point, buys all
26 of our water from Indiana American Water Water, buy about a billion gallons of water. And
27 they are governed by an oversight by the Indiana Utility Regulatory Commission. So anytime
28 they want a rate change, they just can't do it on their own, they have to go through state

1 process and the IRC is the ultimate sayers in any kind of reach. So in 2023, they had
2 petitioned the URC. We would like to increase water rates not just for Crown point. They're
3 they have, they're all over the place. They're thousand. They wanted a 49% water rate
4 increase from what they would charge. So part of what they have to do is they have to state
5 in the IRC, hold regional hearings and so myself and our longtime attorney, that is based in
6 Indianapolis that we use to help us represent Crown Points and taxpayers interest at the
7 IRC level. We attended the regional hearing in Gary. And in Gary, I testified. Part of what
8 Indian American Water position was because besides selling water, they own a lot of
9 municipalities, actual infrastructure, they own the utility. Ohh, Crown Point's different,
10 that's not us. We own all of our own utility. Though my argument to the panel was that that
11 needs to be taken into account, right? So part of their increases you can imagine, they own
12 all these utility infrastructure costs, new line, repairs. So they want to pass all those extra
13 costs that they're absorbing on to Crown Point and our users and our taxes. I didn't think
14 that was fair and I didn't think that was right. But when testified and when it came out, the
15 decision by at the state level, they were given a 36.9% water rate. Nothing we can do about
16 it. All municipalities that buys from Indian American Water are in the same boat. Well, that
17 was. They made it in late 2023. They announced it or very early 2024.

18 So they told Indiana America Water you can do this 36.9% increase over 3 phases and the
19 first one being February of 2024, which they did. They increased our rates 24.11%. They did
20 another one in June 2024, that one was 8.29%. And then they their last one, they just did
21 this year, that's at 4.53%. So the city has been absorbing those extra costs to our water
22 utility. What we are proposing, but that can't we can't sustain that as a city. So like we
23 always do, anytime you have, it's probably really rate increase and nobody likes to do it.
24 One sitting up here and two we're all Crown Point residents and you know we buy the
25 water.

26 So it's always what's the lowest rate increase we can pass on and how far out can we
27 stretch it as opposed to just a one-time thing.

28 So we had proposed and worked through passing on of the 36.9%. Just 19% for the City
29 would absorb some, but we can't absorb all of it right, we would ask for water rate. The
30 second component in the, you know the gentleman will speak to it is the federal EPA came
31 out with a nationwide mandate. They follow suit is, they said, listen all communities, no
32 choice here. You have to do a lead line survey project in your community, so you need to go
33 through all homes built 1990 and before and you need to find out do any of these have lead
34 line. Right. And it's it's those that do. It's we would pick up the tab for the homeowners for
35 the replacement all the way from the water main, the street, all the way up to the house.

1 Usually it's just the right of way. But say we'd cover the cost for all that. So because we are
2 taking action much earlier than just. You know well, we're not going to do anything for a
3 couple of years, we'll see what happens. No, it's not the right thing. So. We've
4 undertaken that project, we get an update on it every two weeks of Waterworks meeting
5 because there's a lot of homes that we have to check. We have to check externally we
6 have to get inside. We're finding a lot of homes 1990 to 1994 don't have the lead line, so
7 that's good. So the state said alright Crown Point you are eligible for \$5,000,000, zero
8 interest SRF Loan, that we're going to give you the money, because you're being proactive.
9 Well, that also comes into play because it doesn't cover all of it, but it's because we're
10 being proactive, it States helping us a little bit. So that was that's kind of the two main
11 reasons why the water rate utility is we needed to take a look.

12 So I'll. I'll. I'll turn it over first to Al is the President of Commonwealth. He's been, I don't
13 know how long, many years Commonwealth have been, but many, many years. You know
14 the system inside and out. So Al can you kind of give? Like. A rundown of I've missed
15 something or anything else that you can add related to water.

16 **Al Stong -**

17 Sure. My name is Al Stong. I'm with Commonwealth Engineers. I've been working with
18 Crown Point for 28 years and our company's been working here longer so for quite some
19 time. We've handled the water and sewer utilities over that period of time and over that
20 time, we've been very successful in maximizing subsidies for the City through state and
21 federal grants. So as the Mayor indicated, part of this rate increase is just for both water
22 purchase. No choice. We are having to pay more for the water. We need to increase our
23 rates so that we can purchase the water as it costs 40% more, give or take. The other part
24 is for the Lead and Copper Rule, so the Lead and Copper Rule was passed at the end of
25 2024 and the City had a water improvements project and have been proactive over that
26 course in time of the water improvements project by letting their loans for the project go to
27 0% and utilizing the excess funds for lead line replacement. So we've been ahead of the
28 curve. The bipartisan infrastructure law passed by President Biden provided 5 years worth
29 of lead service line replacement grants, subsidized loans and so, we've, the lead service
30 line inventory was due last year in October. We identified all the homes that we felt could
31 potentially have lead service lines. And we made application for these grants. So in the
32 state we're one of nine communities that received this grant and it was 5 million dollars,
33 0% / 35 years. So it has a negligible impact on rates. But it still has an impact on rates.
34 The lead service line replacement work that we've done in the past, averages about
35 \$15,000 per home. The City owns from the main to the right of way. The homeowner owns
36 from the right of way into the home. City doesn't want to have to pass those costs along to

1 the property owners. Nobody can afford half the \$15,000 to replace lead service lines so
2 we solicited these grants. We obtained the funding, and we're proceeding with
3 characterizing all the lead service lines and replacing the lead service lines. The reason for
4 this is - leads a neurotoxin. So the Lead and Copper Rules lower the limits. And it's
5 requiring replacement in areas such as nursing homes, daycares, things of that nature
6 where we have at risk, individuals, but everyone's at risk from lead so it's it's a health issue
7 and we're trying to address this health issue proactively. And quickly. So that's the details
8 behind the projects, why we're having rate increases and our rate consultant can speak to
9 the to the rates.

10 **Mayor Pete Land -**

11 OK. Thank you. Appreciate it.

12 Greg

13 **Greg Guerretaz -**

14 Thank you, Sir, and good evening. My name is Greg Guerretaz. I'm President, Financial
15 Solutions group. And by the way, for for the record, I don't think we've ever. We are not
16 allowed. We I have 3 license. So you will not find us on the list in any way shape or form,
17 probably over even the last 10 years. So nor not to the Council or to the Mayor in any
18 municipality, Financial Solutions group. Just for the record, so as independent financial
19 advisor, we took Al's numbers and worked through those and we're also working through
20 making the application to SRF to get the Al calls it a grant. I call it a loan, it is a 0% loan. It
21 does not extinguish like a grant. So we do have to pay pay back the principal. And so what
22 we've done is we've carefully kind of always gone through the water utility since even 2010,
23 that was one of our recent increases. And I said 2010, we've had five increases since 2010.
24 We had our second one in 2018. We had our third one in 2019, 20 and 22. The acceleration
25 of the increases is exactly what the Mayor spoke about. Was that if you recall, we were
26 Gary Hobart Water and they didn't change rates ever. And you know, that was a great
27 relationship and we were we were able to keep a lower rate. Keep in mind, Al did mention
28 that we buy it at a discount that a if you were a Winfield resident or someone else, that was
29 a direct retail purchaser of Indiana American, you're paying a higher rate than we are here
30 at Crown Point. So those acceleration of those increases has been that Indiana American
31 has stated on the record that they'll come, they'll phase in rates over three years and after
32 the three years, it's kind of like NIPSCO, they'll be back and they'll be doing another three-
33 year phasing. So we are purchasing our water from them. Obviously, there's not a lot of
34 sources. And in in their defense, they've got clams up in, muscles up in, you know, up in
35 the Great Lakes. It's causing problem. There's a lot of problems for them to obtain the raw

1 water source. So those increases, they justify and they they have to. I mean, we go through
2 that for nine months, every time they file a rate increase and it Mayor you know we we serve
3 as the financial advisor on that. I'm an IURC expert witness. And so, you know, we try and
4 really hammer it down as much as we can, but sometimes an impartial jury will decide on
5 the other side. In the past, sometimes they've decided on our side. So So as a result of that
6 then we didn't now find ourselves where we did try and use some of our cash balances for
7 a while and ride the storm out. But as we know, there's they're going to be filing after 2025,
8 they'll probably be filing in 26 and 27. So we said rather than the erode, the financial
9 condition of the water utility and in order for it to do some of these much needed lead line
10 improvements and things like that, I mean, which is great for the health of the Community.
11 Then we need to start putting in some increases. So 1500 gallons is the is the minimum
12 threshold on the water. We don't go to 1000. Right now we're looking at that \$19.53 going to
13 \$21.48 or \$1.95. Now as a result of Indian American phasing in those rates, then we're
14 going to also experience another rate increase this year from them and so we've proposed
15 to the Council that later this year we're going to need a second phase to the water and the
16 21.48 would go up to \$22.34 or \$0.86. Both of these are much needed otherwise, when 26
17 and 27 comes, it's even gonna get worse. Because I'm sure they're gonna their costs are
18 going up and I'm sure they're gonna be asking for another 20/25% increase. So you know as
19 as important as ratepayers are to myself and to the city, I think we try and take that into
20 account all along the way. Uh. Because there's nothing that anybody really don't want to
21 pay more of water and sewer bills anywhere. And so. But we're finding ourselves with a lot
22 of capital additions and a lot of requirements and operating costs are going up on our our
23 side, being the City side.

24 **Mayor Pete Land -**

25 So. So they send the 1500 gallons. So the first proposed increase would be \$1.95.

26 **Greg Guerretaz -**

27 Yes sir.

28 **Mayor Land -**

29 And then the second one. Which would be the proposed August of this year, that would be
30 \$0.86.

31 **Greg Guerretaz -**

32 That's correct, Sir.

33 **Mayor Pete Land -**

1 And then the third one, which wouldn't be until August of 2026.

2 That would be \$0.90.

3 **Greg Guerretaz -**

4 That's where we're we're thinking at this point in time, subject to and as the financial

5 condition either improves or doesn't. Yes.

6 **Mayor Pete Land -**

7 OK. OK.

8 **Greg Guerretaz -**

9 Growth as there's no doubt that we've collected a lot of connection fees and and SDC,

10 SDC which is system development charges and those have helped the utility and really

11 helped the pre-existing ratepayers so that we have new development paying their fair

12 share. And so that's important and we'll probably be looking at increasing those over the

13 next year or so and keeping those they're at a nice level right now and so we may want to do

14 a gradualism of that also in the future.

15 **Mayor Pete Land -**

16 For the system development fees which everybody has to pay when they tap into start

17 utilizing our. Yeah, please they're they're charged. A fixed rate that we've been able to apply

18 to help maintain our water infrastructure.

19 **Greg Guerretaz -**

20 Yeah, and that comes with and it's based upon, you know, the bigger they are, the more

21 they pay. And please, I want the citizens to understand if you're pre-existing, you're not

22 moving or you're not changing or building a new house, you're not paying those so.

23 **Mayor Pete Land -**

24 That's all I have, Sir.

25 **Greg Guerretaz -**

26 OK. Thank you.

27 **Mayor Pete Land -**

28 Real quick to the Council, have any? Quick follow-ups for AI or?

29 Right.

1 **Zack Bryan -**

2 Quick question. So if the alternative in this situation is the utility absorbing cost and not

3 paying not passing on an increase in rates to the ratepayer to our customers, to all of us as

4 residents. What? What kind of financial impact does that have to the utility? Would it be

5 able to do the lead line replacements? Would it be able to sustain itself through capital

6 improvements and increase throughout the next few years?

7 **Greg Guerretaz -**

8 Well, when we put together the rate study, I don't think we'll qualify to be able to do the 0%

9 loan, we have to have we if we have, it's really. Not good, but if you have \$1,000,000 in the

10 bank in your water utility, your depreciation fund or something like that doesn't mean your

11 banker will loan you or give you the \$5 million for the lead line. We have to have revenue

12 minus operating expenses. And have the ability to repay our existing loans and our new

13 loans. And at this point in time, we do not have them. So therefore we would have access,

14 but we wouldn't be able to draw them.

15 **Zack Bryan -**

16 Thank you

17 **Greg Guerretaz -**

18 Sure.

19 **Mayor Pete Land -**

20 OK, so now we'll open up to the public hearing part. So if you would like to come up and

21 make any comment related to the water utility. So same thing just state your name and

22 address for the record. Share with the Council any information you would like on the water.

23 **Susan McKendry -**

24 So Susan Mckendry, 481 E 114th Ave. I just want to make sure that I understood this. None

25 of the homeowners who will be having their service lines replaced will be incurring any cost

26 for that replacement themselves. The city will be covering that with the \$5 million 0%

27 interest grant.

28 **Mayor Pete Land -**

29 From the main to the house.

30 **Susan McKendry -**

1 So there will, they won't be having that portion of it like if it's within their home, of course, if
2 their leadline pipes in the house, but from the street to the house, they're not going to be
3 responsible for any of that cost.

4 **Mayor Pete Land -**

5 Correct, Al?

6 **Al Stong -**

7 Yes, as long as the funds pulled out and we're able to accomplish everything which based
8 upon our efforts today, that's what we're projecting.

9 **Mayor Pete Land -**

10 Yes.

11 **Sam Kozaitis -**

12 Sam Kozaitis, 225 E 113th Ave. Do we have any loans that are coming that we have to repay
13 that would cause an offset. Do we have like any like? Like I'm not sure work but like bonds
14 or loans that are coming due that are is gonna do wiggle you know take away from the piggy
15 bank that we need to build that back up. Is any of that.

16 **Greg Guerretaz -**

17 Maybe I can help you.

18 So. So we've been doing bonds and lead line. We've actually. I'm gonna say this may be 7
19 or 8 bonds that we went to. So we've been doing a lot since 2014. We got prior non lead line
20 bonds 1,2,3,4 non lead line 1,2,3,4 almost 4 lead line bumps. So we've been taking
21 advantage.

22 **Sam Kozaitis -**

23 They're they're that are coming up that we have to repay up.

24 **Greg Guerretaz -**

25 So we're paying those. And then like one will be paid off, the 14 bonds will be paid off in 29.
26 So we kind of either look at you know there as long as this 0% program is around it's really
27 good. OK, that's a really good payback. And so we may have some roll in behind it, but yes,
28 we have serial maturities occurring on several bonds.

29 **Sam Kozaitis -**

30 OK

1 And and then my other question would be. Any new subdivision that goes in, are the
2 developers paying for the infrastructure, the water lines. How? How does that work if water
3 is not just? For example, if a water line main is only ran to, say 231 and Delaware St. and
4 someone wants to put? A subdivision you know 10 miles down. Who pays that fee? That
5 cost to run a water line 10 miles down the street to the subdivision and then through the
6 whole subdivision?

7 **Mayor Pete Land -**

8 So the developer's in charge of the infrastructure and the tie in to to seeing whatever the
9 closest utility is. And as Greg said, then they have to pay. They can have the system
10 development fee, which is a fix and then they have to pay the secondary fee, which is also a
11 fix on that for.

12 **Sam Kozaitis -**

13 Now, is there any instance in the past? That you're aware of, that the city of absorbed that
14 cost and not made the developer pay.

15 **Mayor Pete Land -**

16 I don't know how many years we've had that system development fee in place?

17 **Al Stong -**

18 Yeah, we reviewed the connection requests for water and for sewer and our reviews, we
19 identify the closest water main and how the developers would need to go about routing the
20 water lines and sewer lines to connect.

21 **Greg Guerretaz -**

22 And I can. Yeah. I mean, I think on the entire east side, there has been numerous
23 discussions for developed with the developer. It's your problem to get the line, the rest of
24 the way over the many, many years I've been running.

25 **Mayor Pete Land -**

26 Thank you Greg.

27 **Sam Kozaitis -**

28 So to be clear, we're not, the developers have absorbed that cost, the city has not paid it. If
29 I understand that correctly.

30

1 **Mayor Pete Land -**

2 We have to get it to wherever our closest utility line happens to be.

3 **Lindsay Wooters -**

4 280 E 124 so as he was mentioning with like the sewer lines, I know we have the new
5 subdivision across from Schmidt Farms. I know two, we've also had at least I think two
6 water mains that have broken from that so are we doing that after they put it in? And they
7 said that they do it properly and then the street gets destroyed again?

8 **Mayor Pete Land -**

9 Yeah.

10 **Lindsay Wooters -**

11 After a couple of times who's eating that bill.

12 **Mayor Pete Land -**

13 The water main breaks. Very. I mean, they have been those crews, they've been out. I don't
14 know how many we've had in the last month all over the City, north end, where you live,
15 just had one just out here N 4th St. yesterday. Two up here, so there's no like scientific. It's
16 just when they there's a lot that comes into it. I'd be completely guessing if I sat here, told I
17 know everything about why water main breaks, but they're all over the city and a crews do a
18 great job of responding and getting.

19 **Lindsay Wooters -**

20 But I know once you're digging and playing with the ground, normally something else
21 happens, so it just seems a little different. All the houses are going in and then now we've
22 actually had further problems.

23 **Mayor Pete Land -**

24 Yeah, I mean, I guess. 20 - 20 water main breaks in the last month, all over the city.

25 **Speaker 1 -**

26 [inaudible]

27 **Lindsay Wooters -**

28 Well, that's what I mean. With the ground shifting, since they've done all those after they do
29 it and then we have to come back within six months. Who's getting that bill, the City or the
30 developer?

1 **Speaker 1 -**
2 [inaudible]
3 Reading.
4 **Mayor Pete Land -**
5 OK.
6 We'll go ahead and close the public comment part of this.
7 I'm sorry-- Bob.
8 **Bob Clemens -**
9 Al, I had a question about it impacting from Mr. Doty back there. Could you stand up and
10 tell us like he wants to know why we can't use impact fees on these water situations? Mr.
11 Doty, would you like to ask that question?
12 **Mayor Pete Land -**
13 Well, we already closed public hearing Bob.
14 **Bob Clemens -**
15 oh is it? Closed.
16 Yes. He asked me. That for coming in, and I know he's gonna miss it.
17 **Mayor Pete Land -**
18 Well. No, that's no good.
19 **Mr. Doty**
20 We'll ask it on the next one.
21 **Mayor Pete Land -**
22 OK. Go ahead Al can you answer. You pop the question.
23 **Al Stong -**
24 Your your rate consultant is probably in the best position to answer that question.
25 **Mayor Pete Land -**
26 Oh, yeah, yeah, you've got valid point. Sorry Greg.

1 **Greg Guerretaz -**

2 To answer that. No problem. So so impact fees are really misunderstood in Indiana. OK,
3 when we talk about impact fees, you normally talk about road and parks impacting. In the
4 water/sewer area you have to follow the statutes like Statute 36 and those type of things.
5 So what you do is you calculate what is called a system development charge. My my one of
6 my staff members, Mike knows it really well because it's about a 25 page document that
7 put together your system development charges and your connection charges. We can akin
8 those to, or you can you can call them whatever you want to call them. We call them
9 connection charges and system development charges because that's what the statutory
10 language in Indiana calls for. I'm not the lawyer, I'm the CPA, but it's passed muster many,
11 many years here in in Crown Point and throughout the state of Indiana, so we in essence try
12 and capture any of those dollars that we can and make them pay for their fair share.

13 **Bob Clemens -**

14 [inaudible]

15 **Mayor Pete Land -**

16 No, you're good Bob. OK, so we'll bring this to the Council. Warning. If I could just like make
17 a suggestion, obviously. It's on the agenda for the public hearing and second reading,
18 which means, like reading final adoption. Anytime, and it's been great questions and good
19 conversation. You guys are great, Greg and Al, thank you for presenting. That my
20 suggestion would be to the Council, so we have 4 Members here. I don't vote, so four
21 members. We have Scott on zoom, but based on certain rules Scott would not be allowed
22 to vote because he's on Zoom because it's involved with fee increase. So my suggestion
23 would be, even though it it says second reading, does the Council defer this so we have all
24 seven members of the Council here so everybody can sit up and they can yes or no vote on
25 the proposed utility increased. But to do that, the Council will make a motion to the.

26 **Chad Jefferies -**

27 Before we make that motion, Greg. Can I ask you a question too? Just I just want to make
28 sure that I understand this right. And then and then the residents understand this, right?

29 **Greg Guerretaz -**

30 Yes sir.

31 **Chad Jefferies -**

32 So I mean you you give expert testimony at IRC. You know, Mayor Land, and you all went
33 down there to testify in front of them. In past practice, when Indiana American Water

1 would go for their rate increase right. It's, they have infrastructure that they have to
2 improve. Outside of just getting water to people like us that still own our utility, so part of
3 that infrastructure is when they've bought these water utilities and other municipalities,
4 they're now in charge of all of that pipe and infrastructure that is in that utility that they
5 bought correct.

6 **Greg Guerretaz -**

7 That's correct. We can use Lowell as an example, right and in past practice, when they
8 have, you know, whatever that rate increase was 25%, they come in for 40% when you guys
9 go and testify, there has been a past practice where because they don't own our utility and
10 Terry is in charge of going out and fixing every time a water main breaks and his crew. And I
11 think one of somebody in the back asked about you know, why does it happen? Well we
12 own our own utility. We do all of our upgrades. We're doing all of our fixes, all of our water
13 main breaks. And because we're using our money monies, you know for an operation
14 standpoint that we own it wasn't there times where someone like us would not take the
15 40% increase but a lesser increase because part of that that Indian American Water is
16 asking for is to do the infrastructure upgrades and the utility that they actually own.

17 So you know, from a rate standpoint, you ask ask a very complicated question, but number
18 one, we try and set aside, they try and set aside any premium they would have bought
19 when they or put any premium they paid when they bought like mold and and usually those
20 costs that to improve the Lowell system is is in that area. They then put us all together in
21 quadrants and we're with Schererville and Merrillville and and all those and and we that we
22 actually went together as a group to to fight the increase. So yes, there is a lot of, you know,
23 we're not paying for up here Shelbyville improvements. But I guarantee it those rate
24 increases have been higher and as strong to the retail customers of of Indiana American
25 and we've actually fared better overall, not this time. So those costs, if I'm hearing your
26 question, are segregated out during their cost-of-service study, they put together a brand
27 new cost of service study this time. It was rejected in Missouri, it was rejected in two other
28 states. Indiana accepted it. That's where we really lost out with the IURC as them
29 accepting a new cost-of-service study from Indiana America. Yeah, you. Yes, you. You
30 respond to your mains, you respond to your customers. I guarantee it quicker than Indiana
31 American does to their own retail customers. Having your own water utility and believe me
32 I was around, remember I was around when we what we're thinking about. We looked at
33 selling it or we looked at buying, you know somewhere else, some water and things like
34 that. Independence does cost you sometimes a little bit more in the long run but in this in
35 this case, independence has been very good. In my opinion, keep in mind also in Indiana
36 America, I I testified at the State and one of the Senators asked me Shipshewana has to do

1 a 200% increase, he said why don't you just sell, sell it to Indiana American? I said, Senator
2 number one, it's a wastewater. They don't buy wastewater. They buy the cream of the crop,
3 water. So, so they will, they only have like one or two wastewater utilities. They probably
4 have 26 or 30 water utilities. They want that thing that, you know, will make them a rate of
5 return that is sometimes in excess of 12 and 15% and that's what we fight. When the the
6 Mayor goes and we go down to the IURC in Indianapolis. So and those returns are right
7 there, they got my testimony showed that's the returns they were achieving.

8 [Inaudible]

9 **Joe Sanders -**

10 Thanks for your comment, I know for the fact that that the water system at Lake Michigan
11 that that tunnel is 300 feet deep in the limestone, and it goes out a mile into the lake it
12 provides us, so it's a fascinating infrastructure and it provides us with very fresh water. And
13 when I look around the room and I see the bottled water everywhere and and what people
14 pay for bottled water, I think we get a pretty good deal here. To have fresh clean Lake
15 Michigan water in our homes or you know, but I I agree with your recommendation that the
16 presence that we have a full Counsel.

17 **Mayor Pete Land -**

18 Ok. So if if it counts the pleasure to defer, then you need a motion.

19 **Chad Jeffries-**

20 I'll make a motion to defer ordinance 2025-01-03.

21 **Bob Clemons -**

22 I'll second.

23 **Mayor Pete Land -**

24 OK. We have a motion for deferral and a second. Any further?

25 **Scott Evorik -**

26 Hey, Mr. Mayor.

27 **Mayor Pete Land -**

28 Yes, Scott.

29 **Scott Evorik -**

30 If we can ask either Alex or Mr. Schuster if am I allowed to vote on the deferment.

1 **Pat Schuster -**
2 [Inaudible] Take final action on that final action. You may not participate [inaudible].
3 **Mayor Pete Land -**
4 OK. So Scott would have to abstain from the deferral both, OK.
5 **Pat Schuster -**
6 [Inaudible]
7 **Scott Evorik -**
8 OK. Thank you.
9 **Pat Schuster -**
10 Take a roll call vote just to be sure.
11 **Mayor Pete Land -**
12 OK, alright.
13 OK. I'm sorry. So I have a motion and a second any further discussion on the motion?
14 None. All in favor signify with an aye, aye.
15 Opposed?
16 **Scott Evorik -**
17 Abstain
18 **Mayor Pete Land -**
19 Motion passes, so that'll be on the March agenda date.
20 **Alex Kutanovski -**
21 Let's get that right. I think technically because [inaudible] you have to take a roll call vote
22 [inaudible]. Let's take a roll call vote just to be sure.
23 **Mayor Pete Land -**
24 OK, let's take a roll call vote. Can you call the roll please, David?
25 **David Benson -**
26 Scott Evorik your vote.

1

2 **Scott Evorik -**

3 Abstain.

4 **David Benson -**

5 Abstain, got it OK

6 Zack Bryan

7 **Zack Bryan -**

8 Yes.

9 **David Benson -**

10 Bob Clemens

11 **Bob Clemens -**

12 Yes.

13 **David Benson -**

14 Joe Sanders

15 **Joe Sanders -**

16 Yes

17 **David Benson -**

18 And, Chad Jeffries

19 **Chad Jeffries -**

20 Yes

21 **Mayor Pete Land -**

22 OK, motion passes. Thank you. Number three ordinance #2025-01-02 an ordinance

23 amending monthly rates and charges by the [inaudible] works. This is just the public

24 hearing only. Al could you? I mean, everybody knows most people know where our current

25 wastewater plant sets River Rd. right by the curve, right by the dog park. That's the only

26 plant we have. So Al, can you come up and kind of give a summation of? Like. Going back

27 to 90, the last time that plant was extended and kind of like going from that point forward

28 and all of our infrastructure.

1 **Al Stong -**

2 This utility is a little more complicated than the water. The water is pretty straight forward.
3 Our cost of purchase of increase. We wanted to replace our lead service that's why we
4 have rate increases. For the wastewater utility, when Crown Point had their sewers and
5 their treatment plant put in, it was a smaller community. And the sewers were smaller and
6 in some cases they were connected with storm water lines. So about 20 years ago, the law
7 was passed to address combined sewer overflows. And you, you had a resident come up
8 and talk about sewage backing up her basement. And that was more commonplace 20
9 years ago than it is now. But every time it rains, storm water gets into the sewers. It creates
10 A tremendous amount of flow and we have areas where these sewers relieve themselves
11 into open water bodies, and that's combined sewer. So over the last 20 years, we've been
12 under and agreed well most of the time we've been under an agreement with IDEM. A state
13 judicial agreement that indicates all of the improvements that we have to perform in order
14 to limit the overflows whenever it rains. And we've been performing these projects and we
15 have one last project to perform, which is our downtown interceptor project. So the
16 downtown Interceptor project is is bidding and will be awarded if the rates are approved
17 this summer. And that provides a large sewer pipe through the downtown area and
18 interconnects with the smaller sewers. So instead of overflowing into the creeks it, it
19 overflows into this large diameter sewer which conveys the flow to the treatment plant.
20 And we performed stormwater improvements at the treatment plant. We have ponds
21 where we hold the storm water and we have pumps that can push it. But our treatment
22 plant, it was built in 1976. And the last capacity upgrade was in 1998, so typically a a
23 treatment facility has a 20 year lifespan and then you have to look to improvements if you
24 have growth in the community to increase its treatment capabilities. So in addition to the
25 issue of combined sewer overflow, which is the downtown interceptor. We're running out
26 of capacity and our 20 year growth projection just within city limits will put us in excess of
27 what our treatment plant can treat. So we looked at two potential options, one is to
28 increase the size of the old treatment plant. We're limited in space, construction would be
29 a premium because you have to keep everything running while you build new and our
30 improvements are limited. Also, you would have to increase your capacity, your
31 conveyance capacity of your existing sewers and lift stations. So throughout the city, we
32 have sewers that convey flow from the south, from the west, from the east. We have lift
33 stations that they go to and they pump the flow. And just a myriad of sewers and pump
34 stations would also have to be improved in order to get all this flow to a treatment plant
35 that we can't really increase the capacity as much as we want to because we're limited by
36 land and that would be a cost premium as well. So to address the capacity issue we we
37 looked at this problem holistically and we said. What if we pull all the flow off the

1 southeast side of the system? That would alleviate the flows through the existing sewer.
2 We could reduce the amount of money we spend on the interceptor by decreasing its size
3 and its length and we could divert this flow, which is about 20% of the city flow, to a new
4 treatment plan. That was the cost effective solution because we have an open field where
5 we can put in a new treatment plant and it's brand new. It's not 50 years old. So it can be
6 more readily expanded and it provides a an asset to the city with the capacity that we
7 obtain. So our plan, which was approved by IDEM and is memorialized through agreed
8 order and a state judicial agreement. Which says you need to perform these projects on
9 these dates and be complete by these times allows us to put in the large diameter
10 interceptor to receive the overflows.

11 So that we can get the flows to the plants. We can alleviate the existing sewer system so
12 we don't have anywhere near as the backups that we have in the basements or overflows
13 into the creeks or sewage coming out of the manholes when it rains. We put in pump
14 stations to divert the flow to the new treatment plant and we build a new treatment plant in
15 a modular fashion and this treatment plant will provide us with 2.4 million gallons per day.
16 But we can readily expand it to 7 to 12. So we have the space to do this and it sets us up for
17 as far in the future as any of us can see as opposed to being landlocked with the existing
18 facilities. Now the amount of capacity that we gain if we were to have get all the customers
19 today, all these projects would be paid for. But the problem is you have to build it for them
20 to come. They don't come before you build it. So you have to build the infrastructure and
21 as soon as we get the customers and that customer base will pay for the projects and it
22 provides an opportunity to beneficially impact what we do today with respect to rating
23 increases on existing users. Our our rate increases would be very similar if we did what we
24 had to do with the existing plant and in the existing system.

25 But we would pretty much lock ourselves in for anything that we could do in the future and
26 we're putting improvements on infrastructure that's 50/70 years old so that's why we're
27 looking to divert flow to this new treatment facility. That once we get customers, we can get
28 the revenue so that we can pay for the projects and we've wrapped that all into this three
29 projects. We already performed 1, so it was 4 projects. But this three project plant
30 interceptor, the treatment plant, and the lift stations and the force. Now in doing this, we
31 also negotiated some subsidies so we went to the county when the county received ARPA
32 funds and the County has wanted to put customers to the west on the system for a long
33 time, and they're sewerage that area and we negotiated \$5,000,000 in connection fees and
34 infrastructure payments from the County to allow them to put the customers on from the
35 west because we're alleviating flow to our north plant and being able to divert it to the
36 south plant. So those customers over 20 years can create a revenue that's fairly equivalent
37 to servicing a \$5,000,000 debt. So we got a \$5,000,000 in payment. We got potentially

1 \$5,000,000 in debt service with new customers. We also talked to the state of Indiana,
2 Indiana Finance Authority because the County customers were on failed septic systems
3 that created an acute health issue and the state offered to provide us with \$5,000,000 per
4 grant, not 0 interest loan to \$5,000,000 straight out here if you guys do this for us, we'll give
5 you \$5,000,000 for your project. We're also making application to the Ready Program.
6 We're eligible for the Ready Program because it's a regionally impactful project and we're
7 soliciting grant funds through it. All indications are that we will receive some grant money.
8 Not as much as we'd like, but we'll receive some grant funding. Also, the State of Indiana
9 for these two projects, the one performed, the one about to be performed provide us with
10 subsidized interest. Because of what we're doing because of the regionally impactful
11 nature of the project. That subsidized interest is 2% on the 1st, \$20 million. So we have 2%
12 on \$40 million guaranteed. And we're looking to make application for the lift station, force
13 main project, and the treatment plant project to get the \$20 million, hopefully in subsidized
14 financing at 2%. So that 2% financing versus market rate saves us 10's of millions of dollars
15 on the project. Now that said, we've done the best we can. The city has worked long and
16 hard, the Mayor's gone down to the state to lobby for subsidies. We've obtained as much
17 subsidies as we can. But to perform the improvements projects we have to increase
18 increase the rate so we can service the debt. We don't have an option. It's in a state judicial
19 agreement. Nobody likes to hear you don't have an option. I guess your option is you can go
20 to jail, but you don't have an option. We have a state Judicial agreement. We have an
21 agreed Order. We have this plan. We've already accepted subsidies from the County, from
22 the State of Indiana. So that's the path we're on, it's the best of bad decisions. Obviously
23 the best thing would be people to say just shut shut down the City don't accept any
24 additional flows. Well, if you did that, you'd still have to pay for your downtown interceptor
25 project and you wouldn't have any additional customers. So at the end of the day, it would
26 cost you more. Now we're in a situation that the quicker we grow and we can bring
27 customers on the sooner we can offset these costs, the connection and development fees
28 into the rates so that we can service the debt and we could beneficially impact the rates
29 that need to be passed. Are there any questions on the wastewater project?

30 **Mayor Pete Land -**

31 So. So our current plant, River Rd. So the last expansion that was done at that site was in
32 1998.

33 **Al Stong -**

34 Last capacity expansion was 1998, said 25/27 years ago.

35 **Mayor Pete Land -**

1 OK. And then you said typically like a plant like that is designed and built for a 20 year life.

2 **Al Stong -**

3 You, you, you put together a 20 year life cycle plans when you solicit finance. So at the time
4 that we did the capacity expansion, we anticipated running out of capacity within 20 years.

5 **Mayor Pete Land -**

6 OK. But really, we're at pace the growth of Crown Point, we're at 27 years on that. So that
7 site, is it possible to expand the plant at that site itself?

8 **Al Stong -**

9 Anything's possible for cost. There's not a whole lot of property. We could provide limited
10 expansion at a cost premium. You can't get the capacity that we need at that site though.

11 **Mayor Pete Land -**

12 OK.

13 But because we've looked at that, I mean, going back 10 years.

14 **Al Stong -**

15 Yeah. Ok.

16 **Mayor Pete Land -**

17 Anybody have any questions? [inaudible]

18 **Zack Bryan -**

19 Yeah, I'm Sorry that ohh so one of the first things that kind of came to mind with this was
20 the question of are we experiencing costs that are in line with other providers? It's looking
21 at it, as a year to date that that this looks kind of spurred the question previously about
22 what have what have the historical rate increases look like up until today. Up until today,
23 we've seen from from 2009 through that first phase in 2022 we've seen approximately 65%
24 rate increases throughout that time. There is published an index. Which tracks these things
25 roughly across the United States, the National Association [inaudible]. In that same period
26 of time, that index is showing approximately 62%. So for me it was a little bit of a sanity
27 check to try to see like are we experiencing costs in line with other communities excluding
28 our proposed Capex and it appears another thing I kind of wanted to look at too was setting
29 aside the regular order requirements and and and the degree order that we're looking at.
30 Are we? Would the cities like an outsized benefit? Financial benefit from adding capacity
31 and looking at the current capacity of somewhere around 1.2 MGD adding in 2.4 purposed

1 which gives us as Al said around 3.6. It's a capacity increase of around 190% with a
2 potential revenue change of 238% based on 3.6 MGD 12,000 so the from that perspective,
3 it does appear that we're the city would gain quite a lot and and and that's just sets the
4 stage for as Al said in the future and [inaudible] improvements have that. Quasi Modular SE
5 interceptor wastewater treatment plant and that's also not including potential cost savings
6 from reducing the downtown interceptor from those solving flows. Uh. Another thing I I
7 guess I was curious about too when looking at the Performa that the rate consultant
8 provided, there was revenue listed in 2023 that was classified as other. It was \$4 million of
9 growth out of 14. Represents about a 28% chunk of that revenue. 2024 pro forma revenue
10 for that other category, has it going down to about \$1 million. What what is that section of
11 revenue? Because it seems pretty large, but it's just classified as other. So I wanted to get a
12 little bit of clarification on that. And then generally speaking, with the rates, I think we
13 should try to explore and I understand we're in EPA Region 5 but excepts flat rates across
14 all of all of the usage tiers. I think it would be pertinent to at least look at trying to give relief
15 to users that are in smaller tiers, so below 5000 GPM. Weighting the tiers so that there's a
16 higher impact on the larger industrial commercial users, just try to offset the impact on
17 smaller residential, at least in my opinion should be something that we look at. That's fine
18 that's my opinion.

19 **Joe Sanders -**

20 [inaudible]

21 **Mayor Pete Land -**

22 Thank you, Zack. Joe, you want to throw it to Greg to.

23 **Joe Sanders -**

24 What is the current capacity existing?

25 **Greg Guerretaz -**

26 5.2

27 **Joe Sanders -**

28 Any good rain [inaudible]

29 **Al Stong -**

30 You were close to early warning sewer ban in 2019 with the rainfall. The approach that we
31 take is being a combined sewer. There's an honorable policy document that allows us to
32 eliminate the rainfall from our capacity calculations. We're around 4 right now.

1 **Joe Sanders -**

2 Thank you.

3 **Mayor Pete Land –**

4 Greg

5 **Greg Guerretaz -**

6 As the Council member stated in 2009 on the wastewater kind of beginning there, we did
7 have an increase and our rate was \$6.33 per 1000 gallons. In 2017, we then raised it to
8 \$7.91, then knowing that we were having this Consent Decree and all that has been, it's not
9 new. It's something the City has been dealing with over the last probably five years it it, it
10 took several years to sign. Time flies when you're having fun. So it's longer than that. I'm.
11 I'm here. So in 2022, at the end of the year, we increased it to \$11.07. Now we find in order
12 to be able to afford the new basically interceptor which by the way I remember when we
13 first were going to do that, and it was astronomically high. So now we gotta get it we gotta
14 get it done because I'm sure the price has gone up. That we are now going to or 1000
15 gallons, it will be \$33.21 and it will go up to \$50.13, so \$16.92. We are looking at then 1st of
16 next year what what I'm calling a phase three which will increase the 1000 gallons to 8 up
17 by \$8.64. So the increases will again allow us the 2% loan on up to 20 million and then
18 we're we're SRF could change its rates after the first quarter and then 4% on the remaining
19 loan balance and so I thought it was interesting when I looked at when the gentleman
20 asked me about prior debts we do have prior debts we're paying here. We actually had one
21 in 2011 and we still are paying on it. That was 3.7%. So not all things go up significantly.
22 This interest rate is between 2 for part of it and four for the other part of it. But we have
23 been able to secure quite a bit if I'm looking at 1.5 1.75 - 2% loans that cause of the SRF
24 program keeping in mind is an independent financial advisor. Our role is to instruct you to
25 the best source for once you decide you gotta finance the project, what's the best source
26 of the financing? If we went out on the open market, we'd be doubling the interest rate by
27 far, OK. And so this is really good overall if you think 2% money over the life of this new new
28 plant or 4% money over the life of this new plant that's really in in 25 years or whatever, 4%
29 maybe awful cheap. OK, we don't really know. So those are the increases that we're going
30 to have to struggle with and and move on in order to close these loans and do these
31 projects, Zach, to kind of answer your question. In other, there's several things. First of all,
32 there's the storm water revenue comes in to the wastewater utility, as other revenue and
33 that's because the stormwater is not a stormwater management district. It is part of the
34 utility, the wastewater utility and that's the way it was chosen. Has it been around for 20
35 years now? Time flies when your having fun, but 15 years maybe for the storm water utility.

1 So the other part of it then is connection charges. And like you said, the new development
2 revenue. One of the things that our banker will not allow us to do is we cannot take those
3 connection charges into effect. So when we do the rate increase we have to project it
4 without those. Why? They say well development could stop. And we've been fighting this
5 near Metros near Duran, even Mayors before that, we can go up here and and start listing
6 Mayor Klein. We went back to the state, the banker at the state and said we've always had
7 these at X amount of level. They said we don't care we're not using it anywhere else and
8 we're not going to use it at Crown Point so that means we will have additional revenue. We
9 believe if the plant gets built we will have substantial connection charges, ensure those
10 who come in and then we can revisit the the rates at that point in time. There's a minimum
11 coverage requirement of 1.25 that the state actually audits it themselves and keeps an eye.
12 Once Dave, the Clerk-Treasurer, files the Annual Report, they actually run those numbers
13 and review it and see if you're out of compliance. If you're out of compliance, they'll send
14 you a letter and say you need to raise rates. If you're in compliance, then they're OK with it,
15 and if we're, if we, you know, our practice has always been, if you look at our report, we
16 look at it each and every year right and kind of keep it up to date until we know exactly
17 where all the revenues coming in to the wastewater utility and the water utility. Keep in
18 mind the Council also asked me that in in prior sessions, is there money that we can use
19 from some of the other funds? And I pointed out in in one of the work sessions that you
20 know I I know every dollar you have in your in your city and we do this sustainability
21 analysis, which is over 200 pages and you've all seen it and we'll be updating it for 24.
22 Remember, there's a lot of if you've got 200 different funds. There is a lot of restricted
23 funds and you cannot use. You cannot use MBH funds on wastewater refills and so those
24 things are not available for us to lessen this loan. One thing we are looking at is having TIF
25 help support maybe some of the payment. And, we're hoping that we'll be able to get the
26 RDC and some some help from that. So we're trying to do everything we can to minimize
27 the rate increase but when the construction project comes to a head and we gotta do it the
28 best thing is to get the lowest rate we can and try and achieve the lowest rate for the rate
29 here and that's what we're trying to do.

30 **Joe Sanders -**

31 Theoretically overshoot the rate and then with surplus, theoretically, does that go? Into
32 rebate or reduction or.

33 **Greg Guerretaz -**

34 For, well, the first thing it just end.

35 **Joe Sanders -**

1 Pouring it into debt.

2 **Greg Guerretaz -**

3 First thing it's been doing is setting aside money for capital improvements. We've done a
4 lot of capital improvements to date and a lot of engineering fees and things like that, and
5 we've been paying those as you go. And so we plow it in, we make new development kind of
6 help keep the system up it, you know, it doesn't build, it doesn't build the wastewater
7 treatment plant that's, you know outdated after 20 years back but at today's prices, but we
8 plow that into making sure the you know the capital is addressed and then what I'm saying
9 is what we would do in the future annually kind of align the crosshairs, meaning seeing if
10 we've got too much or too little and and someone said you'll never have a rate decrease.
11 We had a rate decrease in Crown Point, I did it. So we have had a rate rate decrease and we
12 were able to do that because of the growth we experienced back then.

13 **Mayor Pete Land -**

14 So all that work that's been going on, the the current plant for the last couple of years,

15 **Joe Sanders -**

16 Yeah.

17 **Mayor Pete Land -**

18 So that's all to modernize everything that we have so to make sure that everything is there
19 is you know fully operational and which you really have to start with what you have before
20 you can. That's what the discussion was about the the current site and so forth. So Greg?
21 So for the for the sewer, then since 2009 there's been three utility rate increases over that
22 16 year period?

23 **Greg Guerretaz -**

24 Including the phase one that we're accounting for to get us for to help us with this project
25 we because we knew it was going to be very valuable to phase these in.

26 **Mayor Pete Land -**

27 So then we kind of looked at to get some data from the building department, just going
28 back to that 1998/1999, the last plant expansion. But since then, on single family homes, I
29 mean, look at all the subdivisions and homes that were built and connected since 1999.
30 There's 6259 homes that are now on our system, so it's not obviously any development
31 residential, commercial, industrial has its impact on our utility so it's really not. Alright, in
32 the last five years this is what's caused all this. This is going back to, as Al said 20 years we

1 bought 7 extra years on our current plant infrastructure, but now where we're at going back
2 all this time now it's OK. Now we need to make sure that cause you're right this is one
3 utility, It has to work every time perfectly and the homeowner sees it that's not good. And
4 as I've learned with infrastructure one, it takes forever to plan and it's expensive. But it has
5 to be done everything you need on your own. This is one of the things we always come upon
6 to each, but it's imperative we can't have anything above ground if what's below ground is
7 not operational. I just wanted to make sure that the that was the we've had three rate
8 increases in the last 16 years on the waste. Yeah, the wastewater right.

9 **Greg Guerretaz -**

10 And as you explained, there are numerous communities running in the same thing and
11 when when you when you use surveys, everybody likes to say you, you don't know where all
12 those people are on the compliance spectrum. I call it compliance spectrum and we're
13 we're under compliance and so we're trying to address that makes things tougher at this
14 point in time, cause we gotta experience the increases.

15 **Mayor Pete Land -**

16 Right so similar to what I did with water. Clerks, please double check my math, but I think I
17 have this right so the current rate is the same 1000 gallons for the wastewater we do. So
18 right now, our current customers pay \$11.07 for the 1000 gallons that's \$6.59 for the usage
19 and then \$4.48 for the capital charge, which we use for repairs and making sure
20 infrastructure is running properly and so forth, so it's 11.07. What's being proposed for the
21 phase one is that rate would be \$16.71 so an increase of \$5.64 from the current rate to that
22 phase one for the 1000. Phase 2, which is now being proposed August of 2025. But when I
23 asked you about that too that would go up \$4.35 for the overall rate of \$21.06. Is that
24 correct? You guys help me with that? So you. That number, yeah.

25 **Clerks -**

26 [inaudible]

27 **Mayor Pete Land -**

28 So one of the things I wanted to ask was is that so the first proposed increase would be
29 whenever the ordinance is adopted, whatever that rate is?

30 **Greg Guerretaz -**

31 It would usually be 30 days after that for and then yes.

32 **Mayor Pete Land -**

1 Yeah.

2 **Greg Guerretaz -**

3 For for actual implementation.

4 **Mayor Pete Land -**

5 So with everything we have going on with it for that second one instead of August 2025.

6 Would it work with our operational and money wise if we move that to January of 2026 and

7 **Greg Guerretaz -**

8 At this point in time, subject to our banker SRF disagreeing, that's what we are proposing

9 we'd like to do.

10 **Mayor Pete Land -**

11 OK, you know, we would like, we're gonna pursue it. They may be told that listen, Crown

12 Point you know, with everything you have going on the SRF rules, applicable statutes. You

13 can't do that, but that's another thing that we're going to look at and see if we can.

14 **Greg Guerretaz -**

15 Yes sir.

16 **Mayor Pete Land -**

17 OK Anybody have any questions before I close?

18 **Zack Bryan -**

19 So if it if it is being posted, pushing the date back and it's still a possibility to export to the

20 funds for this, what would the impact of the including TIF into this?

21 Assuming it would it would help.

22 **Greg Guerretaz -**

23 Well, keep in mind we we in your 2025 budget and I spoke about this before that we did

24 build in \$1 million per year already.

25 **Zack Bryan -**

26 OK.

27 **Greg Guerretaz -**

1 From the RDC fund and it's in the 2025 spending plan on the 2025 budget for the RDC while
2 we're looking at is maybe we could up it to 2,000,000 by also using some of the other ones
3 and I don't have those numbers and we have to get official determination by the RDC and
4 their legal counsel.

5 **Mayor Pete Land -**

6 Yeah. And we have to be careful with the RDC because they have their own obligation.

7 Yeah, it it's it's definitely worth me to ask Greg to take a look at it may not be possible, but.

8 **Zack Bryan -**

9 So even if it is, it's not. It's a large amount of money, but somewhat negligible in this
10 context, I guess.

11 **Mayor Pete Land -**

12 That please.

13 **Greg Guerretaz -**

14 Yeah, but but it's also again, a nice fair way to allocate new development pays the TIF right
15 and then it helps with the wastewater. So it's a great alignment of new development to the
16 cause and effect. What I call it.

17 **Mayor Pete Land -**

18 We've already committed a million and Greg's gonna kind of crunch the numbers and if we
19 can approach them again.

20 **Greg Guerretaz -**

21 And we'd also then want to approach the RDC that's more than just one year for the
22 million, that it is an agreement over a series of years and in another jurisdiction, I'm asking
23 for 10 years.

24 **Mayor Pete Land -**

25 Yeah.

26 **Zack Bryan -**

27 Right.

28 **Mayor Pete Land -**

29 Thank you. OK, thank you Greg.

1 OK, so on this one, we'll go ahead and open it up for public hearing so. Same thing name
2 and address for the record and then comments related to our proposed sewer. Yes, Sir.

3 **William Doty -**

4 William Doty, 800 Thomas St. some of the questions I had were answered. But nobody has
5 said what this new sewer plant's gonna cost. We get we can get 20 million at 2% or we
6 could possibly get 40 million. It's what is you do your numbers, what is the actual? I know
7 it's not being built today, but what did you use for the actual number of this whole big
8 project.

9 **Al Stong -**

10 I thank Greg can identify all of the construction cost from memory, it's about 60 million.

11 **William Doty -**

12 60 million. So so far you've identified where you can get 40 million. Where's the other 20
13 coming from you?

14 **Greg Guerretaz -**

15 Know we've got it. And so at the 60, it's 20 and 40. So the 20 million is being advertised at
16 2% and the 40 million is being amortized 4%. So at this point.

17 **William Doty -**

18 So he says he had 40 million at 2% is what he that's it. But now he's got 20 million and 2%
19 and you got the 40 million and 4%.

20 **Greg Guerretaz -**

21 That's why I always say ask the financial advisor.

22 **William Doty -**

23 Well, I just want to get it straight now, you know, I mean, 2% on \$40 million or \$20 million,
24 that's a lot of money.

25 **Greg Guerretaz -**

26 So it's 2% on 20.

27 **William Doty -**

28 Correct

29 **Greg Guerretaz -**

1 At this point in time and 4% on the 40 for the total of 60 plus the 62 million, maybe the
2 exact 62.5 subject to bids and any rate changes that the state could have.

3 **William Doty -**

4 Well, by the time this all gets going, it's going to be a lot more than that I I can tell you that.
5 The other question that my Councilman Clemons brought up was about I call them impact
6 fees. They call it the mail, the development.

7 **Greg Guerretaz -**

8 I call them connection charges and development charge.

9 **William Doty -**

10 System development charges.

11 **Greg Guerretaz -**

12 Under the current law.

13 **William Doty -**

14 Right under the current law. I think I've spoken to a lot of people in my neighborhood. I
15 don't think people have a problem with paying for upgrading a system. I think what they
16 have a problem paying super high fees is when we see all of these subdivisions getting
17 popped in and again, that's why I I go on impact fees. So would we really need to build
18 another system if we didn't have all these subdivisions? Now granted, I know that
19 expansion and growth and all that is a great thing. But why do the people that already have
20 homes have to pay for those expansions due to all that growth? If I was going to build a
21 house outside of Crown Point I'd have to pay for my own well, my own septic and all that.
22 Now what you're doing is you're spreading that out and you're asking people that already
23 had their homes already paid on their homes to pay part of their burden. That's what I'm
24 getting at. So I know you don't have an answer.

25 **Mayor Pete Land -**

26 No, I mean other than just the, you know, obviously well before my time. But I think all
27 those those resident residential like I said I I was just curious about those numbers of the
28 homes built since 99 and I know you're you've been here a while.

29 **William Doty -**

30 Yeah, 6000 something so. Yes, and. Where did all that money go? Up if you have.

31 **Mayor Pete Land -**

1 Yeah.

2 **William Doty -**

3 You know, whatever you call, I call you back in Indiana. Where did all that? Money. Go. Ohh
4 yeah.

5 **Greg Guerretaz -**

6 The wastewater utility and help provide some of the expenses and help provide improved, I
7 mean things are falling apart every day. The wastewater [inaudible].

8 **William Doty -**

9 I understand that but, and I'm not disputing it, what I'm disputing is why the people that
10 have already lived here and paid for these expansions, they have no problem paying for
11 upkeep it. What they have a problem with is when you see all of these subdivisions going in
12 and then you come and say we want to raise your sewer rate this much because we need
13 it. We need to build a new one. Where did that problem create? Where did it start from, the
14 expansion. So shouldn't you put the burden where it belongs, rather than on all the rest of
15 the people. That's where it comes from.

16 **Mayor Pete Land -**

17 From yeah, that's a valid point, I think some of it, because the past Council's going back to
18 09. Since there's only been three increases on the sewer side, so I think that a lot of those
19 connection fees were taken and they were applied to keep the rates so we don't have to
20 raise the rate. So obviously costs go up every year, right? But I think that the leadership
21 back then was OK, we're gonna take these connection fees and system development fees,
22 and we're going to apply them to our wastewater operations that we have so there has
23 doesn't have to be a rate increase.

24 **William Doty -**

25 Right? That shouldn't have been done in my opinion, because it was set for new expansion.
26 It was used somewhere else. Now you say well, the piggy banks dry now we gotta go ask
27 everybody for part of this. When truthfully, you can call what you want the burden was the
28 new subdivisions.

29 **Mayor Pete Land -**

30 Yeah, like I said, back to 99, so all the homes built from 99 to now think of, like I said,
31 you've been here a long time.

32 **William Doty -**

1 I've been here a long time.

2 Absolutely.

3 **Mayor Pete Land -**

4 Time, yes you have. Your point is valid.

5 **William Doty -**

6 So. Anyway, thank you.

7 **Mayor Pete Land -**

8 OK. Thank you, Mr. Doty.

9 **Stephanie Watkins -**

10 Hi. Stephanie Watkins, 216 Ellendale Parkway. Um I'm really here. I have questions about

11 the impact to our senior community.

12 And what their impact is going to be for the water expansion, there was a great table that

13 was published on the website I haven't seen it for the sewer expansion. When can we

14 expect to see that table for the sewer expansion? And then are we taking into account

15 individuals on fixed incomes and health will be affected. Because it sounded to me like

16 we're getting like a 75% rate increase and on a fixed income most significant.

17 **Mayor Pete Land -**

18 Yeah, they couldn't publish the the sewer rates because those are still, as we said about

19 can we apply more RDC money? And

20 **Stephanie Watkins -**

21 Yeah.

22 **Mayor Pete Land -**

23 Would it affect the rates or not? Or that kind of? The water weights were pretty well set. So

24 those were OK those need to be published and put out there and then there is a for the a

25 minimum usage, so I know everybody uses a different amount water and then the

26 correlates with the the sewers. So until we get those, what are those final numbers? Like I

27 said, we always. What do we have to get done? What's the longest we can stretch it out

28 years wise? At the lowest possible rate we have to do and that's what we have to do.

29 **Stephanie Watkins -**

1 So how much? Notice.

2 **Mayor Pete Land -**

3 That's what we have to finalize.

4 **Stephanie Watkins -**

5 Yeah. So how much notice? Are we planning to give the residents?

6 **Mayor Pete Land -**

7 So it's all I mean. So like there's no action being taken tonight. So again, great discussion
8 so far. There's well back at the March meeting March Council meeting, then we will have
9 another public hearing related to the sewer. Hopefully we have like solid numbers. These
10 are what looks like the numbers are and then the Council still has to vote on accepting
11 those numbers.

12 **Stephanie Watkins -**

13 OK Thank you.

14 **Mayor Pete Land -**

15 You're welcome.

16 **Susan McKendry -**

17 Hi Susan McKendry, 481 E 114th Ave. you mentioned the old location. Where is the new
18 proposed location for the wastewater treatment plant?

19 **Mayor Pete Land -**

20 It's 45 acre parcel out east. They're not at, but near 100 and 21st in Iowa.

21 **Susan McKendry -**

22 And does the US or does the city already own that parcel of land?

23 **Mayor Pete Land -**

24 Yes

25 **Susan McKendry -**

26 And do we already have all of the necessary rights of way to and from that property? They're
27 gonna be required for any other properties that might be affected by this project.

28 **Mayor Pete Land -**

1 I don't know. No, I don't have all the current right away.

2 **Al Stong -**

3 [Inaudible]

4 **Susan McKendry -**

5 Then would that be? I'm not sure what the utility.

6 **Al Stong -**

7 [Inaudible]

8 **Alex Kutanovski -**

9 So the the process that output status on how does that line is valued? Process that the
10 statute allows. Of municipality to present that offer to the property owner.

11 **Susan McKendry -**

12 So it's like an eminent domain situation.

13 **Alex Kutanovski -**

14 No, it's under the eminent domain statute, but it there's a process that happened for any
15 eminent domain is filed and that statute sets it all out. So there there, there's letters that go
16 out that are specifically and word for word what the statute requires and then the property
17 owners have an opportunity to accept that, ask questions. Deny that offer.

18 **Susan McKendry -**

19 Has the city already been approaching these property owners with the possibility of them
20 donating those property rights of way or.

21 **Alex Kutanovski -**

22 To the downtown interceptor. Yes.

23 **Susan McKendry -**

24 OK. But for the wastewater project. No, the wastewater treatment plant.

25 **Alex Kutanovski -**

26 No, the property is already acquired for the treatment plant itself. But not for any
27 additional.

28 **Susan McKendry -**

1 Do we know how many other residential or other properties that are going to be affected
2 that we might have to go through this process.

3 **Alex Kutanovski -**

4 Not in from of me today, no.

5 **Susan McKendry -**

6 And where those property land value is estimated in our projection.

7 **Al Stong -**

8 [Inaudible]

9 **Susan McKendry -**

10 So purchasing of those properties is not included in that estimated cost?

11 **Al Stong -**

12 [Inaudible}

13 **Susan McKendry -**

14 Right. But we all have to pay for those properties that we're going to be going underneath
15 your.

16 **Alex Kutanovski -**

17 Not. Not necessarily.

18 **Susan McKendry -**

19 Well, we've all seen how that's gone down before, so thank you.

20 **Mayor Pete Land -**

21 Thank you, Susan.

22 Yes, Sir.

23 **Robert Nomden -**

24 Robert Nomden, 11311 Delaware St. OK, here's a good question you guys have brought up
25 that we put up with 6000 houses in whatever in the last amount of time, right?

26 **Mayor Pete Land -**

27 99.

1 **Robert Nomden -**

2 OK. And the average of how about real estate taxes of \$3000 a house. What does that
3 come out to be for income for the city? 18,000,000.

4 **Mayor Pete Land -**

5 No, because so if you, if you pay, let's say \$3000 for your property taxes.

6 **Robert Nomden -**

7 Correct.

8 I know some goes to the school, some go to this and it gets broken up. But it's an income of
9 \$18 million. OK, so here the other thing is our waste of water run off.

10 **Mayor Pete Land -**

11 Yeah. So there's right, so.

12 **Robert Nomden -**

13 Why are we having a problem with that? Do we wanna be Chicago? Do we wanna be New
14 York? Are we trying to build a concrete jungle here because we're taking away all the land
15 where the water goes into and it's becoming concrete. So the water has nowhere to go.
16 When the water has nowhere to go, now you have to build these plants. They're going to
17 cost what, \$60 million? And you know this and that. And we gotta do this now we're
18 bringing people in from the west into our system and here I don't believe that these
19 builders that are building these subdivisions are being charged enough. Because they
20 should be the ones that should do all the infrastructure. I mean, I know it's your pipes your
21 this-that, but also these water main breaks like the lady mentioned that said since that
22 subdivision went in. There's more strain on those water mains. OK, cause the water is
23 being used by more subdivisions. OK. Yes, they're older, they're gonna break. Because the
24 subdivision is using them. So basically it all comes down to we're taking away the land that
25 the water runs off on and it's concrete now, and it's gotta go down the sewer. When it goes
26 down on sewer, it has to go somewhere. And like you said, you don't wanna go in people's
27 basements. So that's the law of water and stuff like that. OK, so basically what we should
28 be doing is charging these subdivisions. You know, you want this city to keep on growing.
29 Maybe the people at Crown Point don't want it to, and maybe you should put that to a vote
30 to the citizens that you know, you govern over and you are the Mayor of, that you worked for
31 us and asked them what they would like. You know what I mean? We, you know your
32 infrastructures. Going crazy, they're building everywhere, I mean. You know, we got a mall
33 going up on 231 there. Who knows how what's gonna happen with that? OK. There you go

1 there's a bunch of water that's gonna be needed there. There's gonna be a bunch of runoff
2 there. There was a bunch of property that can't accept water anymore. If you you know you
3 build another thousand home subdivision somewhere, there's another place that doesn't
4 accept water. So these are big questions that I hate to say. You guys need to ask and think
5 is this really, really worth it? I mean, you know, OK, so you want to be in the biggest city
6 around or do you want to be Crown Point where it's friendly and a happy place where
7 people like to live? Cause you know and you can walk around and ask your residents. A lot
8 of people in Crown Point hate Crown Point and can't wait to get out of here. And I mean and
9 you know it, you just go around, go knock on some doors and I guarantee you'll get that
10 because it's just getting too much. You know this used to be a beautiful little town. You
11 know, there's a lot of history here. You're taking the history away from Crown Point. And I
12 don't know, I mean. Is it really worth it? And you know, I hate to say too, this is something
13 that you guys need to think of because you're elected officials up there. Elections are
14 gonna be coming up. You know, I'm sure you guys want to get in office again. I think the way
15 things are going, it's not gonna happen. And I mean, trust me, there's a lot of residents that
16 are gonna push and push to make sure a lot of you don't get in office again. Because of
17 what you guys have done.

18 I mean. Is it true that the more subdivisions you build you take away the land and there
19 goes your run off.

20 **Al Stong -**

21 [Inaudible] have ordinances.

22 **Robert Nomden -**

23 No, but I'm asking if you take a piece of land here and you put concrete there now it can't
24 accept water anymore, correct?

25 **Al Stong -**

26 No. [inaudible] Also.

27 **Robert Nomden -**

28 But then the rest of the residents in the city are paying for it. OK, yeah.

29 **Mayor Pete Land -**

30 OK. Very good. Yeah, thank you. I just want it because you brought it up and it's important
31 about the 18,000,000. So if you take, let's say you paid \$3000 a year in tax, either for your
32 mortgage, monthly payment or direct. Of that, the city gets about 900, so there's six
33 different taxing entities that get a piece of that \$3000 pot. We're not even first in line as far

1 as who gets the most. So you pay 3000, the city only gets about 900 of that. Those other
2 taxing entities outside of any referendum that a Community may have, that's where the
3 bulk of that money goes. And credit to, again before my time, but credit to the city
4 leadership by check going back to 2021. So we have in the city like every municipality
5 there's a property tax rate, right? So county sets their rate. Wherever you live, that's their
6 rate. So in 2021 the city's property tax rate was 72.17 cents for every \$100 that you're home
7 to subset 72.17. 2022, 71.77 still \$0.71. 2023, 71 cents 71.44 it actually went down. 2024
8 last year 72.24 again this is for every \$100. This year it's at 71.10, so your property tax rate
9 for the city of Crown Point actually went down from 2024 to 2025 by a lot no, no, but it
10 nevertheless, it went down. So even if you pay, whatever you pay will be something
11 different, and it's based on what your home is assessed in, which we don't do that, county
12 says, hey, your home is worth 300,000 property tax cap in the state of Indiana, you pay 1%
13 of that outside the referendum so if you're in my mortgage payment went up too. So if your
14 mortgage payment went up because the assessors are saying your home value went up,
15 which means your overall the amount of property taxes you pay went up, but the city
16 property tax through the Council and Greg. It actually went down for the city in its storage,
17 so I just you brought up 18,000,000. I just thought it was important to explain what exactly.
18 So it's not 18,000,000, it's 18,000,000 total. But we definitely do not get that?

19 **Robert Nomden -**

20 But you get a lot of sales tax revenue too from the new businesses. I mean near county.

21 **Mayor Pete Land -**

22 I know it should come to us, but that's a whole different place. But you're right, it should be
23 us.

24 **Robert Nomden -**

25 But it does, County. OK.

26 **Mayor Pete Land -**

27 I'm sorry, Sir. I didn't mean to. Were you gonna? Come up and speak, OK?

28 **Dennis Lunkes -**

29 Dennis is 1372 club drive.

30 I got a question, these impact and bill alluded to that. He answered most of my questions,
31 or if he asked my questions I should say. These impact fees or I'll I'll call them impact fees
32 real quick. How much do they amount to per residence per new residents being built.

1 **Mayor Pete Land -**
2 Also, per house
3 **Dennis Lunkes -**
4 Yeah.
5 **Mayor Pete Land -**
6 Or system development fee and I know I'm.
7 **Dennis Lunkes -**
8 Yeah, I just, I just use a generic term impact.
9 **Mayor Pete Land -**
10 That is. No, that's a good question.
11 **Greg Guerretaz -**
12 I'm thinking off the top of my head, it's around 6 grand. [inaudible]
13 **Dennis Lunkes -**
14 Is that just? Is that just that doesn't count the connection fees?
15 Speaker 2
16 [Inaudible]
17 **Dennis Lunkes -**
18 Alright, with all this growth that we have, why don't we just raise the fees on these
19 developers. I mean, we have a a ton of growth coming over from I mean we have a ton of
20 growth coming over from Chicago area. You know, they sell their houses for big bucks.
21 Generally, if they live, work in Illinois, they make more money than we do and I'm just
22 saying they can afford it. If they want to buy these houses.
23 Speaker 2
24 [Inaudible]
25 **Dennis Lunkes -**
26 No, no, I'm. I'm, I'm talking you, but I should be addressing the board. I'm sorry, no. You
27 were answering my questions and I continued. I'm sorry. I'm sorry. But anyway, addressing
28 your board, why don't we just raise those fees to help offset this? So the so the local

1 residents have been here forever. People like you and me, Bill. You know, we don't have to
2 pay that.

3 **Mayor Pete Land -**

4 Yeah, I don't know. Remember, for me any idea when those were last?

5 **Zack Bryan -**

6 Thought it was around four years ago or so. [Inaudible]

7 **Mayor Pete Land -**

8 OK. Yeah, I mean, and that's definitely something we they always look at, especially our
9 rate guy right there.

10 **Dennis Lunkes -**

11 I mean, if if they're building a home for 400,000 plus. And only paying 6 grand. If you raised
12 it to 12 grand, what's that? When you're paying 400,000 per house?

13 **Greg Guerretaz -**

14 You just can't arbitrarily raise? There is a cost for both the connection fee. And this is
15 [inaudible].

16 **Dennis Lunkes -**

17 If they take you to the court, who cares? So they don't build [inaudible].

18 **Greg Guerretaz -**

19 What we're trying to do. He will once week, so I'm. And move forward with the actual
20 construction then we can come back and review the system development charges
21 because we've got real cost that that will be next on the agenda over the next six months
22 once this has been passed.

23 **Dennis Lunkes -**

24 So you're saying in essence to the formula and you can only go so far.

25 **Greg Guerretaz -**

26 That is correct and we'll be getting the new addition built into the form.

27 **Dennis Lunkes -**

28 Part of the situation where we're from the state.

1 **Greg Guerretaz -**

2 The State doesn't mandate that that the State Code says it has to be cost based fair on

3 that. So you have to look at basically it's 20 page except or the document.

4 **Dennis Lunkes -**

5 So, so the city is. The city sets sets the formula

6 **Greg Guerretaz -**

7 Yes within reason.

8 **Dennis Lunkes -**

9 Have it without reason. You know why? Why are we and then developer say hey, we don't

10 want to go there. I'm old for that. I mean, the the trouble with growth is it increases

11 expenses, which in turn you have to pay for.

12 **Greg Guerretaz -**

13 Yes.

14 **Dennis Lunkes -**

15 Now you need more of everything.

16 **Greg Guerretaz -**

17 Does bring on before income taxes [inaudible]?

18 **Mayor Pete Land -**

19 Well, anything else for the Council?

20 **Dennis Lunkes -**

21 Anyway, no, that's. I'm sorry I got on tangent. I'm sorry, but I just want to know how much

22 it was per house. Yeah. And I think maybe it's something the Council needs to look at, it's

23 raising it. And let them let them fight and let the developers fight it. If you raise it too much,

24 but I think it maybe would slow some of this crazy growth we have around here down a little bit.

25 I don't know how the Council feels about it, but I just feel like we're getting too big, too fast.

26 OK. Thank you.

27 **Mayor Pete Land -**

28 Thank you, Denny. Appreciate it.

1 **Sam Kozaitis -**

2 Sam Kozalitis is 225 E 113th Ave. I'm left up to leave. I'll pick up where he left off. Could you

3 you couldn't do something like just to call, like, an impact fee. A separate additional fee for

4 these these new developers that are building. Before they're before they're even approved

5 that, you know, that's the stipulation. In there. Why wouldn't that work? Or is it illegal?

6 **Mayor Pete Land -**

7 Or they, you know, did that when we called it a system development through the brand

8 new? Yeah.

9 **Sam Kozaitis -**

10 That's what that what basically. Yeah. And then are they, what is the sewer tap? There's a

11 sewer tap fee. And what is that? Is that a flat fee or is that based on square footage as well?

12 **Mayor Pete Land -**

13 I don't know that one off the top. Of my head, Greg do you know?

14 **Greg Guerretaz -**

15 So generally in the water you call it a tap fee. So in the sewer, you call it a connection fee,

16 and again it's two different statutes. So I believe the tap fee is a minimum of \$1573 plus the

17 cost to install and business and development charges of 1360.91

18 **Sam Kozaitis -**

19 You said cost to install.

20 **Greg Guerretaz -**

21 Yeah. To install the meter. And because we have our own meters [inaudible].

22 **Sam Kozaitis -**

23 So the city is installing the meter and all that or the contractor?

24 **Greg Guerretaz -**

25 Yeah, and providing the meter [inaudible]. That's what happens in the [inaudible].

26 **Sam Kozaitis -**

27 1500 minimum

28 **Greg Guerretaz -**

1 Plus 1360. Or STC, System development or availability.

2 **Sam Kozaitis -**

3 That's on top of the.

4 **Greg Guerretaz -**

5 Yes, you got to add those two together,

6 **Sam Kozaitis -**

7 And that's on top of what she was talking about at 3000 something?

8 **Greg Guerretaz -**

9 Well, so then on the wastewater, the wastewater is 3591 for the connection. In 2052, for

10 the SDC and by the way, if you're outside the city, it's 25% higher on the [inaudible].

11 **Mayor Pete Land -**

12 So I think Terry too, part of what Kelly and the utilities. Over the last what 2 years with

13 Jimmy Simpson? We we replaced. I think we're almost done. We'll replace so many of

14 those meters. Right, especially the large user meters that we were losing money like a lot.

15 Yeah. So.

16 **Speaker 3**

17 [Inaudible]

18 **Mayor Pete Land -**

19 And then those larger meters we passed that we kind of want to we pass those costs on to

20 whoever was using that meter, right? So the City didn't pay this meters 3 grand, the city

21 said no you're gonna pay, it's no developer this is 3 Grand. You're gonna pay for the need,

22 right? OK.

23 **Speaker 3**

24 [INAUDIBLE]

25 **Sam Kozaitis -**

26 Another thing is the TIF money that you know in any tax abatements that you're providing to

27 these different developments. Has it been? Is it normal practice that you're using a portion

28 of that to go to the city utilities? Do you have the ability to basically put that money for

1 whatever use you guys feel appropriate or they're specific guidelines that when that TIF
2 program comes out and that property is up.

3 **Mayor Pete Land -**

4 That has to be spent in the TIF from which it was collected.

5 **Greg Guerretaz -**

6 Number one, the law's getting tighter and tighter.

7 **Mayor Pete Land -**

8 That's true. We talked about that.

9 **Greg Guerretaz -**

10 So. So, number one, it has to be used for capital additions in or serving the TIF district. In in
11 it's very obvious serving it has to be a road that is directly connected to the district. Notice I
12 said capital additions, they opened up the law about 3 or 4 years ago and said we could
13 use it for public safety. I believe we have some dollars going to public safety for police and
14 fire until it because incrementally when you bring in new development, it helps it. It does
15 cause incremental increases in police protection. So that's used at this point in time.
16 That's as large as the garage door gets. And they're not. You cannot just spend it on
17 anything we had for for 2025. We had to put in our first State mandated spending plan and
18 they're gonna come back and review that in the audit to make sure that we've complied
19 with that state. So you can't just spend it on anything you can help businesses come in.
20 We've done facade grants a lot of great programs on Capital addition, Facade grants
21 improving, but it's very limited, you can use it for .

22 **Mayor Pete Land -**

23 Thank you, Greg.

24 **Sam Kozaitis -**

25 So you mentioned.

26 **Mayor Pete Land -**

27 OK, 5 minutes is up. The alarm went off.

28 **Sam Kozaitis -**

29 My 5 minutes is used by an explanation, or you were asking questions that that was a great.
30 Answer to be given.

1 **Sam Kozaitis -**
2 I have one more question. You can allow an extra minute.
3 **Michelle Kozaitis -**
4 What's your?
5 **Mayor Pete Land -**
6 Have Michelle do your questions.
7 **Michelle Kozaitis -**
8 225 E. [Inaudible]
9 **Greg Guerretaz -**
10 Allocation area and its budgeted. Period.
11 **Mayor Pete Land -**
12 OK, there are. If we can keep the integrity of the public hearing.
13 **Michelle Kozaitis -**
14 What is the? What is your? What is your project profit on this water shipping trigger plan?
15 **Greg Guerretaz -**
16 Right. I have no problems. Mike has an hourly rate with with the not to exceed.
17 **Michelle Kozaitis -**
18 The sewer that we have, our sewer trigger. Plant that we have now. Who owns the
19 property?
20 **Speaker 3 -**
21 [Inaudible]
22 **Michelle Kozaitis -**
23 What? What was the cost? If, if, if we exist, if we take the existing treatment plant and we
24 revamped it. What would it be? What? Would the cost be for that?
25 **Mayor Pete Land -**
26 We did do that. That was part of the presentation that we did.

1 **Al Stong -**
2 [Inaudible]
3 **Mayor Pete Land -**
4 Thank you.
5 **Anthony Waldschmidt -**
6 12420 Washington St. So the 62 million of CapEx? Is that broken down between the
7 wastewater treatment, the lift stations and the the downtown interceptor? Waters up
8 there, or that's strictly the wastewater treatment.
9 **Al Stong -**
10 Rick has the exact numbers. [Inaudible]
11 **Anthony Waldschmidt -**
12 What's the cost savings [inaudible]?
13 When did that process start?
14 **Al Stong -**
15 The planning has been occurring since 20.
16 **Mayor Pete Land -**
17 Did you have any comments for the Council, Sir?
18 **Anthony Waldschmidt -**
19 No, I just had a question.
20 **Mayor Pete Land -**
21 OK. We'll go ahead and close that. The public hearing part. Alex, do we need to the Council
22 need to form a motion to. The furthest to the.
23 **Alex Kutanovski -**
24 I would, I would say yes. You know it's not listed as second reading still on your agenda. I
25 would just, I think you don't have to [inaudible].
26 **Mayor Pete Land -**
27 So I'll bring that to the Council.

1 **Chad Jeffries -**

2 I'll make a motion to hold over ordinance #2025-01-02 into our March Meeting.

3 **Bob Clemons -**

4 I'll second.

5 **Mayor Pete Land -**

6 Motion and 2nd. Any further discussion on the motion? None. All in favor signify other than

7 aye, opposed. Aye.

8 OK, number one on our new business resolution #2025-02-02R resolution for special use

9 to allow multi family townhomes and R3 residential zone. Located at 1820 South St. just

10 received a 5 to 0 favorable recommendation at the January 27th. [inaudible].

11 **Jack Huls -**

12 Jack Huls from DVG representing the petitioner this evening. We did make a presentation

13 at the most recent BZA. Josh has a report from that and I'll let him give you that and then I'll

14 answer any questions that you may have.

15 **Josh Watson -**

16 Petitioner is requesting special use to allow multifamily residential town home R3

17 residential zone located 1820 E South St. immediately to the east of the intersection of

18 South St. Madison St. Budget received favorable recommendation for a change of zone by

19 the Planning Commission on December 9th of 2024, City Council passed. First reading at

20 the January 6.25 City Council meeting. The second reading passed tonight, February 3rd.

21 Proposed as an 8 unit building with attached 2 car garages for each unit, and they've also

22 provided off street parking in addition to the space in the garage in front of the garage.

23 Plans exceed the parking requirements of petitioner, appeals that is proven given that 1-13

24 will not be able to be used for on street parking. Additionally, the existing old building will

25 remain if there is access to the barn on the west side of the building. There will be an

26 amenity proposed use but this will be an amenity for proposed units as often additional

27 storage space needed behind the building will be grass lawn. The existing driveway hubs

28 will be reused. No calls of remonstrations have been received by the planning department.

29 The petition was heard at the January 27th, 2025 for the zoning appeals meeting where

30 received a favorable recommendation of Class 0.

31 **Mayor Pete Land -**

32 OK. Thanks, Jeff. I'll bring this to the Council for action on the resolution or questions.

1 **Chad Jeffries -**
2 I'll make a motion to approve resolution 2025-O2-O2R.
3 **Mayor Pete Land -**
4 We have a motion for approval. Do you have a second and a second?
5 **Bon Clemons –**
6 Second
7 Any further discussion on the motion? Hearing none, all in favor signify with. An aye.
8 **Scott Evorik -**
9 No.
10 **Mayor Pete Land -**
11 OK, that was my error. We need you to do. A roll call, David.
12 **David Benson -**
13 Scott Evorik is that a no.
14 **Scott Evorik -**
15 No.
16 **Zack Bryan -**
17 Yes.
18 **Bob Clemens -**
19 Yes.
20 **Joe Sanders -**
21 Yes
22 **Chad Jeffries –**
23 Yes
24 **Davie Benson –**
25 Four yes's
26 **Mayor Pete Land -**

1 Yes, yes, thank you, David. Motion passes.

2 **Jack Huls -**

3 Thank you very much.

4 **Mayor Pete Land -**

5 Number 2 resolution #2025-02-03R resolution for special use to allow a fitness facility in
6 an I-1 zone located at 870 Madison St. Melissa Stinson, petitioner. GRP Enterprises owner
7 has also received a 5 to 0 favorable recommendation at their January 26th, 27th. Good
8 afternoon. Good evening. Yeah.

9 **Melessa Stimson -**

10 Hi. Yes, good night.

11 **Mayor Pete Land -**

12 That's right, I stand corrected. If you could state your name and address.

13 Yeah, that's fine.

14 **Melessa Stimson -**

15 My name is Melissa Stinson and I live at 1527 Tate Drive in Schererville and I am before you
16 today to ask for a special use permit to.

17 **Mayor Pete Land -**

18 OK.

19 **Melessa Stimson -**

20 Open a facility. To utilize the warehouse for a more commercial business.

21 **Mayor Pete Land -**

22 OK, Josh, Sir.

23 **Josh Watson -**

24 Petition was requesting a special use to allow a 22,000 square foot fitness facility and an I-
25 1 industrial property is located at 870 N Madison St. in the Mariner Industrial Park directly
26 to the south of east Summit Street. Parcel bordered by E3 business to the east and I want.
27 Industrial to the north. If approved, the petitioner will operate a full and aerial arts studio
28 with instructional classes with no more than 12 students during standard business hours.
29 The petitioner has been given enough parking to cover the maximum number of clients at

any given time, the classes being by appointment only. Property owner has submitted the letter the city verify it of the dedication of parking for the business. No call to remonstrance been received by the Planning department, but we have had a few people reach out in support of the petition. Petitioner was heard at the January 27th from 25 for the zoning field meeting, where it received a favorable recommendation. Of five to zero.

Mayor Pete Land -

OK. Thank you, Josh. Did you want to share anything about what your business would be to the Council or?

Melessa Stimson -

Yeah, I'm super excited. I have bought into a franchise and I look forward to being able to bring this new form of fitness to Crown point even before Chicago gets an opportunity to have a crack at the franchise. So what we'll be doing there is destigmatizing pole dancing and offering it to a wider audience. While also including other aerial sports such as silks and hoops and other aerial sports as they're invented.

Mayor Pete Land -

OK. Thank you, Melissa. So bring this resolution to the Council. For questions of Melissa or or.

Zack Bryan -

Move to approve Resolution 2025-02-0.

Mayor Pete Land -

We have a motion for approval. We have a second second and a second. Any further discussion on the motion?

Bob Clemens -

Second

Mayor Pete Land -

Hearing none, all in favor signify by the. Aye, aye, opposed. I'm sorry, resolutions we always do voice vote, so ordinance adoptions roll call in my defense, alright.

Josh Watson -

Scott, Scott, go ahead again.

Scott Evorik -

1 Yes.

2 **Zack Bryan –**

3 Yes.

4 **Bob Clemons -**

5 Yes.

6 **Joe Sanders -**

7 Yes.

8 **Chad Jeffries -**

9 Yes.

10 **Mayor Pete Land -**

11 You're all set,

12 Michelle

13 Thank you very much

14 **Mayor Pete Land -**

15 Thank you. Welcome to Crown Point.

16 **Melessa Stimson -**

17 Thank you.

18 **Mayor Pete Land -**

19 Number three Resolution #2025-02-04R is the resolution for a variance of use to allow

20 professional office medical use in an R3 residential zone located at 200 E North St.

21 Broadfield, LLC, petitioner Crown Point. Community School Corporation owner has

22 received a 5 to 0 favorable recommendation at the January 27th BZA meeting.

23 **Ryan Fleming -**

24 Yes. Ryan Fleming, 219 N Main St. agency here in Crown Point, I think I'll let Josh's

25 summary get us there and then I'll answer questions.

26 **Mayor Pete Land -**

27 Yeah, Josh, they're still up. Thanks, Brian.

1 **Josh Watson -**

2 Petitioners requesting various use to our professional office and R3 residential zone
3 located at 200 E North St. building was formerly the Crawford Community School
4 Corporation Administration Center until 2022. Per petition for various views, while a
5 different use should not alter the overall traffic for the property. Previous use of the
6 building with his office space and employees and residents coming and going from
7 property. The proposed use is expected to function the same way, which would essentially
8 make the changes distinguishable from previous use. No calls or remonstrations of support
9 been received by the planning department. Addition was heard. It's January 27th 2025
10 where received a favorable recommendation of five to zero with the conditions pursuant to
11 the definitions of professional office and medical, the city Ordinance and Planning
12 Administration to determine if the proposed use does not meet set methods.

13 **Mayor Pete Land -**

14 OK. Thank you Josh. Ryan.

15 **Ryan Fleming -**

16 Right. So it kind of speaks for itself. We're in the having acquired the property from School
17 Corporation and to be able to proceed with the property for marketability purposes and
18 and function of bringing and and hosting a new use of the property. It was an R3 zoning.
19 Working with staff, it was a recommendation that we would proceed with the variance of
20 use rather than an all out rezone that would take the spectrum of uses from here to here, I
21 will give the city far more control and ability to balance the residential neighborhood with
22 the continued commercial use. Again essentially never been used residentially because of
23 the school before it was the school court building and then school court building took over.
24 I think it was 81 so in essence the neighbor of what it is has already been established.
25 We're just trying to make sure that we're with in compliance with the Ordinance Institute
26 properly.

27 **Mayor Pete Land -**

28 Thank you, Ryan. So bring it to the Council, please. Question I think personally I think it's a
29 great use of. So that's the surrounding area.

30 **Ryan Fleming -**

31 We're excited about. We've had great interest in it too, so we think that we're going to be
32 able to give the property another life. Having been a school, having been a school court
33 building and then finding its way into a new a new world.

1 **Zack Bryan -**

2 Yeah, when I echo that too, I'm, I'm happy to see that it's not going to make it for extended

3 period of time and that the the use is going to be a relatively low impact as someone that

4 lives nearby, it's nice to see that it's not going to be that's something high impact. It seems

5 like a a win win.

6 **Ryan Fleming -**

7 Yeah.

8 **Joe Sanders -**

9 Yeah, but it's just good to see Crown point continue to attract medical medical

10 professions. So yeah, definitely.

11 **Mayor Pete Land -**

12 OK, So what would be the Council's?

13 **Zack Bryan -**

14 Move to approve resolution 2025-02-04R.

15 **Joe Sanders -**

16 Second

17 **Mayor Pete Land -**

18 Motion for approval and a second.

19 [INAUDIBLE]

20 **Mayor Pete Land -**

21 Any further discussion? Motion. Ok Call the roll.

22 **Josh Watson -**

23 OK, it's got it.

24 **Scott Evorik -**

25 Yes.

26 **Zack Bryan -**

27 Yes

1 **Bob Clemons -**

2 Yes

3 **Joe Sanders -**

4 Yes

5 **Chad Jefferies -**

6 Yes

7 **Ryan Fleming -**

8 Thank you.

9 **Mayor Pete Land -**

10 Thank you Ryan. Number four resolution #2025-02 -05 R this is a resolution of the
11 Common Council of the City of Crown Point regarding the support of House Bill 1307. So
12 for all of you that do not know, this is Matt Kodicek our long time Crown Point firefighter,
13 but even more important Matt is been leading the charge and I'm working with not only our
14 police and fire, but region, police and fire, the Mac Center to help provide sensory kits for
15 all police and fire trucks and vehicles that if you want to explain to the Council exactly what
16 not only what bed the blue bag is, but what's the sensory kit?

17 **Matt Kodicek -**

18 Sure. So the reason I'm here tonight was asked to come and speak on behalf of support for
19 House Bill 1307 so it was crafted by representative Mike Andrade out of the Schererville
20 area. He came to me looking at the great work that we've done here in Northwest Indiana
21 especially City of Crown Point being where we started, this whole program Benzu bags is
22 now it's five years going on. We are 501-C3. I function as Captain for the fire department
23 and also kind of the creator of this program. So over the five years that we've done this
24 program. Just on Lake County alone last year with support we've done 400 bags to every
25 every police, fire, EMS agency that we can in Northwest Indiana. This program in five years,
26 we've traveled to seven different states. Bags have gone from Canada all the way to
27 Mexico. So its an international program that all started. Here, thanks to the support of the
28 fireplace EMS City Council, all all your guys support. So when Representative Andreotti
29 came to me and said I want to highlight what we're doing here in Crown Point and could
30 you help with it, you know jumped at the chance to really highlight what we've done in the
31 cognitive disabilities community. So I know I've had an opportunity for, like Councilman
32 Brian, Councilman [inaudible] of going for our program. They've got, they've seen the
33 benefits of it. We've been expanding, just firing EMS to our EMA Pace where we're really

1 becoming community at the forefront of of, you know acknowledging this and being ahead
2 of the game. So. So yeah, so the the bags contain various sensory stimulation items,
3 communication, communication items for nonverbal. That allows first responders
4 secondary responders to help better care for somebody. They could be on the autism
5 spectrum that might. Situation or even a non-emergency situation.

6 **Mayor Pete Land -**

7 So. So the proposed House bill by is basically providing state legislation would provide
8 public safety grants for police and fire agencies to purchase and have access in their own
9 inventory.

10 **Zack Bryan -**

11 Yep. Since so through that.

12 Yeah. So we provide this essential equipment to fire and police departments all across the
13 state of Indiana. So Crown point like I said was the the first department we ever did, we've
14 recently had a medical study published that first responder from Northwest Indiana. In the
15 end, through our medical director, Doctor Lombardi did a survey and is now published
16 medical study shown at 92% effective rate for first responders. Having these bags?

17 **Mayor Pete Land -**

18 Thanks, Mike. So we'll bring this to the Council many times. There's 0 downside to this.

19 **Zack Bryan -**

20 Yeah, I want to say had the opportunity as part of the Citizens Academy with the police few
21 years ago to see this first hand and it's pretty amazing work that looks like doing and I'm
22 really excited to see that it's getting some attention statewide and I know you travel all over
23 the place for us too. So I'm really excited to support.

24 **Alex Kutanovski -**

25 Apparently I'm the only one that needs to disclose anything here, so I need to disclose that
26 I do work for Bens Blue Bags. So just in case that becomes an issue that's out there right
27 now.

28 **Mayor Pete Land -**

29 Duly noted.

30 **Matt Kodicek -**

1 Yeah. Yeah. So, I mean, attorney Kutanovski helped us actually for a 501C3. So we're able
2 to like, take donations and provide training and stuff to areas outside of ownership interest.

3 **Mayor Pete Land -**

4 Note. Yeah, yeah.

5 **Alex Kutanovski -**

6 And I do have an ownership interest in Ben's Blue Bags.

7 **Bob Clemons -**

8 Duly Noted.

9 **Mayor Pete Land -**

10 So bring it to the Council for the resolution supporting a representative. In our state
11 legislature on the.

12 **Zack Bryan -**

13 I move to approve the resolution 2025-02-05R.

14 **Mayor Pete Land -**

15 On the motion to approve, we have a second second and a second.

16 **Joe Sanders -**

17 Second

18 **Mayor Pete Land -**

19 Any further discussion on the motion? Hearing none call the roll, please.

20 **Scott Evorik -**

21 Yes.

22 **Zack Bryan -**

23 Yes

24 **Bob Clemons -**

25 Yes.

26 **Joe Sanders -**

1 Yes.

2 **Chad Jefferies –**

3 Yes

4 **Mayor Pete Land -**

5 OK, you're all set. Thank you, Matt.

6 **Matt Kodicek -**

7 Thank you.

8 **Mayor Pete Land -**

9 #5 ordinance #2025-02-05 and ordinance authorizing the issuance of Water Works revenue
10 bond first reading.

11 **Greg Guerretaz -**

12 Yes, Sir. On behalf of Ice Miller, I'm not your attorney, I'm the CPA, remember, but this is
13 the Bond Ordinance that's required for us to be able to do the lead and non-lead line
14 projects and it is first reading so that we can proceed through the state they basically
15 prescribe what goes into the ordinance from the other ordinances that we have on current
16 outstanding bonds. So it pretty much mirrors what we have on each of those. And so we're
17 asking first reading so we can keep proceeding with the water and next up is the
18 wastewater same issue.

19 **Mayor Pete Land -**

20 OK.

21 **Mayor Pete Land -**

22 Hi, Sarah, can you hear us?

23 **Sarah Correll -**

24 I can, hi everyone. Hi.

25 **Mayor Pete Land -**

26 Anything to add on the proposed bonds?

27 **Sarah Correll -**

1 No, he did a nice job. As always these ordinances are what we call parameters,
2 ordinances. So they're setting sort of the guard rails as we move through this process, so
3 sort of the in all 86 pages of this, most of which is prescribed by the SRF program, the most
4 important things are really that maximum borrowing amount. So \$18.5 million here as well
5 as the maximum interest rate which is 6%, which is well over where we expect this
6 financing to be.

7 **Mayor Pete Land -**

8 OK. Thank you Sarah.

9 **Sarah Correll -**

10 And this is just introduction. So we would come back for adoption in March, should we
11 move forward tonight.

12 **Mayor Pete Land -**

13 OK. OK, we'll bring this one to the Council as well.

14 **Chad Jefferies -**

15 I'll make a motion to read and title only and hold over for second reading ordinance #2045-
16 02-05

17 **Bob Clemons -**

18 Second

19 **Mayor Pete Land -**

20 The motion and a second. Any further discussion on the motion. OK – Call the Role.

21 **Scott Evorik -**

22 Yes.

23 **Zack Bryan -**

24 Yes.

25 **Bob Clemons -**

26 Yes

27 **Joe Sanders -**

28 Yes

1 **Chad Jefferies -**
2 Yes
3 **Mayor Pete Land -**
4 OK, motion passes. Thank you. Number six, the same ordinance. This is authorizing the
5 issuance of sewage works revenue bond. Also the first reading. An exact information that's
6 from water to. We'll bring this to the Council as well.
7 **Joe Sanders -**
8 Make a motion to accept ordinance 2025-2-06.
9 **Mayor Pete Land -**
10 Motion for approval. Do we have a second and a second?
11 **Bob Clemons -**
12 Second.
13 **Mayor Pete Land -**
14 Any further discussion on the motion?
15 **Chad Jeffries-**
16 I have one question.
17 **Mayor Pete Land -**
18 Yeah.
19 **Chad Jeffries-**
20 So do we when we talk about the sewage works of the city that encompasses both storm
21 and sewer, right?
22 **Greg Guerretaz -**
23 Here in Crown point, yes.
24 **Chad Jeffries -**
25 OK, OK. I just want to make sure we're on the same page. Thank you.
26 **Mayor Pete Land -**
27 Any further discussion on the motion?

1 **Zack Bryan -**
2 Yeah, I have a quick question on the motion. This first reading that title. Or what was
3 presented appropriately [inaudible].
4 **Alex Kutanovski -**
5 I think you can [inaudible].
6 **Mayor Pete Land -**
7 Who made the motion David?
8 **Joe Sanders -**
9 I did.
10 **Mayor Pete Land -**
11 We need to resend the 2nd and. Start all over.
12 **Alex Kutanovski -**
13 Let's let's do it to clear it up.
14 **Mayor Pete Land -**
15 OK. Bob, will you resend your second?
16 **Bob Clemons -**
17 Yes [inaudible]
18 **Zack Bryan -**
19 OK.
20 **Joe Sanders -**
21 Or make a motion to accept ordinance #2025-2-06 and read only. Reading title only for 2nd
22 reading.
23 **Mayor Pete Land -**
24 Reading motion, you have a second.
25 **Bob Clemons -**
26 Yes

1 **Mayor Pete Land -**
2 Second, any further discussion on that?
3 Call the roll please.
4 **Scott Evorik -**
5 Yes.
6 **Zack Bryan -**
7 Yes.
8 **Bob Clemons -**
9 Yes
10 **Joe Sanders -**
11 Yes.
12 **Chad Jefferies -**
13 Yes.
14 **Mayor Pete Land -**
15 Passes. Thank you, Council #7 ordinance #2025-02-07. The men are Subs and dues list
16 ordinance #252025-01-04. It could just make it one amendment. On behalf of Very creative
17 Floors in the communications department. We're adding one subscription to her already
18 submitted something the minor minor change. We will bring this to the Council.
19 **Chad Jeffries -**
20 I'll make a motion to read and title only hold over a second reading ordinance #2025-02-07.
21 **Bob Clemons -**
22 Second
23 **Mayor Pete Land -**
24 Motion to approve and a second. Any further discussion on the motion hearing. None call
25 the roll please.
26 **Scott Evorik -**
27 Yes.

1 **Zack Bryan -**
2 Yes
3 **Bob Clemens -**
4 Yes
5 **Joe Sanders -**
6 Yes
7 **Chad Jefferies –**
8 Yes
9 [Inaudible]
10 **Chad Jefferies –**
11 That's it. Imperative that she have this.
12 **Speaker 4-**
13 I don't think so.
14 Is it imperative that you have this subscription immediately?
15 **Mayor Pete Land -**
16 We can finish this up in March.
17 **Speaker 4 -**
18 Yeah.
19 **Speaker 4 -**
20 Well.[inaudible]
21 **Mayor Pete Land -**
22 Yeah, we could do it.
23 [inaudible]
24 You can tell me.

1 Number eight, I'm sorry, ordinance #2025-02-08 and one is amending ordinance 2023-08-
2 19 establishing the City of Crown Point Water Wastewater Service areas rent regulating the
3 furnishing of service Alex

4 **Alex Kutanovski -**

5 Thank you, mayor. The Council has seen this ordinance a couple times. This is this
6 amendment here is basically to clean up the map that was attached to the first ordinance.
7 Dug a little bit deeper into the service territory and so that map is basically the only change
8 on that [inaudible].

9 **Mayor Pete Land -**

10 Yeah. We'll bring it to the Council then for.

11 Any action?

12 **Zack Bryan -**

13 Just requesting what we're what we're the major changes, what the service.

14 **Alex Kutanovski -**

15 Basically expanding it out to Gibson St. to the east and 145th to the South.

16 **Joe Sanders -**

17 That corner.

18 **Alex Kutanovski -**

19 Yeah, South.

20 Yeah.

21 **Chad Jeffries-**

22 I'll make a motion to read inside a [inaudible]. Hold on for a second reading ordinance,
23 #2025-02-08.

24 **Mayor Pete Land -**

25 Second motion for.

26 **Zack Bryan -**

27 Second

28 **Mayor Pete Land -**

1 Approval and a second any further discussion on the motion.

2 Hearing none call the roll please.

3 **David Benson -**

4 OK,

5 **Scott Evorik -**

6 Yes.

7 Zack Bryan -

8 Yes.

9 Bob Clemons -

10 Yes.

11 Joe Sanders -

12 Yes.

13 Chad Jeffries -

14 Yes.

15 **Mayor Pete Land -**

16 Passes. Last one, number nine approved conflict of interest forms. We have 4 different

17 forms. Looking for submitted by. Those involved in the City Council approval, we can just

18 do them collectively, yes, right. Bring this to the Council for action.

19 **Zack Bryan -**

20 I have a question on one of them. There's there's one. That appears to be incomplete.

21 Says for public servant.

22 Complete Section 5 or 6 and on that one it's it's blank in both sections 5 and 6.

23 **Mayor Pete Land -**

24 OK, you want to take that one out then Zack and have them come back in March.

25 **Zack Bryan -**

26 This is discussion I guess [inaudible].

1 **Speaker 5 -**
2 Yeah, I'm.
3 **Zack Bryan -**
4 Not sure if that's appropriate or.
5 **Speaker 5 -**
6 In fact, this is.
7 Yeah, pull that one out.
8 OK.
9 **Zack Bryan -**
10 Are are you guys [inaudible]?
11 Guys seeing what I'm saying. Yeah. Yeah. OK. Then we'll be down to the three.
12 **Mayor Pete Land -**
13 OK. Do I have a motion to approve?
14 **Zack Bryan -**
15 I'll make a motion to approve. Revised conflict of interest, proving the one that was
16 [inaudible].
17 **Bob Clemons -**
18 Second.
19 **Mayor Pete Land -**
20 We got a second and second any further discussion on the motion? None. Call the role
21 please.
22 **David Benson -**
23 I gotta work.
24 **Scott Evorik -**
25 Yes.
26 **Zack Bryan -**

1 Yes.

2 **Bob Clemons –**

3 Yes

4 **Joe Sanders –**

5 Yes

6 **Chad Jeffries –**

7 Yes

8 **Mayor Pete Land -**

9 Motion passes

10 **Joe Sanders -**

11 This Tavern on main and point towards.

12 Page 58 of the tax.

13 **Mayor Pete Land -**

14 So our thank you Council for the marathon session, super important, very good meeting

15 our next regular meeting will be Monday, March 3rd at 7:00 and you need a motion to

16 adjourn.

17 **Chad Jefferies –**

18 So moved.

19 **Mayor Pete Land –**

20 Do we have a second?

21 **Zack Bryan –**

22 Yes.

23 **Mayor Pete Land -**

24 Motion we have second and second any further discussion. Hearing none all signify with

25 an aye.

26 **All –**

27 Aye

1 **Audio file**

2 Crown Point Meeting2.mp3

3 **Transcript**

4 **All –**

5 Pledge of Allegiance

6 **Mayor Pete Land -**

7 Good evening everyone. This is the regular City Council meeting for Monday, March 3rd,
8 we'll call members please.

9 **David Benson -**

10 **Scott Evorik –**

11 Here

12 **Zack Bryan –**

13 Here

14 **Andrew Kyres –**

15 Here

16 **Bob Clemons –**

17 Here

18 **Laura Saurman –**

19 Here

20 **Joe Sanders –**

21

22 **Council President Chad Jeffries –**

23 Here

24 **Mayor Pete Land -**

1 OK, we have six of the seven, so we do have a quorum. First on the agenda tonight is the
2 approval of the Minutes of the previous meeting, which was held on February 3rd.

3 **Bob Clemons –**

4 So moved.

5 **Andrew Kyres -**

6 2nd.

7 **Mayor Pete Land -**

8 Motion to approve and 2nd any further discussion on the motion. Hearing none, all in favor
9 signify with an aye. Opposed? Motion passes.

10 Tonight we'll have the reading of the agenda. We have no new items to add to the agenda.
11 Approval of claims and SRF distributions. I would ask if the Council's permission to the
12 Saint Patrick's Day logo contest winners, if we could move those up from their current
13 position on the agenda under presentations to right after the approval of claims.

14 **Bob Clemons –**

15 So Moved

16 **Scott Evorik –**

17 Second

18 **Mayor Pete Land -**

19 Motion and 2nd to approve the amendment any further discussion? Hearing none, all in
20 favor signify with an aye, aye. Opposed? Motion passes.

21 Thank you, Council under old and deferred business we do have six proposed ordinances.
22 Second, all second readings. One of those that we do have a public hearing that's number
23 two. The ordinance, amending the monthly rates and charges for sewage works, so if
24 you're here, you want to speak on that topic when that comes up on the agenda, we'll open
25 it up to the public hearing and then you can get up to the podium and and share with the
26 City Council what you want to share on that. Jumping into new business, we have one
27 resolution proposed resolution. Three agenda items involving ordinances or amendments
28 2 ordinances 1 petition to vacate that also has a public hearing component. So again, once
29 that comes up on the agenda under new business, we'll call out for the public hearing so if
30 you'd like to get up and say anything about that specific agenda item, you can do so then.
31 That's number three under new business and then we have lastly, we have any approval of

1 any conflict of interest forms. So that's tonight's agenda. Moving on e now will do the
2 approval of claims and SRF distributions.

3 **Zack Bryan -**

4 OK, thank you. This time around there were no SRF disbursements. However, I did review
5 the claims and they all appear to be in normal course of city business, so I'll move to
6 approve them as presented. OK.

7 **Laura Saurerman -**

8 I'll second that.

9 **Mayor Pete Land -**

10 The motion to approve and a second any further discussion on the motion. Hearing none,
11 all in favor signify with an aye, aye. Opposed? Passes, thank you, Council. OK, Saint
12 Patrick's Day logo winners. I see some of them here so Saint Patrick's Day is coming up
13 March 17th. Part of all of this, with a parade and day long festivities on the square. We
14 always entertain put out to the youth of the community to design their best logo we get a
15 huge number of artists submitting their renderings and we always narrow them down to the
16 top three, Diana.

17 **Diana Bosse -**

18 This year we had 74 submissions for our logo contest so it was a very tough decision to pick
19 our finalists. But as we have them here, #3. Mila. Mila, If you wanna come on up. Picture
20 with everybody. So our third place winner meal as our third place winner, she is going to get
21 4 passes for the VIP area for the parade, so she can come up by the stage with four friends
22 and watch the parade from our bleachers as well as McDonald's has given a Shamrock
23 shake and a value meal or for her, her and her family. Will also be over at the library for
24 everyone to view, so you can see all the submissions over at the library. Our second place
25 winner is Damian [inaudible]. And our first place winner is Maggie. [inaudible] the Grand
26 Marshall of the Saint Patrick's Day parade, and she gets to bring 25 friends to join her on
27 the trolley and be the Grand Marshall in this years, Saint Patrick's day parade. [inaudible]
28 and to the Crown Point Library and congratulations to all our winners there. So we want to
29 get a photo with the board. So this board will be one of these on each side of the trolley.

30 **Mayor Pete Land -**

31 Guys want to help me hold this, that's [inaudible]

32 **Diana Bosse -**

1 Great job.

2

3 **Mayor Pete Land -**

4 OK, moving on. Number one, under old deferred business. Number #1 ordinance #2025-
5 01-03 this is the ordinance amending monthly rates and charges by the water utilities. This
6 is from the 3rd, February 3rd, 2025 meeting. This is also the second reading and there's
7 been no changes since the first reading.

8 **Alex Kutanovski -**

9 [Inaudible]

10 **Mayor Pete Land -**

11 Ohh Yep.

12 That was my error, so if we move things around, sorry about that. OK, so before we do the
13 first reading on that or the first on that, we would open it up to this petition, demonstrate
14 some public statements. So this is the part of the meeting that you can get up to the
15 podium, state your name and address for the Council. And then share with the six Council
16 members anything that you would like to share with them if it's if, if you want to share
17 anything about what we have public hearings for. Again, when it comes up on the agenda,
18 we'll have the public hearing part for that. So it's anything you want outside of those that
19 you would. Like to share with the Council?

20 **Susan McKendry -**

21 Susan McKendry 114th Ave. You are familiar with me right now. This week I had sat in
22 Mayor's office and had a conversation with him regarding the legally required Conflict of
23 Interest Disclosures that get filed in this meeting every month. Those forms are supposed
24 to have the name of the employee or the government person and entity or entities that
25 they're involved with that have business or have presented items to be voted on by the city.
26 It took several tries for me on my part to get the Chief of Staff and then a little bit of an
27 instance the Mayor to wrap their brains around the idea that ethics and legality are two
28 different things. Just because someone may have done something that they believe is
29 legal, it still can very much be unethical. So I went to the city's web page on ethics to get a
30 little bit of clarity as to why that might be a deficiency that I'm seeing here in this Chamber.
31 And I was again shocked because I brought it up in the past that I've gone to that page and
32 in the past there's been a link to another organization that the city subscribes to be a part
33 of a shared ethics group. So I went to that page and on that page you can't really find what

1 that listing of things that you subscribed to do are. It just says they're going to train
2 employees on ethics. The ethics page doesn't have a real ethics statement for what this
3 City stands for and honestly, I'm at a loss for words, which is really uncommon for me. I
4 really don't know what to say. I'm disappointed, I've been disappointed from the first
5 minute I came to a meeting in this room. I never wanted to be here. I wanted to trust that
6 you all were going to do the right thing without me having to come here to tell you to do it.
7 As many of you know, I'm part of a Facebook Group and a web page and all kinds of stuff is
8 coming to us from all over the city. It's really disgusting. Something's going to have to
9 change and whether you want it to change or we're going to make it change, you're going to
10 have to figure that out. I'm going to leave that with you.

11 **Mayor Pete Land -**

12 Thank you, Susan. Deb.

13 **Debbie Thill -**

14 My name is Debbie Thill. I live at 321 E Clark St. and I'm here to address the old Trinity
15 Church on North St. This church building, it's not a church any longer. This church building
16 is just shy of 140 years old. It's historic for many, many reasons. There's generations of
17 Crown Point families that go back to the history of that church. The foundation has a buyer
18 for this church. He is more than almost overqualified to restore this building, which has
19 been certified as structurally sound. There's no reason for this building to come down. It is
20 not falling down. It looks like hell, I'll give you that, but that's cosmetic and that can be
21 corrected. Our buyer has the know how, the expertise, the money, and the willingness to
22 save this historic building, but for reasons known only to the City, they are blocking his
23 efforts to take this building and transform it into something that the City can be proud of.
24 Since I moved here in 2006, I have seen so many historic buildings come down
25 unnecessarily. One after another after another. I've taken photos of buildings that I thought
26 were in danger of coming down, and sure enough they did, but at least I had the photos
27 that show that they once existed. I don't wanna have to take a picture of this church. It only
28 is a block from my house. It's beautiful old building where it can be again if the city would
29 just give this buyer who is willing to put his own money into it. He does everything by the
30 book historically accurate at his own expense, just give the man a chance. Give this
31 building a chance. Thank you.

32 **Mayor Pete Land -**

33 Thank you, Deb. Anyone else? Yes, Sir.

34 **Royce Chenore -**

1 My name is Roy Chenore, 12351 S Williams court. I'm here on behalf of the church location
2 as well. I have some recent current petitions here that we're also given to the Board of
3 Works at their last meeting, there are 43 petitions here from neighbors surrounding the
4 church, an additional 103, so there's 146 signatures here and petitions and I have. Copies
5 if you'd like for me to.

6 **Mayor Pete Land -**

7 Yeah. Can you give him the Dave, Clerk Treasurer?

8 **Royce Chenore -**

9 There's several different copies are all the same.

10 **Mayor Pete Land -**

11 Thank you.

12 **Royce Chenore -**

13 I would like to see this building saved as well. I think it could become an income producing
14 property compatible with the neighborhood. I hope that the board and you, Mayor, or the
15 Council, will, your decision affects not only the citizens of Crown point, but future
16 generations of Crown point. This building was erected in 1886 and I just hate the thought of
17 it being torn down and be in an empty parking lot. I think we went through this 50 years ago
18 with the courthouse, the old courthouse, the courthouse is not just a a building on the
19 square and Crown Point. It is the staple of the entire region and entire Lake County. This
20 church can be a part of that so I hope, I hope all of you make the right decision.

21 **Mayor Pete Land -**

22 Thank you. Thank you, Sir.

23 **Blake Swihart -**

24 Hello, my name is Blake Swihart. I'm with Indiana Landmarks at 541 S Lake Street in Gary,
25 IN. I'm here on behalf of the 1886 Church Foundation to advocate for its continuance as a
26 building. Recently, the Board of Works has approved a low bid of \$87,000 to demolish the
27 structure, and I would urge this Council and the City to reconsider tearing down the build. I
28 mean that building as our friend just mentioned can become an income producing
29 property again. We had a buyer and we still have a buyer to rehab the structure we worked
30 for months to find a well qualified buyer to rehab the structure. And only when we'd found a
31 buyer and have been talking to the city that we get into, embroiled into the demolition and
32 unsafe building that we find ourselves now.

1 I would urge the city again to reconsider tearing down the building an empty lot in a
2 neighborhood is does not benefit anyone. \$87,000 is a lot of money to spend to tear down a
3 storage structure when it can be reinvested in that structure to help revitalize the building.
4 In the last four months, the building has sat empty, vacant, unused. We had a buyer who
5 would have been working on the project to inject local money into the economy using local
6 labor, the laborers would have bought food and drink at local establishments. Instead of
7 that, the building is sitting there empty and it's going to be torn down unless this Council
8 and the City reconsiders. So I would I would take hopefully take the breath and think about
9 the detriment to tearing down the building. And being a little more creative and long term
10 and you're thinking to reestablish and reinvest in the Church

11 **Mayor Pete Land -**

12 Thank you, Blake.

13 **Jeanine Letcher -**

14 Hi, my name is Jeanine Letcher. I am the Indiana Room Specialist at the Concord
15 Community Library as well as the historian and vice president of the Lake County Historical
16 Society, I've been conducting historical tours for the library for almost 10 years. This will
17 be the 10th summer we're doing them, and that's one of the buildings that we discuss and I
18 am amazed by the amount of people who tell me, my family went there. That means so
19 much to the city. That's the oldest church building in the City. It's not the oldest church
20 anymore, there are older churches, but it's the oldest church building in existence. Yes,
21 cosmetically it needs some help. But again this buyer and builder is willing to say that it is a
22 key part of that neighborhood. The families who lived in that neighborhood, still the
23 families that we have maybe aren't on that street anymore, but names that are actually
24 sitting on the council founded the church and it's a major part of Country history. I hope
25 you consider it again, just like the Timothy Ball School, which is the Crown Point Old Crown
26 Point School administration building. It was able to be saved and still be a valuable part of
27 the community as a whole and that neighborhood historically. I think we can do the same
28 for the church with a little forethought, especially since we have someone who's
29 responsibly maintaining other historical buildings in Crown Point.

30 **Mayor Pete Land -**

31 Thank you. Thank you.

32 OK. Anyone else on their public statements going once, going twice. OK, close the public
33 statement part of the meeting.

1 Moving on now, number one under old deferred business Ordinance #2025-01-03 is the
2 ordinance amending the monthly rates and charges by the water utilities. This was
3 deferred from the February 3rd meeting. This is the second reading as I said to the Council
4 earlier, there's been no changes from the proposed ordinance on the first read.

5 **Scott Evorik -**

6 I'll make a motion to adopt ordinance #2025-01-03.

7 **Bob Clemons -**

8 Second.

9 **Mayor Pete Land -**

10 We have a motion for adoption and a second. Any further discussion on that motion?
11 Hearing none, call the roll please. Yes.

12 **David Benson -**

13 **Scott Evorik -**

14 Yes.

15 **Zack Bryan -**

16 Yes.

17 **Andrew Kyres -**

18 Yes.

19 **Bob Clemons -**

20 Yes.

21 **Laura Sauerman -**

22 Yes.

23 **Chad Jeffries -**

24 Yes.

25 **David Benson -**

26 6, yeses.

27 **Mayor Pete Land -**

1 Passes. Number two ordinance #2025-01-02. This is an ordinance amending the monthly
2 rates and charges by the Sewage Department, Sewage Works. This is the second hearing
3 and also the public hearing. So there, well before we open up to the public hearing. For
4 those of you that don't know or haven't attended, we have Al Stong, he is with
5 Commonwealth Engineers who is the Cities Engineer over this project, long time City
6 Engineer and then on Zoom we have Greg Guerrettaz. Greg is with FSG. He's been the
7 longtime Cities financial advisor, so Al, can you come up and kind of give another recap of
8 the information on this project and what's led us up to where we're at and so forth.

9 **Al Stong -**

10 Sure. Crown Point is what we call combined sewer community, meaning our storm sewers
11 and our wastewater sewers are interconnected. In 2008, we entered into a state judicial
12 order to correct these issues as required by IDEM. We've been working to do so since 2008.
13 Recently we had to amend our approach because we weren't meeting compliance. The
14 amended approach is a four-phase project and it has multiple benefits to it.

15 First phase was improvements at the wastewater treatment Plant. Those improvements
16 are substantially complete. They should be completed in April. That provided much
17 needed rehabilitation to the existing treatment plant, which is outside of the state judicial
18 order but required and also provided wet weather conveyance and treatment capabilities
19 at the plant. It did not increase the capacity of the existing plant to treat wastewater. It just
20 increased our ability to handle the wet weather flow. Phase 2 is what we call the downtown
21 interceptor. The downtown Interceptor is a large diameter interceptor that we run, run
22 through the downtown area. We interconnect it with existing sewers. When it rains, those
23 sewers typically overflow into the Creek, into the ditches. That's not allowed and we're
24 overflowing into the interceptor, conveying flow to the treatment facility.

25 Phase three and phase four have dual purposes. Phase 3 is a SE Wastewater Treatment
26 Plant. The SE Wastewater Treatment Plant provides additional treatment capacity. It's
27 phased for three improvements.

28 The first improvement is a 2.4. MGD treatment capacity. That capacity is required for
29 growth within the Community. Second and third phases allow us to expand those facilities.
30 If we see expanded growth and we can accept that expanded growth, it will reduce our
31 costs. That's one of the reasons we're looking to provide the SE Wastewater Treatment
32 Plants to provide a potential revenue center to decrease costs to the community.

33 The fourth phase is the lift station enforcement. We're intercepting two locations within our
34 existing sewer system and pumping that flow to this treatment plant. There's a third lift
35 station as well. These two lift stations pump to the third lift station. It pumps to the

1 Southeast Wastewater Treatment Plant. This effectively shaves 25-30% of the existing
2 flows off of the Cities existing treatment plant, allows us to redirect it to the new treatment
3 plant. This approach provided us the ability to downsize and shorten our downtown
4 interceptor, which was the original plan.

5 Those are the four phases of the project. Are there any questions that Council has that I
6 can expand upon?

7 **Mayor Pete Land -**

8 Council have any questions, at least right now for? Al.

9 OK.

10 No questions right now.

11 **Al Stong -**

12 Thank you. Thank you.

13 **Mayor Pete Land -**

14 Greg, can you hear us?

15 **Greg Guerrettaz -**

16 Yes, Sir.

17 **Mayor Pete Land -**

18 OK, you wanna? Also do the. Same thing.

19 **Greg Guerrettaz -**

20 Yes, Sir. Good Evening, Council and citizens. I'd like to first of all, we've been involved in
21 this for a long time just like Commonwealth and apologize if you can't hear me very well. I
22 do have a cold that you shouldn't go visit your grandkids kids you might get what they have,
23 but thanks for letting me be on Teams tonight. As you know, if you want to proceed
24 through, forward with this project, we are required to enter into phased increases in rates.
25 As you know, we are entering into a bond ordinance for the for the wastewater utility and in
26 order for us to have the 0% financing on the first 20 million for Phase 2 and the second 20
27 million for phase three, we must do this increase. Keeping in mind we also have proposed
28 bonds that through the SRF program that will be a market rate of interest and that is very
29 low at this point in time. In order to achieve this this these loans we've got to raise our rates
30 in step one we we call it, step two actually, three, and four. Step four has been removed
31 from the ordinance. We are not looking at that tonight. We have heard and worked with you

1 know, we've heard from the citizens, we've heard from staff, we've heard. We know where
2 the market is at this point in time and what we're saying is we'll review that in a year or so.
3 The rates phase ones that were put into effect was back in 2022. So we kind of made
4 everybody aware that this was coming and this would be needed. Phase two for the phase
5 two interceptor project will be something we need to approve now or tonight if in order to
6 move ahead with the loan closing before the state quite frankly, runs out of money.
7 Because they're and the reason I call it that is because they they have plenty of money in
8 the bank. The problem is they have a ton of communities that need the money and in their
9 area too. And these 0% loans are drying up daily at this point in time. So, we have also
10 heard from various groups and citizens that we need to be looking at, not only the monthly
11 user rates that we charge the rate payer, but also the system development charge. And as I
12 explained in prior meetings, we we constantly review the wastewater and the water utility
13 financial condition. We'll be updating the system development charge, which is only
14 charged to new development. It's not charged to current ratepayers. Once we enter into
15 the construction contracts and are able to sign, seal, and deliver those and be able to use
16 those as part of the process. We've also talked with Council and Mayor about options at
17 looking at. We're talking about the storm water and the storm water we'll be looking at
18 basically increasing the the non commercial or non residential units and not the resident
19 units in order to do what we set off to do with stormwater many years ago. So I think what
20 I'm saying is, that we've had a really good history of good management ,good stewards of
21 the taxpayers and the ratepayers dollars and we will continue on that financial road map if
22 you choose to do this project in the same way we've done it over 20 years. We've enjoyed
23 lower rates because of new development and we're hoping that this will not drive the rates
24 up further, but development will then come, come just like it did 10-15 years ago and will
25 help keep the rates lower as we go forward. So I think in a in a nutshell, we've been on a
26 really good road. No, you can't put poke holes in our water and sewer rates in in my
27 opinion. And I think we've done fabulous and we're going to stay on that same road map
28 and continue ahead if the Council deems appropriate to go forward.

29 **Mayor Pete Land -**

30 OK. Thank you, Greg. So anyone on the Council have any questions right now for Greg?

31 OK. OK. We'll open up to the public hearing part. So if you would like to make comments to
32 the Council on this topic. Come up to the podium please and state your name and address
33 and then share the information you would like to share.

34 **Speaker 1 -**

35 Are you going to do separate water or sewer? Or is it all together?

1 **Mayor Pete Land -**

2 This is just this is sewer.

3 **Speaker 1 -**

4 This is the sewer?

5 **Mayor Pete Land -**

6 This is. Yeah. This is the public hearing. And so we already have the. Public hearing on
7 water, so yeah.

8 **Michelle Kozaitis -**

9 Michelle Kozaitis, 225 E 113th Ave. I stand before you today appalled that you, Mr. Pete
10 Land, will choose to lie to the residents of Crown Point about the new wastewater
11 treatment plant. This blatant deception is unacceptable and we, the Community, deserve
12 better. We demand transparency and honesty from our elected officials and it's time to
13 hold you and your appointed staff accountable. The truth is non-negotiable, and together
14 we will work for the betterment of our City.

15 During my research into why the city of Crown Point is considering a wastewater treatment
16 plant in the southwest corner, I discovered a memorandum that reveals the City was
17 approached by land developers seeking the significantly enhanced the service area beyond
18 what's outlined in the Wastewater Master Planning Report. The memorandum also
19 indicates that a second plant in the southeast corner is deemed a cost effective solution
20 and due to the existing system issues and facilitates substantial future for growth. You can
21 try and mislead the residents, but this memorandum is refutable evidence that the truth is
22 here in black and white and we have the right to know what's happening in the City of
23 Crown Point. This uncovers another urgent question, could the land developers in question
24 be John Lotten of LBL development? Given that his properties are adjacent to the proposed
25 wastewater treatment plant, let's also recognize Edward Heine, who stands to sell a
26 significant amount of land. Then you had Mississippi Parkway Partners LLC, owned by
27 Dennis Caldwell and Marvin Crook. There is undeniable connection between these
28 developers and the City's plans, and the community has the right to know in full details of
29 these discussions. Transparency is not important, is not just important, it's imperative
30 imperative as we navigate these critical changes, the memorandum states that the
31 proposed expansion service area covers approximately 14,858 acres, with an estimated
32 about 2.5 homes per acre. This roughly is 37,125 homes in this area that could be served
33 by the new wastewater development treatment plant. This remarkable increase in housing
34 demands immediate attention regarding our current infrastructure, the traffic that's

1 already a nightmare and the overall impact on our community. It is essential for the
2 residents to fully understand the implications of such expansion and engage in meaningful
3 discussion about the future of Crown Point. We will not stand by while you take advantage
4 of our community's future without input. Thank you for your time.

5 **Mayor Pete Land -**

6 Thank you Michelle.

7 **Sam Kozaitis -**

8 Sam Kozaitis, 225 E 113th Ave. So to follow up with what she just stated, I have in front of
9 me the memorandum that she was spoken speaking of, I just want to read a little bit of it, I
10 feel it's important. In 2018, and I'll back up, Commonwealth did this this report they did
11 what they were asked to do by the city. The city asked them to plan this project at the
12 request of developers. So in 2018, the city of Crown Point Wastewater Master Planning
13 Report was developed. The report identified system deficiencies and recommended
14 improvements that support ongoing development and long term growth within the
15 Community. Crown Point is currently experiencing significant accelerated growth and
16 wastewater collection and wet water treatment system has efficiency efficient capacity to
17 accept the additional wet weather flows. As a result, the Wastewater Master Planning
18 Report recommends increasing wastewater conveyance and treatment capacity by
19 implementing long term growth project figures E5 and E6 from the wastewater Master
20 Planning report, which includes the downtown interceptor, known as the Southwest
21 Interceptor Wastewater Master Planning Report, Indiana Grant Interceptor, Lincoln Cepter
22 and aside alternative. As stated Crown Point is experiencing significant accelerated
23 growth throughout the area, it is Commonwealth's understanding that the City has been
24 approached by land developers and asked to consider significantly expanding the service
25 area beyond the limits shown in the Wastewater Master Area of Master Planning Report. A
26 second wastewater treatment plant in the southwest portion of the service area is
27 considered by developers as a cost effective by the developers as a cost effective solution
28 to both the current system issues while supporting substantial future growth beyond the
29 service limits indicated in the 2018 Master Plan Report. Details the numbers of
30 connections of the acreage for the existing wastewater service area and in the
31 memorandum it, it goes on to say that what you mentioned approximately 2 1/2 homes
32 could be constructed per acre, which means approximately another 37,000 additional
33 homes when it's all said and done, could be on on that unit at full build out is. OK, so keep
34 that in mind, people. There's a graph that they have on there the chart that says land
35 developers proposed service area total of connections existing area right now is 16,000.
36 I'm sorry in 2018 is 23,899. And now the land developers proposed service area is 66,000

1 connections. So and then they say the service area is increased. So again this is all this is
2 all based on on developments that there you know backroom deals I don't know. I mean,
3 it's ironic, a picture of [inaudible].

4 **Mayor Pete Land -**

5 Hey, Sam address it to the Council.

6 **Sam Kozaitis -**

7 So the well, the people are gonna see it, too. OK. The Council, by the way, I I emailed all of
8 your Council members to whether you got your e-mail, I I got.

9 **Mayor Pete Land -**

10 That's fine, but it's a Council thing, yeah.

11 **Sam Kozaitis -**

12 This, but here's a picture, OK? On a golf course, this was in February 19th. This was all
13 done under your hands. This was your hands, baby. Here. Which Alex has been riding right
14 alongside with him. OK, so here's Alex on the on the golf course, you got Anthony Schluder,
15 you got Greg Falkowski in here, you've got the members of the developers, you've got David
16 Duran on here, you know, so Alex. It's very ironic, you know, I would have loved to been on
17 that golf course and and listen to what you guys are planning, but it's not for the residents
18 of Crown Point.

19 **Mayor Pete Land -**

20 Thank you, Sam. [inaudible] public hearing.

21 OK. Yes, mam.

22 **Susan McKendry -**

23 Susan McKendry 114th Ave. Just a couple of things real quick. I've been looking over our
24 City status with the State of Indiana and where we fall within the City hierarchy and there
25 was some discussion not long ago about Crown Point, maybe considering becoming a
26 second class City and whether we want to or not, we're going to be there. Next time they do
27 a audit of the citizens in this County and they count how many of us there are we're going
28 to be there and if you continue this growth, we're going to be there before then. It's 37,000
29 homes, it's going to be more than 37,000 extra residents. So you need to consider why you
30 didn't want to be a second class city before you start making it one. Thank you.

31 **Mayor Pete Land -**

1 Thank you, Susan.

2 OK anyone else? And once, twice, close the public hearing component and bring it to the
3 Council for any questions of AL or Greg or [inaudible].

4 **Chad Jeffries -**

5 I mean, I guess I've got one AL. Can you can you address some of the the comments that
6 were made made?

7 **Al Stong -**

8 Sure

9 **Chad Jeffries -**

10 I've been up here for a long time, and I mean, I know that we were when I even first got on
11 the Council in 12. You guys have been working with that judicial order from 2008 I believe
12 that that we've been working on this plan going forward. So, it's not my recollection that we
13 just first started this in 2018, right it's been a it's been an ongoing process going along. Can
14 can you speak to some of the stuff that was in the report?

15 **Al Stong -**

16 I can I I wrote that memorandum so I can, I can speak to it. What the previous plan in 2018,
17 the Master Plan. We did not achieve compliance with our long term control plan. So we
18 went through close to a dozen projects we we did 5 or 6 projects through the Army Core
19 219 program where we got 75% grant to reduce infiltration and flow, which is wet weather.
20 We put in larger diameter pipe to get flow to the treatment plant. We went through the
21 system and we upgraded the existing lift stations in an economical fashion. The lift stations
22 have limited size so you can only put a certain size pump in and still fit. We maxed out the
23 flow for pumping too, because you have existing force main and you can't push more than
24 6 foot per second through the force main. All these things we did, and we did not achieve
25 compliance. So in the 2018 Master Plan, we looked at the means to achieve compliance.
26 That means was the downtown interceptor and the other interceptors that were
27 referenced. We were bringing all the flow to the existing plant through these larger
28 diameter interceptors, the expanded interceptors and we were putting wet weather
29 treatment at the plant. We were not direct, we were not addressing capacity treatment
30 issues at that time. We still had over 1,000,000 gallons per day of treatment capacity. Our
31 acute issue was to address the agreed Order and have the State judicial Order that we
32 have to address. We did not achieve compliance, we had to respond to IDEM to identify
33 how to address it. That was how we were going to address it through that Report. Then

1 during COVID we did get called in and we talked to local developers that were looking to
2 put developments in. We sat with the City and we looked to see where growth was going to
3 occur in the city, within city limits. That same memoranda identifies existing city limit
4 growth of 75 to 7700 units. Thank you. We take that number and we multiply by 310 gallons
5 per day and that's 2.2 million gallons per day. That's more than our existing treatment plant
6 can treat. So we revised looking at a holistic solution. We said, look, we were going to
7 spend \$100 million on the CSO issue alone, collection system. We have developers that
8 want to come in and get treatment. Let's look and see if we put a second treatment plant
9 here on the southeast corner of the city. What we could do, where could we save money?
10 So we looked at it. We're able to shave 25 to 30% of the flow off the existing system. That
11 allowed us to downsize the downtown interceptor from over 60 inches down to 48 inches.
12 It allowed us to shorten the length of the downtown interceptor by maybe 25%. So we were
13 saving money on the downtown interceptor project, but we had to take the flow off the
14 downtown area. We don't have to put the side interceptor in now. We'll have a treatment
15 plant down there, so we save those funds. We don't have to look to put in new lift stations
16 and force mains. This treatment plant that we're putting in is readily expandable from 2.4 to
17 7.2 to 12 MGD. We're putting in the 2.4 system right now. Existing customers within the
18 existing service area at the time of the 2018 Master Plan require 2.2. We met with city
19 officials; we went through updated growth projections. Those updated growth projections
20 that were provided to us from utility staff, we don't create the growth projections. We just
21 identify where do we anticipate subdivisions being built. Commercial entities, we have a
22 requirement within City limits to provide sewer and water service. These facilities will treat
23 what's required within existing City limits. If these developers outside the City want to
24 come for treatment, you can consider that you have facilities that can accept that, we can
25 build customers more quickly. Once we build these customers, we can pay our debt. The
26 sooner that we get customers, the more quickly we can pay off our debt and we can
27 consider beneficial steps to take to the rates. We don't have any room at the existing
28 treatment plant to expand, and we would have to move the flow twice as far as the existing
29 interceptor is in order to get flow from the southeast side within existing City limits, which
30 is required for treatment. The new hospital, there's a 12 inch sewer there. 12 inches does
31 not take a lot of flow, that's what we put in little neighborhoods. So, you don't have
32 collection system capacity. If you want to develop your existing service area, not the
33 expanded service area, you need the additional treatment. By putting it on the southeast
34 side, you shorten the conveyance distance, you eliminate other infrastructure
35 improvements, and you're provided with a large open swath of land so that we can build
36 this to readily expand. Again, if you don't want the developers to receive treatment, don't
37 approve it. They're if they're outside of our service area, it's to your benefit to approve it
38 because the quicker we can get the customers, the more revenue we have to do the

1 existing debt service. If we expanded the plant from 2.4 to 7.2, it's going to be \$0.50 on the
2 dollar because the infrastructure is put in place to allow me to then put additional
3 packages for the increased treatment. That's why it was deemed beneficial to the City. So it
4 was a win, win situation. Any other questions?

5 **Mayor Pete Land -**

6 Alright.

7 Not right now, thank you AL.

8 OK, still at the Council for any additional action or questions, Greg, if you have any for him.

9 **Laura Saurerman -**

10 I just wanted to mention if I may Mayor. When I first got on the Council this, this judgment,
11 this state judicial mandate, I think, understood the State can tell us what we need to do,
12 but they don't have to give us any money to do it. We've been responsible for the capital
13 expenditure on all of those separating water storm water and sewer dealing with the issues
14 any of you have ever had. Sewage in your basement after big rainfall. This will help to
15 alleviate that. That's happening because we can't handle what we've got right now with the
16 existing services. My District includes some houses in Briarwood that end up with that
17 problem very often. It's not been a lack of trying to make it better, it's because there are
18 limits to what our current infrastructure can handle, so this isn't just about new
19 development, and remember any of you haven't lived here. If you've lived here less than 50
20 years, you also were complained about by whoever lived here before you. Nobody wanted
21 to grow. Nobody wanted the extra houses. Nobody wanted the, you know, new subdivision.
22 And yet, it's working pretty well. People want to live in our town. If we don't grow, we die.
23 So there are some things we have to make compromises, including traffic issues. We
24 realize those are growing pains. This is not something that's new. We didn't start talking
25 about this six or eight months ago, this was on the docket for me in 2006 when I was first
26 appointed to the Council and the thing that I was told then was this is going to be multi
27 millions of dollars that we aren't being given. But the city has worked hard to make grants
28 happen to work with low interest or no interest State funding as it's become available. This
29 will be another situation where we we are trying to do that as best we can. Rates have
30 fluctuated through the years. If you've lived here a long time, you know there's actually
31 been a rate decrease in recent history, which is unusual but not unheard of. But we have to
32 take care of what we got now and we can't do that without the new plant. It's unfortunate
33 that you are in on every every single word of the process. Mr. Stong is amazing and in
34 explaining why and what and whatever, and for 20 years close to 20 years he's been
35 working on this project.

1 So. I don't know. I'm not an engineer, I'm a resident who has had flooding and and issues
2 with near neighbors with the sewage problems and we're hoping that this will be a long
3 term solution to some of those things that have kind of had the mandate solutions up to
4 this point. So. It's it's not something new. It's new if you just read about it in the paper a few
5 weeks ago, but this is not something new. Thank you.

6 **Mayor Pete Land -**

7 Thank you Laura.

8 **Bob Clemens -**

9 Yes.

10 **Mayor Pete Land -**

11 Bob.

12 **Bob Clemons -**

13 I came on in 1996, last century and the same problems that Mrs. Sauerman is talking about
14 was happening then before she got here and we had the problems. We, we try to fix the
15 problems, we try not to create the problems and that's just what we've been doing here
16 and this is not an easy job. America is not easy now. We have to, we have to stand, we
17 have to work on the quality of life and I I understand what the ladies and the gentlemen and
18 our audience are talking about. I I have the same feelings. That's the reason I hold the
19 office that I do and work with the people. This is the third Mayor I've worked with. I with Jim
20 Metros, they ran and now Pete Land. It's not an easy job being a Mayor in this city. I sit and
21 watch what they do all through the years. I I wouldn't want the job, but this is a good job
22 and we got a good Council to work with. This is a good Council, believe me or not. And we
23 work very well with Mr. Land and he lets us know, and I also sit on the Board of Works and I
24 deal with Al every two weeks and I understand what goes on, and Mrs. Sauerman, you
25 handled it very well. What you said that was a that's was enlightening there, and Mayor, I
26 know many times I talk to you and you, you tell me many things and I know you people are
27 upset, but life goes on and we're we're getting a transfer of transformation of people from
28 the from the West. A lot of people from Illinois coming in and we're going to get more and
29 we know we know their coming. So how are we gonna be ready for them? We, this is what
30 we're trying to do and I hope that we can all come together and and work together with the
31 public and the quality of life that we are here for, and this job is not easy. Thank you very
32 much.

33 **Mayor Pete Land -**

1 Thank you Bob.

2 **Zack Bryan -**

3 Mayor, I have something. So I think one thing that I don't think was clarified previously,
4 but there's been quite a few questions on is what why is the financing set up in such a way
5 that the burden of paying down the debt service for these capital improvements. Why is
6 that being borne on the existing rate payer and not on the commercial industrial users that
7 are going on on the South side, I don't know if Greg is still available, but if he could speak to
8 the the the mechanisms for paying down the debt, what we've done from the system
9 development charge point of view on how that was implemented in such a way to relieve
10 some of that burden of the existing ratepayers and and transfer that on to, you know, to
11 remove, remove the burden for people that have been here for a long time and place it
12 more on the new development. If you could speak maybe a little bit to that, that might. I'll
13 answer some lingering questions.

14 **Greg Guerrettaz -**

15 Sure. OK, Yes, I am sure. So as you know, our banker for this project is the State of Indiana.
16 The State of Indiana State Revolving Fund has requirements. The requirement number one
17 is that it is and when you issue a debt today, you must have revenue into in effect or being
18 able to achieve enough revenue based upon the last calendar year to service that new
19 debt, we do not have enough revenue from calendar year 24 to service the new debt. That
20 standard number two then or a point number two is the state says, then you must enact a
21 rate increase and you must show that rate increase has been enacted before we will loan
22 you the money and enacting a rate increase means you must have ratepayers bringing in
23 monthly revenue and you can't project forward and say you know we expect 300 new
24 customers over the next four years and we're going to put put that in to the 2025 revenues.
25 No, they have an independent consultant review all the numbers from the accounting
26 standpoint and their standards are you cannot use growth revenues either system
27 development charges or even future customers to enter in or just start paying your debt
28 once you close the loan. So, we also have state law which says and and Zack, we kind of
29 went over this. You had a great proposal or suggestion about maybe having the minimum
30 go up a little less and the larger customers go up a little more and we we discussed that
31 and as you know, we have to have cost based fair and equitable rates according to the
32 state law. We also have to be able to defend those because in the event we get in a lawsuit,
33 we want to be able to have basically a for sure case and that's the standards I use. So, we
34 don't have a cost of service reason. What we do is we have a a in the proposed ordinance
35 \$9.95 for every 1000 gallons plus the 676. So if you use a lot of gallons, if we get those big
36 gallon users in, they pay a huge bill? So residents are being helped by those large water

1 users. We don't have that many large water users. We have commercial and and those
2 things, but those don't give really large water use. So we do have the more you use, the
3 more you pay. No doubt about it. And that's that rate structure has been deemed to be fair
4 and equitable both by both by EPA Region 5 and IDEM in Indianapolis. So that's the way
5 they believe that wastewater rates should be that should be basically implemented, and
6 we've been going with that. The more you use, the more you pay for 20-25 years.

7 **Mayor Pete Land -**

8 [inaudible] Answer.

9 **Greg Guerrettaz -**

10 Once those future revenues become real revenues. As we've told council, we're going to
11 keep an eye on this constantly and once they become signed up customers and they're
12 paying the bill, sure, we can make an adjustment for it.

13 **Zack Bryan -**

14 That does that does help. I guess one, one follow up then is previously previously the the
15 Council has adopted a surcharge on, on fees for wastewater treatment outside the
16 corporate boundaries of the city, so if if this extra capacity comes online and we're able to
17 treat these flows, those are. Those those houses that already exist, that could potentially,
18 that are in our service territory and are are able to be hooked up to this new treatment
19 plant, would it be unreasonable to say that they would be in a sense subsidizing potential
20 rate increases preventing rate increases on existing residential consumers for residential
21 users, for the waste on the wastewater side.

22 **Greg Guerrettaz -**

23 Well. Yeah, let me answer that. I probably would not use the word subsidized. What I will
24 say if they're using our system and they're outside the city limits, they will pay the 25%
25 surcharge that is now and has been in the fact for many, many years. As I told Council, the
26 IURC made it official that they they believe the maximum number should be 15%, but we
27 were grandfathered in before that law got changed or that statute got implement by the RU,
28 IURC, so we're still allowed the 25% surcharge. Will, what that really helps, is the fact that
29 they're not in the city. It brings more water and more revenue into the water, but it's
30 compensating for things like only part of the Mayor's salary comes out of the water only
31 part of your all's salary comes out of the water, so it's compensating for those events.
32 Therefore, I do not use the word subsidy, but it is bringing in more revenue to the water or
33 to the sewer utility.

1 Does that make sense?

2 **Zack Bryan -**

3 Yes, thank you. And I, I guess one more thing and I'll I'll turn it over to someone else. So
4 when we were when this was presented previously, this was also this wastewater
5 improvement plan. This was also presented in a way of potentially benefiting the water
6 service side too.

7 Yeah So if you have. If you're able to treat flow and discharge it into the the current Great
8 Lakes drainage basin, we're able to get water from Indiana American Water in the areas
9 that otherwise wouldn't have been able to access it. And from what I can gather, there was
10 also benefit from well, water negotiating standpoint by by having this wastewater
11 treatment plant as an option because you can, you can use that as you know saying we're
12 we're a large consumer now for Indiana American Water and we can use that as leverage
13 for buffering future rate increases, that is, that's still the case, correct? So I I think that
14 would be important for for people to understand as well too if that's accurate.

15 **Mayor Pete Land -**

16 Great points. Thank you, Zack.

17 **Bob Clemons -**

18 Mayor, that water increase, we haven't increased, we increased our water not the sewer
19 [inaudible] last time we we increased that?

20 **Mayor Pete Land -**

21 The sewer?

22 **Bob Clemons -**

23 Yeah.

24 **Mayor Pete Land -**

25 We've had three increases since 2009 on the sewer side we're. Three.

26 **Bob Clemons -**

27 And how many on water ? [inaudible]

28 **Mayor Pete Land -**

29 I don't have that, didn't bring, but it's five

1 **Bob Clemens –**
2 We didn't have that many on water [inaudible]
3 **Mayor Pete Land –**
4 No we had more then we did on the sewer and the sewer was kept. The Council was able to
5 keep that rates lower because of the new development and the fees that were being
6 collected from the new development. [inaudible] the City brought that money in and
7 applied it towards the cost that to help keep the rates low. So there was the new
8 development that was keeping the rates low that we that the Council needed to increase it.
9 **Bob Clemons -**
10 Thank you.
11 **Andrew Kyres -**
12 So is the public hearing closed?
13 **Mayor Pete Land -**
14 Yes Sir.
15 **Andrew Kyres -**
16 Can I have the floor?
17 **Mayor Pete Land –**
18 Yes.
19 **Andrew Kyres -**
20 Based on the recommendation of the of engineering and our financial advisor and keeping
21 in mind that we can still have discussion once the motion is made, I move to adopt
22 Ordinance 2015-01-02.
23 **Mayor Pete Land -**
24 We have a motion to approve. Do we have a second a second?
25 **Bob Clemens –**
26 Second.
27 **Mayor Pete Land -**
28 Any further?

1 **Andrew Kyres -**
2 2025-01-02.

3 **Mayor Pete Land -**
4 Any further discussion on the motion? Hearing none call the roll, please.

5 **David Benson -**
6 OK.

7 **Scott Evorik –**
8 Yes.

9 **Zack Bryan –**
10 Yes.

11 **Andrew Kyres –**
12 Yes.

13 **Bob Clemons -**
14 Yes.

15 **Laura Sauerman –**
16 Yes.

17 **Chad Jefferies –**
18 Yes.

19 **David Benson -**
20 All yeses.

21 **Mayor Pete Land -**
22 Motion passes. Thank you. Number 3 ordinance #2025-02-05. This is an ordinance
23 authorizing the issuance of Waterworks revenue bond. This is the second reading. I don't
24 think we have, Sarah.

25 **Speaker 2**
26 Has anyone heard from Ice Miller?

1 Yeah, yeah. I didn't know if Sarah is? [inaudible]

2 **Sarah Correll -**

3 All right. Good evening, everyone. This is Sarah with Ice Miller and I apologize, I'm joining
4 from the road this evening. It's a popular, popular evening for meetings. In front of you this
5 evening, we have both bond Ordinances for both the water and sewer. Water and sewer
6 financings. These are SRF financings. No changes from introduction of the last meeting.
7 The only news that we really have to share that's a little bit different is that we do have pre
8 closing and closing dates set with the SRF. Things were a little touch and go there for a
9 little bit because of the federal funding pieces there so I'm really, really happy that those
10 closings have been scheduled for June.

11 **Mayor Pete Land -**

12 OK. Thank you, Sarah. I will bring the Ordinance proposal to the to the Councils. A motion
13 to approve.

14 **Bob Clemons -**

15 So moved Mayor [inaudible].

16 **Mayor Pete Land -**

17 We have a motion to approve, do we have a second?

18 **Zack Bryan -**

19 I'll second.

20 **Mayor Pete Land -**

21 And a second. Any further discussion on the motion?

22 **Mayor Pete Land -**

23 Hearing none call the roll. Please.

24 **David Benson -**

25 **Scott Evorik-**

26 Yes.

27 **Zack Bryan -**

28 Yes.

1 **Andrew Kyres –**
2 Yes.
3 **Bob Clemons –**
4 Yes.
5 **Laura Sauerman –**
6 Yes.
7 **Chad Jeffries –**
8 Yes.
9 **David Benson –**
10 [inaudible]
11 **Mayor Pete Land -**
12 Thank you Council. Number four. Our ordinance #2025-02-06 is the ordinance authorizing
13 the issuance of sewage works revenue bond. Also second reading.
14 **Speaker 2 –**
15 [inaudible]
16 **Mayor Pete Land -**
17 Motion to approve? Bob?
18 **Mayor Pete Land -**
19 Bob?
20 **Bob Clemons –**
21 Vote to approve Ordinance No. 2025-02-06.
22 **Mayor Pete Land –**
23 Motion to approve do we have a second?
24 **Zack Bryan -**
25 I'll second.
26 **Mayor Pete Land -**

1 And a second. Any further discussion on the motion?

2 **Laura Saurerman -**

3 And this this too has.

4 **Mayor Pete Land -**

5 Yes, Laura.

6 **Laura Saurerman -**

7 No changes from the first reading.

8 **Mayor Pete Land -**

9 Sarah, can you? Confirm there's no changes from the first reading on the sewage.

10 **Sarah Correll -**

11 That's correct, no changes.

12 **Laura Sauerma-**

13 Thank you.

14 **Chad Jefferies -**

15 And Greg, just to be clear, we this still is eligible to repayment is eligible under the Storm

16 Water Utility also right, because that's umbrellaed through the wastewater.

17 **Greg Guerrettaz -**

18 Correct, both water or both wastewater and storm water are part of the wastewater utility.

19 **Chad Jefferies -**

20 Thank you.

21 **Mayor Pete Land -**

22 Any further discussion on the motion? Hearing none call the roll please.

23 **David Benson -**

24 **Scott Everik-**

25 Yes.

26 **Zack Bryan –**

1 Yes.

2 **Andrew Kyres –**

3 Yes.

4 **Bob Clemons –**

5 Yes.

6 **Laura Sauerman –**

7 Yes.

8 **Chad Jefferies –**

9 Yes.

10 **David Benson-**

11 All yeses.

12 **Mayor Pete Land -**

13 Thank you Sarah.

14 **Sarah Correll –**

15 Thanks you.

16 **Mayor Pete Land –**

17 Number 5 ordinance #2025-02-07 this is to amend the sub and dues list ordinance of 2025-

18 01-04 second reading. Just to remind the council, this is just one for the communications

19 to add the Hootsuite into their list.

20 **Bob Clemons –**

21 Motion to Approve.

22 **Mayor Pete Land -**

23 Do we have a second?

24 **Scott Evorik –**

25 I'll Second.

26 **Mayor Pete Land –**

1 And a second. Any further discussion on the motion? Hearing none, call the roll please.

2 **David Benson -**

3 **Scott Evorik -**

4 Yes.

5 **Zack Bryan -**

6 Yes.

7 **Andrew Kyres -**

8 Yes.

9 **Bob Clemons -**

10 Yes.

11 **Laura Sauerman -**

12 Yes.

13 **Chad Jeffries -**

14 Yes.

15 **David Benson -**

16 All yeses.

17 **Mayor Pete Land -**

18 Passes. Number six, ordinance #2025-02-08 and Ordinance amending Ordinance 2023-

19 08-19 establishing the City of Crown Point Water Wastewater Service areas and regulating

20 the furnishing of services. Second reading.

21 **Bob Clemons -**

22 So moved Mayor.

23 **Mayor Pete Land -**

24 A motion to approve the ordinance, do we have a second.

25 **Chad Jefferies -**

26 Second

1 **Mayor Pete Land -**
2 And a second. Any further discussion on the motion? Hearing none call the roll, please.
3 **David Benson -**
4 **Scott Evorik-**
5 Yes.
6 **Zack Bryan –**
7 Yes.
8 **Andrew Kyres –**
9 Yes.
10 **Bob Clemons –**
11 Yes.
12 **Laura Sauerman –**
13 Yes.
14 **Chad Jefferies –**
15 Yes.
16 **David Benson-**
17 All yeses.
18 **Mayor Pete Land -**
19 Passes. Thank you Council number one under new business resolution 2025-03-06R, this
20 is a resolution for special use to allow motor vehicle services and repair in an I-1 industrial
21 zone located at 1853 E North St. so received a 5 is 0, excuse me, 5 to 0 favorable
22 recommendation for February 24th BZA meeting. Is anybody here representing the
23 petitioner on this one?
24 **Anthony Sanelli -**
25 Good evening, Council.
26 **Mayor Pete Land -**
27 Before you start, Josh, can you give a staff report please?

1 **Josh Watson -**

2 Yes, sir. Petitioner is requesting a special use for motor vehicle services [inaudible] I-1
3 industrial if approved the petitioner will open and operate a motor vehicle repair shop
4 called Sanelli Automotive. The property is located at 1753 E North St. on the 109th Street
5 Business Center subdivision directly to the North and North St. parcel is bordered by I-1
6 industrial zones to the North, SE and West. The building was constructed for automotive
7 use and has been used for motor vehicle services in the past. The petitioner came to the
8 city about moving forward with the same use but understood the previous tenant had never
9 received special use approval. The petitioner has been working with the city to move
10 forward with proper approval to make the site compliant with the zoning Ordinances.

11 No calls of supportive demonstration have been received by the planning department. All
12 notices have been properly sent out by certified mail and the notice has been published in
13 the newspaper. The petition was heard at the February 24th, 2025 Board of Zoning Appeals
14 meeting, where it received a favorable recommendation of 5 to 0.

15 **Mayor Pete Land -**

16 OK. Thank you, Josh. Hi, state your name and address please.

17 **Anthony Sanelli -**

18 Anthony Sanelli and home address or proposed business?

19 **Mayor Pete Land -**

20 So you do propose business.

21 **Anthony Sanelli -**

22 1753 E North St.

23 **Mayor Pete Land -**

24 OK. And what would you like to share with the Council?

25 **Anthony Sanelli -**

26 Just as stated, the building was used before me. You know, I don't know if that was a legal
27 business or not for automotive, but I'm just, you know, a guy looking to make the next step
28 out there and be a part of Crown Point's family owned businesses and I hope you guys will
29 go in that favor.

30 **Mayor Pete Land -**

1 OK, thank you.

2 **Anthony Sanelli -**

3 Any questions,

4 **Mayor Pete Land –**

5 I'll bring it to the Council. Any questions of Josh or the petitioner or action?

6 **Laura Saurerman -**

7 Wanted to say I commend you for getting this compliant as far as the zoning is concerned,

8 we appreciate that you're working through the correct steps regardless of what what went

9 on before. We appreciate that you're working through the next steps.

10 **Anthony Sanelli -**

11 Yep.

12 **Andrew Kyres -**

13 I move to adopt resolution 2025-03-06R.

14 **Bob Clemons –**

15 So moved.

16 **Mayor Pete Land -**

17 A motion to adopt and a second any further discussion on the motion.

18 **Bob Clemons -**

19 Anyway, I went up there. It's my [inaudible] I looked at it all. Looked at it and there was one

20 there before he was right and I don't see any complaints about that at all.

21 **Scott Evorik-**

22 Just wanted to say. My family is my family's business is right behind you.

23 **Anthony Sanelli -**

24 Which one is that?

25 **Scott Evorik -**

26 OK, [inaudible] electric.

1 That'll be right behind it and all I want to say is there's been a lot of people cleaning up
2 around there because other than their side, a lot has let it go to this. So all I ask is for all
3 those businesses there not just mine, I'm not being biased but or my families, just not a lot
4 of beat up out, you know, old cars you know, setting outside you know they're parts flying
5 everywhere.

6 **Anthony Sanelli -**

7 I'm trying to clean up that area, I am trying my best 100%, you know. Absolutely no. Hey,
8 that's a respectable, you know, thing to say.

9 **Scott Evorik -**

10 So that's all I ask.

11 **Anthony Sanelli -**

12 So, I know what you mean. The guy, in front of me I've got.

13 **Scott Evorik -**

14 There's a couple around there that is still not cleaned up.

15 **Anthony Sanelli -**

16 Trust me, I really wish it wasn't there, but you know.

17 **Scott Evorik -**

18 Others are making efforts to clean up that area, and some just aren't compliant. So, so
19 make sure.

20 **Anthony Sanelli -**

21 No.

22 **Scott Evorik -**

23 Yeah, her appreciate it. Absolutely.

24 **Mayor Pete Land -**

25 Thank you, Scott. Any further discussion on the motion? Not all in favor signify with an
26 aye, aye. Opposed. Motion passed. You're all set with the question. Thank you.

27 **Mayor Pete Land -**

28 Congratulations.

1 **Anthony Sanelli -**

2 Thank you. Thanks. Thanks.

3 **Mayor Pete Land -**

4 Number 2 ordinance #2025-03-10 an ordinance adopting planning, unit development,
5 district and zone change. For the Greenvview planned unit development, this is the first
6 reading. Before we start, Josh.

7 **Josh Watson -**

8 [Inaudible]

9 Development Subdivision southwest, December 11 [inaudible]. Favorably then came back
10 to the Planning Commission on May 13th, 2024, we received a favorable recommendation,
11 which was adopted by City Council. Property consists of 152.921 acres of land between
12 101st Ave. and 9th Ditch, located on the old Summer Tree Golf Course. The final plan
13 shows a combination of single family homes, and paired cottages. The project will also be
14 constructed in phases if phase one being less than 40 lots the largest point of contention
15 about the development was points of access and trying to prevent the majority of traffic
16 from going through the existing Summer Tree Development. The petitioner has also had a
17 workshop presentation to help demonstrate that the petitioner is working diligently with
18 the neighboring property owners to obtain additional access to Greenvview. The developer
19 has worked with planning, engineering, fire and utilities to meet the city's requirements.
20 The plans have been reviewed and approved by City staff, the petition was heard at the
21 February 24th, 2025 Planning Commission meeting, where it received a favorable
22 recommendation. 5 to 2.

23 **Mayor Pete Land -**

24 OK. Thank you, Josh. OK, so.

25 **Kevin Paszko -**

26 Good evening, Kevin Paszko Olthof Homes, 8051 worker Ave. St. John, IN here tonight to
27 seek final PUD approval for our Greenvview project. As I mentioned at the Planning
28 Commission meeting last Monday, we spent the last six months or so going through the
29 staff review process and all final PUD materials as well as getting approvals from both
30 MCD and the Lake County Drainage Board, we did receive approvals from both of those
31 entities and I forwarded the appropriate documentation to staff. Nothing major in our
32 layout has changed since the preliminary PUD phase. So we're in compliance with what is
33 contained in both our preliminary and final PUD development plan documents. We had

1 two comments from the Planning Commission that I did want to address tonight. The first
2 comment concerns the maintenance of the out lots that will be covered by the HOA for the
3 community that was requested that we add language into our covenants to specify what
4 maintenance responsibilities are required for each out lot. While we added that to Section
5 5.02A of our covenants which details maintenance matters for the HOA. We've also
6 created a maintenance map for the community, which we usually do complete closer to
7 when we actually create the HOA for the community and the map details out what is
8 contained in each outlets and if there's any maintenance required. I forwarded both of
9 those documents to Josh and Ben this afternoon, if you'd like, if you'd like, I could walk
10 through the language and the community map more in depth. The second comment
11 concerns the entrances to the community and the timing of the installation of each. So I
12 will reiterate that we do still plan to develop this from North to South, but we have changed
13 our plans for the first phase of this project since last week's planning Commission. In order
14 to simplify things, we're going to expand our first phase to include both entrances for the
15 project. Instead of having the first phase with the limited unit count and then installing the
16 second entrance on a future phase. So this would then satisfy section 151.27 K of your
17 subdivision Control ordinance, which states that a subdivision or subdivision extension
18 containing 40 or more lots will require two or more points of access. In terms of ownership
19 of the second entrance, as we stated last week, we have a signed purchase agreement
20 with Providence for the parcel at the southern intersection of 105th Ave. and California
21 Street. There was some concern about that at the meeting. However, we fully committed to
22 that from the beginning of this project. It's been part of our engineering plans and then
23 we've even had Providence submit an application as part of that project since they are still
24 the current owner of that parcel. So the terms of the purchase agreement I had stated that
25 we would close on the parcel once we did receive government approvals. However, we do
26 have the deeds for the parcel swap with Providence and they're written and they're ready to
27 go, so we've already begun to move forward with completing that transaction and we
28 should have that process completed in the next few days. You know, there's no doubt in
29 our minds that we will have that completed before the adoption of the final PUD Ordinance
30 next month. And we are more than willing to submit documentation to staff proving that the
31 swap did take place and that the deeds are indeed reported. Would that be glad to take any
32 questions or comments that you may have?

33 **Mayor Pete Land -**

34 Thank you. We'll bring it to the Council. Any questions to staff or petitioners?

35 **Speaker 3 -**

36 Chad, that's your district.

1 **Chad Jefferies –**
2 It is and the language you know I brought up the maintenance because we had discussions
3 with water side behind. Do you have a schedule on that maintenance too? Like how often
4 it's going to? Be completed and OK.

5 **Kevin Paszko -**
6 We do. Yes, that's part of the community map.

7 **Chad Jefferies -**
8 Yep.

9 **Zack Bryan -**
10 Just a comment I I'm glad to hear it's the second entrance to be part of the first phase too. I
11 think that's that was an important point that's been brought up in the past as well. So I'm
12 happy to hear that.

13 **Laura Saurerman -**
14 It was extensive discussion, the Planning Commission. I appreciate that we'll talk this or to
15 request and acted on them. Josh, you concur that this is an improved situation?

16 **Josh Watson –**
17 Yes.

18 **Laura Saurerman -**
19 It sounds like the thank you for that. Mayor, are you ready for a motion?

20 **Mayor Pete Land -**
21 Yes, unless there is more.

22 **Laura Saurerman -**
23 I make a motion to read the title only and hold over second reading for this other 2025-03-
24 10.

25 **Zack Bryan –**
26 I'll Second.

27 **Mayor Pete Land -**

1 There is a motion and a second to approve, any further discussion on the motion. Hearing
2 none, all in favor signify with an aye, aye. Opposed. Motion passes, see you next month.

3 **Kevin Paszko –**

4 Yep. Thank you.

5 **Mayor Pete Land –**

6 Number three, petition to vacate petition to vacate a portion of Ruschli, Monitor, and
7 Hoffman Streets. This was announced at the February 19th, 2025 Board of Works meeting.
8 This is the second agenda item that we will have a public hearing component to it. Joe.

9 **Zack Bryan -**

10 Mayor, if I may, just before we start, I have a personal interest in this so I'm going to recuse
11 myself from this portion of the meeting,

12 **Mayor Pete Land -**

13 OK. Record reflect that. OK Zack.

14 **Attorney Joe Irak -**

15 Evening Mayor members of the council. How are you? Good. Good. I'm here on behalf of
16 the City tonight, representing the city in regards to certain petition to vacate road right
17 ways filed by a property owner. Their petitions filed pursuant to State Statute as the
18 Council probably is aware, we've done these in the past. The only body that can vacate a
19 right of way is the Council, so that's why the petitions are in front of you.

20 I'm here to answer questions on behalf of the City. However, the essence of the petition
21 and the petitioner is here tonight. He asked to present his own petition. I don't know if he
22 has a representative or not but Lot 9 and I I tried to submit as many drawings as I could, so
23 the Council was aware and had a visual on what was being requested. Lot 9 is owned by a
24 Daniel Travis and that lot 9 is surrounded by on three sides by undeveloped Ruschli St.
25 undeveloped Monitor St. to the South and undeveloped Hoffman St. to the. East of the
26 property. So he that lot is surrounded on three sides. Mr. Travis is in the process of of trying
27 to sell the property, that sort of exact Brian Bryan and his wife were interested in
28 purchasing that property and they they potentially could have an interest in this property
29 once their contractual obligations are met, whatever that may be. I'm not privy to those,
30 but the State Statute that governs the process of of vacating these right of ways is really a
31 way to, if the Council approves it, to return those parcels back to the properties who
32 originally donated the right of ways. So it's not like we can sell these parcels. The statute
33 doesn't allow a sale. It's purely a petition to the Council for a vacation or those right of

ways if you see fit. And this one it's a little unique. Usually we have like 60 foot right away half of that goes to the lot owners to one side that abut it, the other half goes to the property owner to the right or North or South whatever the situation may be. This one was interesting, the Ruschli St., Monitor and Hoffman St. originally were platted as 60 foot right ways. Some somewhere in the past, probably many a year ago [inaudible] nothing I was involved in. There was a vacation process that vacated half of Ruschli, half of Monitor and half of Hoffman to the adjacent property owners already. What remains is 30 foot of right away, which is then, if the Council grants the petition, would go all to Mr. Travis because the the other adjacent property owners have already received their property, so that's what the request is tonight. You know, we've just from the City standpoint, we've been in supportive of these petitions because it returns property to the tax rolls and in addition it prevents any potential liability of us having right of ways, the City owns right of ways, for areas that we never intend to develop. So we're we're supportive of the process and Mr. Travis has to present this petition to the Council. Obviously, as the Mayor indicated, some public hearing, it's been advertised in the newspaper according to State Statute, certified letters were sent to each of the adjacent property owners at abut the road roads that are being requested to be vacated so anyone that would like as Mayor clearly pointed out its a public hearing, anyone interested in the petition can come up and talk about it also. But I'm here if you have any questions. There are some things if the Council does determine the grant this we there are some issues we wanted to address at that point of turn around that approved by the fire department, things like that. But let's hear the public hearing 1st and see how the Council feels.

Mayor Pete Land -

OK. So before we do, the public hearing is the petitioner. Afternoon, Sir. State your name and address for the record please.

Daniel Traves -

Daniel. Excuse me. Daniel Travis, 234 Maxwell St., Crown point. Petitioning tonight to vacate these three sections of Rd. They're unapproved. They're currently not being used as city streets. They no longer meet city standards. This gentleman referred half of that was vacationed, don't know when but the existing land owners got half of it and was thinking that the other half would come over to me. Uh. You know, and and as you said, it would be a benefit to the City of Crown Point as more property on the tax records. Especially with the newer sewage treatment plant coming in. So I respectfully request that the Council look it over and make a judgment and preferably put it back on the tax rolls.

Mayor Pete Land -

1 Thank. Thank you, Sir. Unless the Council has any meeting questions, we'll open up for the
2 public hearing.

3 **Bob Clemons –**

4 I do.

5 **Mayor Pete Land –**

6 OK, Bob? Your, district.

7 **Bob Clemons -**

8 Mayor [inaudible] to the Board of Works and I made the motion to send it to the Council for
9 this hearing. I have talked to the gentleman out there. I have been out there and I I think I I'll
10 make the motion to approve this for the for the fact that everybody's been healed out there.
11 Joe. Is that so?

12 **Attorney Joe Irak -**

13 I think so, but I we may have. Some individuals here tonight that would speak. But I I I've
14 spoken with a number of people.

15 **Bob Clemons -**

16 Well, then I'll withdraw my motion.

17 **Mayor Pete Land -**

18 Yeah.

19 **Attorney Joe Irak -**

20 I tried to give as much information as I could on behalf of the City, but I don't know if
21 anyone's here tonight or not?

22 **Mayor Pete Land -**

23 OK. Yeah, we'll come back then Bob.

24 **Bob Clemons -**

25 Yeah.

26 **Mayor Pete Land -**

1 Then thank you. OK. We'll go ahead and open it up for the public hearing. So if anybody
2 would like to speak on this proposed agenda item, as always, state your name and
3 address, please and before you speak.

4 **Amanda Calabrese -**

5 Good evening. My name is Amanda Calabrese. I live at 350 W Auburn Drive I've been a
6 homeowner, town homeowner for a little over 13 years of Beaver Dam Village. We are
7 nonprofit homeowners' association. We have a small little private area back there. We
8 have a personal pond, tennis courts there is a clubhouse that is connected to that side
9 street that he was referring to off of Hoffman. It is a small little access road but it's the only
10 access road that we have to the Clubhouse, which means that we have Christmas parties,
11 family birthdays, lots of events that are active there in our community. We just want to
12 make sure that if any roads are widened or put through that it is not hindering access to our
13 clubhouse. It is very important. That's the only in and out area. It is completely secluded off
14 and that's the only access that we do have. The wooded lot has been sold. Property is their
15 property. They're also concerned about having a road possibly going through. That small
16 little access road that we have, we have chains already lined up so that people can't enter
17 our property because cars pull in. It's very secluded, there's a basketball court, there's a
18 tennis court, there's a pond, there's two parks, two playgrounds. People love to come over.
19 They love to fish, they love. It's a privately owned property they. You know, we all have our
20 fees that we pay and we all work hard diligently to keep up with the grounds. So it's not
21 open to the public. So we are really hoping that having an access road like that would not
22 broaden more people and having access to our private property. Our concerns are we just
23 put up cameras around our clubhouse because of vandalism and theft and unwanted
24 people back there, and we're just really concerned that more access to the clubhouse, into
25 the roads and anything back there that's built up will have more access to our private
26 property and it might cause more harm than good for our little area that we have back
27 there. Anything else.

28 **Mayor Pete Land -**

29 Thank you, mam.

30 **Amanda Calabrese -**

31 We just, like I said, hopefully just make sure that we have a surveyed state area of exactly
32 where it's going to go because we went out there and we looked, we really couldn't tell. We
33 were kind of guessing of what was on the map because it wasn't 100% clear, but I'm not
34 good at doing maps at all, but we like something at least surveyed out so that we can see
35 exactly what you're looking for and what they're looking for and making sure that there is no

1 limited access to our clubhouse and [inaudible] roads so we can actually make sure that
2 our guests and our families are able to use what they're paying for every month and that
3 property in that area as well, so. Thank you.

4 **Mayor Pete Land -**

5 Thank you, Amanda.

6 Good evening, ma'am.

7 **Sue Smoot -**

8 Hi my name is Sue Smooth. I live at 313 W Auburn. I actually emailed Bob Clemens about
9 this, he hasn't replied, but my concern is not just our access, but a first responder access.
10 There's a pond back there. Kids may not read the signs we have posted that they should not
11 be going on the ice. If anyone falls in that pond, we're going to need first responders, if that
12 right, if that right of way is blocked, we cannot get first responders back there. Similarly, if
13 we're holding some, a family function in the clubhouse side of our maintenance building.
14 Someone has a a medical emergency, we cannot get ambulances back there if that right
15 away is barred, or if there's a fire there, you know. I don't think that I was, it is it you that's
16 buying it, is that correct?

17 **Zack Bryan -**

18 Yes. OK.

19 **Sue Smoot-**

20 OK. OK. And and that's great. I'm glad you're going to have a house. That's fine. But you're
21 not going to be able to develop the entire 3.5 acres because it goes up to a point and your
22 house isn't going to be up there, there's still going to be wooded areas up there that
23 catches fire. Again we need first responders. So we haven't seen what your plan is for how
24 that will be developed and I didn't catch your name, Joe. OK. OK. Assistant Attorney for the
25 city is that right? We haven't seen any potential drawings for how that property will be
26 developed so I'm not sure.

27 **Bob Clemons -**

28 [Inaudible]

29 **Sue Smoot -**

30 OK, I'll grab that in a minute. I and I don't understand why it has to be accessed from
31 Hoffman. If you look at Google Docs at Google Earth. Monitor has a cul-de-sac that ends at
32 the Southwest corner of his property. So why can you not just have a driveway from Monitor

1 the Monitor cul-de-sac? Why does it have to go through the original driveway for the
2 Bowman Farm? You know that that's the property that Beaver dams on is the old Bowman
3 farm, the old Bowman pond.

4 So just a couple of additional concerns, additional to what Amanda said, we are 60 units in
5 Beaver Dam, so that's 60 potential residents who are being affected if this right of way is
6 withheld from us, so we would ask you to please consider the life and safety of our little
7 community. Thank you.

8 **Mayor Pete Land -**

9 Thank you Sue. Sir, can you? Sir. Sir. Yeah. Can you just? Yeah. Thank you. Can you state
10 your name and address?

11 Sir. Can you state your name and address, please?

12 **Justin Plumley –**

13 Yeah – Crown Town

14 **Sue Smoot -**

15 Justin Plumley, 317 W.Dahlgren

16 **Mayor Pete Land -**

17 OK, perfect. Thank you, ma'am. OK, Justin, go ahead. I'm sorry.

18 **Justin Plumley –**

19 So anyhow. If that aquifer it's a little one, but it's it's good, right? If we lose it, we really lose
20 it. It will be gone. And that's up the South set, you know. Amen.

21 **Mayor Pete Land -**

22 Thank you.

23 **Susan McKendry -**

24 Susan McKendry, 114th Ave. Wanted to say to Zack. Thank you for recusing yourself and
25 putting yourself aside that's appropriate in this situation, thank you.

26 **Mayor Pete Land -**

27 Great, good. Good evening.

28 **Breanne Zolfo -**

1 OK, I have a lot of dumb questions. I'm really good at making coffee, but I'm not, but OK, so
2 can I ask questions or do I just make a statement?

3 **Mayor Pete Land -**

4 Yeah, you can ask the Council questions. There's one thing I'm going to have to turn right
5 name and address.

6 Oh, I'm sorry. Name and address, yeah.

7 **Breanne Zolfo -**

8 400 W. Goldsborough Street.

9 **Mayor Pete Land -**

10 Yeah, but you can you can ask the. Council.

11 **Breanna Zolfo-**

12 OK, so I have the drawing on my phone. So for it to vacate Hoffman. That means, like,
13 what's a dumbed down version of what that means? Like to vacate Hoffman. How does
14 that affect the whole Hoffman St.

15 **Alex Kutanovski -**

16 It's only vacating it past the Monitor Street right away, right. So the right remainder often
17 will remain the same as vacating the past the entrance to the area for the condo
18 association. So the remainder of off into the South is not being affected.

19 **Breanna Zolfo-**

20 OK. And they're not going to expand the width of Hoffman in order to continue on Hoffman?

21 **Alex Kutanovski -**

22 My understanding is that there's only 30 feet of right away there now, so they did not extend
23 it any more than that. There is pavement that is covered up by brush that may get cleared
24 out to make often more of a street rather than.

25 **Breanna Zolfo -**

26 Yeah.

27 Yeah.

28 **Alex Kutanovski -**

1 A driveway, but there's no there's no room for expanding off anymore than that 30 foot right
2 away.

3 **Breanna Zolfo -**

4 OK, so clearing the brush would expand it. How much do you know?

5 **Alex Kutanovski-**

6 [Inaudible]

7 **Breanna Zolfo -**

8 OK. And then after the game that would be vacating, it means what the vacate after where
9 the gate is for Beaver Dam.

10 **Alex Kutanovski -**

11 Vacating it means that it won't be sitting right away anymore, so the city wouldn't be able to
12 put a roadway in that vacated portion and that vacated right away would that go back to the
13 adjacent property owner.

14 **Breanna Zolfo -**

15 So everyone, including the two property owners on Hoffman and Beaver Dam, would all
16 have normal access to that to Hoffman St.

17 **Alex Kutanovski -**

18 [Inaudible]

19 **Mayor Pete Land -**

20 OK. Thank you, Bre. OK. Anyone else on the public hearing? Yes, ma'am. OK.

21 **Ann Heiligstedt -**

22 317 W Dahlgren I've lived in Beaver Dam for 18 years and in Crown Point since 1979.

23 Yeah, we are 60 tax paying units. It's a wonderful community to live in. Lots of families with
24 children, lots of retired folks as well. Just about everybody uses the clubhouse, all the kids,
25 fish in the pond. Kids from the neighborhoods come and fish in the pond. If you grew up in
26 Crown Point in that area of Crown Point, you probably came over and fished on the pond
27 and skated on the pond. We hear stories about that all the time. We're really hoping that I
28 thought I had heard something somewhere along the line in conversation that there was a
29 plan to put a fence up that would create a blockade for us to be able to utilize that building
30 and for our maintenance man, one of our HOA fees provides for full time maintenance and

1 we have loads of salt brought into that area using that thoroughfare, I've always called it an
2 alley. I never knew that it was actually a street. So I'm just hoping that there's not any sort
3 of a plan for putting a fence there and blockading access, I don't think that would be
4 appropriate, and again, my second concern, like Sue mentioned, is safety for the kids. I
5 think we all hold that in very high concern in our community. It is one reason that Crown
6 Point has an excellent school system and why people want to move to Crown point. So
7 being mindful of that and proximity of traffic to where children hang out. I hope you take
8 that into consideration.

9 **Mayor Pete Land -**

10 Thank you.

11 **Sam Kozaitis -**

12 Sam Kozaitis, 225 E 113th Ave. Do we have any idea of the proposed use on that property?
13 Bob, I think you mentioned that you had something that you were going to share with that
14 other individual who came up.

15 **Bob Clemons -**

16 A this was a of of. This is a copy of the road right away in in the survey. OK, that's all we got.
17 That's all I got here. But I gotta I got a petition here. I mean, from the gentleman.

18 **Sam Kozaitis -**

19 So do we know what was proposed on that property that the use for that.

20 **Mayor Pete Land -**

21 Residential. Residents don't have any proposal.

22 **Sam Kozaitis -**

23 And is there a plan that they're going to build a home or they put? In the townhomes up,
24 yeah.

25 **Bob Clemons -**

26 I don't know if he's here tonight, but I like he's. He's he's he's vacated his seat right now he
27 just wants us, he wants us to vacate the property that the the 30 feet.

28 **Sam Kozaitis -**

29 The concern I have is the City owns property adjacent to that going out to Pratt St. Separate
30 that property separated by a I guess that's Beaver Dam ditch. That's up there.

1 So the city owns property adjacent that. On the GIS it shows it's marked City park or
2 something, but there's nothing there. It's just all you know, overgrown. So my concern is
3 you're giving away land, which I disagree with. You know you look shocked, but this is
4 you're vacating 3 streets which totals almost 3/4 of an acre of property. I don't know if
5 you've calculated that, but that's 3/4 of an acre of property, you know, depending on how
6 you guys vote on this, that they're going to end up with. I don't have the opportunity to get
7 3/4 of an acre given to me by the City so on that aspect, if this goes through, are you are
8 you going to what's to prevent you from vacating the other lot adjacent to that? Where the
9 park is supposed to be and going out on Pratt St. Does the city at this point have any
10 intention of any plans for that property that you own there on Pratt St?

11 **Bob Clemons -**

12 I would have to ask Mr. Iraq on this situation right there.

13 **Mayor Pete Land -**

14 It's just well I want Joe to clarify something that Sue brought, she asked a great question.

15 No, there are no existing plans.

16 **Sam Kozaitis -**

17 Just a last point I want to make, as far as the City giving away property. I understand that
18 once an individual has that it will go back on the tax roll and it'll benefit the City because
19 it'll, you know, obviously for that. But there's no reason why you have to give that property
20 away. Property is prime in Crown Point. As you know all the developers want it so why not
21 make them pay? Whoever, make them pay for that fair market value. It's not costing the
22 City a dime right now to have that, that road. And it certainly sounds like it's going to affect
23 the adjacent people. Just what I heard tonight. So I would ask you not to to vote no on this.
24 Make them pay for fair market value. Crown Point has history of giving away land. You know
25 you're in by city property right, adjacent to his house. OK, we we we talked about this. No,
26 this this is this is this is so this.

27 **Mayor Pete Land -**

28 Let's stay focused on this. It's important.

29 **Sam Kozaitis -**

30 [Inaudible] bought property when he was a Mayor for the City. I know you don't hear it, but
31 they're gonna hear it.

32 **Mayor Pete Land -**

1 It's this is important.

2 **Sam Kozaitis -**

3 Then he turns around and he leaves office and more decades and he and he vacates
4 property. And you give and you give and you give him property. OK, it's the same thing. Why
5 do people have to live for in, in the city? Why do they have to benefit being employees?
6 That's what my point is, OK?

7 **Mayor Pete Land -**

8 I don't want to have to call you out of order.

9 This is important, Sam.

10 OK, thank you. This is important to this gentleman and the petition. Yes, Sir.

11 **Fred Noel-**

12 Fred Noel, 358 W Dahlgren. I would like to address something back to a comment you guys
13 just made about that street that goes into Beaver Dam a little ease way or whatever. Where
14 are you coming up with 30 feet? It is not 30 feet wide. There are houses is on each side of it.
15 And the the road itself is only 12 feet that's there. So where are you going to get the other so
16 many odd feet for them to to do what they want to do.

17 **Mayor Pete Land -**

18 Yeah, I'll have attorney record readdress that because they they do have one question. I
19 want him to follow up. With but where?

20 **Fred Noel-**

21 But will they explain how you're going to take 12 feet or street? With houses on each side of
22 it somehow turn it into 30 feet.

23 **Mayor Pete Land -**

24 Yeah.

25 Yeah, he will re-explain that. But yeah, OK. Yeah. Thank you. OK.

26 **Fred Noel-**

27 Thank you. OK. Do you want to give me that sheet and we'll give it to you?

28 **Mayor Pete Land -**

29 We'll do it. We'll do it after that. But yeah, so don't leave. Thank. You. Yes, ma'am.

1 **Katie Bryan -**

2 Hi, I'm Katie Bryan, 346 W North St. I am one of the the buyers of this property under
3 contract to buy it from Mr. Travis. So I just wanted to clarify a few of the things that were
4 brought up tonight. This is planned to be a single family home. And the we did agree on a
5 turn around at the what will be the end of Hoffman St. you have 0 plans to restrict and give
6 your access to the clubhouse at the access.

7 **Mayor Pete Land -**

8 Hey, Katie, you gotta cause people at home can't hear if you're not. I hear about that all the
9 time.

10 **Katie Bryan -**

11 The access that's currently coming off of Hoffman towards the clubhouse of the Beaver
12 Dam will remain there. We are not planning to restrict that at all. And the point of going
13 through this right away vacation right now is so that we can pay fair market value on the
14 property. Trying to think if there was anything else that was raised.

15 **Speaker 5 -**

16 [Inaudible]

17 **Mayor Pete Land -**

18 Yeah, I'm going to have to return Irak that there's a reason why, but yes.

19 **Katie Bryan -**

20 No, I think that covers anything. Thank you.

21 **Mayor Pete Land -**

22 Thank you. Yes, Sir.

23 **Jerry Dobis -**

24 I'm Jerry Dobis. I live at 348 W Dahlgren St. my property abuts Hoffman St. and Dahlgren.
25 My concern is the road is on alleyway road, whatever Hoffman is called, it's a street, but it's
26 only 12 wide. My fence, my swimming pool, my shed is all within 4 feet. I'm concerned
27 about how they're going to widen it to make access there without ruining my property.

28 That's all my concern is.

29 OK.

1 **Mayor Pete Land -**

2 OK, thank you.

3 And any other. OK, we'll close the public hearing part. Joe, can you Sue asked a good
4 question about with the cul-de-sac of Monitor St. , why that is not why that wouldn't work.

5 **Attorney Joe Irak -**

6 And we had the discussion, it didn't touch, does it? It it, it was cut off, cut off.

7 **Alex Kutanovski -**

8 They're not. Yeah, it's cut off there.

9 There's no access from that cul-de-sac. Despite what you may see on the GIS, the
10 surveyors have not indicated there's any address to that in that Lot 9.

11 **Attorney Joe Irak -**

12 Yeah, it's not. It doesn't touch the actual St. Don't know how that ever got established that
13 way, but it should, it should, it's not the you know, one of the things I, you know, you're
14 talking about the width of the road. All I can tell you is that surveyor has it a 30 foot. So
15 there might be some overgrowth there or things that have to be adjusted a little bit. But I
16 know that potential users are planning a one. One single garage and a single house with the
17 proposed driver off that corner. One of the things that the City would want to see if if the
18 the Council decides to approve this would be it have to be subject to a proposed turn
19 around that's approved by our fire department and it would have to be that proposed turn
20 around would have to be reduced to an to an easement that would go to the City. And we
21 would have to record that document. That way we can. We'd have control over that, turn
22 around there and it would be a, something that we want to make sure that we have control
23 over as a City and not the homeowners. That should prevent the situation that that some
24 people are worried about about cutting off access that this turn around would have would
25 allow us to provide access into Beaver Dam, so we have no reason to doubt what what's
26 been said about how they're going to develop the property. .

27 **Alex Kutanovski -**

28 Yeah. So the first point about that turn around that turn around has been reviewed, fire
29 department and Fire department did approve. Secondly, we we have to distinguish what
30 the right away with is compared to what the roadway with it's I understand the roadway
31 width is not 30 feet, the legal right away is 30 feet. The roadway may be much smaller than.
32 There was a comment about giving this property away and I just want to make it clear that
33 this property was taken from this lot. It was dedicated from this lot for the roadway

1 purposes that are never going to go in, so all it's doing is giving it back to where it was taken
2 from originally. So it's not giving it to somebody else. It's not just giving it away, it's giving it
3 back to the original owner of that property.

4 **Attorney Joe Irak -**

5 And that's the purpose of the statute the statute takes into account when it's when it's
6 returned to the property, it's it's returned to the property that once gave it away. So. That's
7 a good point Alex. Yeah. So if you have any other questions, but I I think Alex, I know was
8 involved with the fire department that's been approved. I have to get a legal description for
9 that turn around and we'll have to get in recordable form. So if there's a motion tonight,
10 let's make sure that it includes that so I can draft the Ordinance and the the easement
11 documents.

12 **Chad Jefferies -**

13 The one you got, Joe?

14 **Attorney Joe Irak -**

15 I have about three gyrations of of diagrams, the last one that I had the Clerk's office kindly
16 provided was the one that's got the outline in the red, and it shows the proposed turn
17 around on the southeast corner. Yeah, that's the one. That's the first document I had where
18 it actually showed the turn around and I'll have to get the legal description for that turn
19 around so we can draft the the easement.

20 **Chad Jefferies -**

21 OK.

22 Is there any reason Joe why this this can't work?

23 **Attorney Joe Irak -**

24 I don't, from the standpoint of the City. Once again, it's I think it's it's just returning the
25 we're we're never gonna develop it, but.

26 **Chad Jefferies -**

27 So we're gonna, we're gonna vacate it and it goes back to him and we're out of it. Except we
28 have to do something if he does a a turn around or something.

29 **Attorney Joe Irak -**

30 Yeah, we have to make sure that turn around gets done and recorded.

1 **Chad Jefferies -**

2 OK. And I I think they're aware of it already.

3 **Attorney Joe Irak -**

4 Yes, I believe so.

5 **Chad Jefferies -**

6 OK. From what what I'm hearing, I think the main concern is we just want to reiterate to the
7 audience that that everybody that Beaver Dam Village is not going to lose any access right
8 back towards their clubhouse and everything that they've got back there, they get their salt,
9 they get their salt in whatever they need back there, that axis is. Still going to. Be provided
10 correct?

11 **Attorney Joe Irak -**

12 Yeah, that's not. That's not changing, I think even. If they last. That last diagram shows that
13 that Hoffman kind of turns off into their property. I'm assuming maybe it's Miss Calabrese.
14 If you wouldn't mind, does this, is this do you go this way?

15 **Amanda Calabrese -**

16 We go this way and then up.

17 **Attorney Joe Irak -**

18 OK, so this the only thing it's gonna be vacated is this line straight up?

19 **Amanda Calabrese -**

20 Yeah, and that's all we're asking for us. Take survey to just to see which clearly [inaudible].

21 **Attorney Joe Irak -**

22 Yeah. So it's it's in line though with the and then still that's why I was talking to you about
23 on the phone it turns.

24 **Amanda Calabrese -**

25 OK. Yeah that turns.

26 **Attorney Joe Irak -**

27 Yeah. So and then this is going to be a turn around, so they can access their house. Thank
28 you. Thanks for bearing. You're welcome.

1 **Amanda Calabrese –**
2 Yeah, thanks for clarifying.

3 **Mayor Pete Land -**
4 Thank you, Joe. So bring it to in to the Council for.

5 **Bob Clemons -**
6 Later, other conditions I see. Are you ready for a motion?

7 **Mayor Pete Land –**
8 Unless there's more discussion, yes, already for a motion.

9 **Bob Clemons –**
10 I I can't see any reason why we can't vacate this thing under the under the evidence we've
11 got here from the attorneys in the petition and the owner. So I make a motion that we
12 vacate the piece of property that is shown on our map here.

13 **David Benson -**
14 You want to include that Attorney Iraq stated to include the approved turn around.

15 **Bob Clemons -**
16 Yes. There too.

17 **Mayor Pete Land –**
18 OK, so I have a motion to approve the vacation request

19 **Scott Evorik –**
20 I'll second it.

21 **Mayor Pete Land –**
22 With the approved turn around and a second. Any further discussion on the motion? Very
23 nice, Dave. Call the roll please.

24 **David Benson -**
25 OK.

26 **Scott Everik –**
27 Yes.

1 **Andrew Kyres –**

2 Yes.

3 **Bob Clemons –**

4 Yes.

5 **Chad Jefferies –**

6 Yes.

7 **Mayor Pete Land -**

8 OK. Thank you Council.

9 Number 4 ordinance #2025-03-09, the ordinance to amend ordinance 2008-01-06 related
10 to the responsible bidding practices. So the Council knows, they first adopted an
11 ordinance. Zack, can you? First, adopt an ordinance in 08 related to responsible bidding
12 practices, and then it was amended slightly in 2015. So it's from time to time we take a look
13 at we need are we still up to date on things and in comparison to some other communities
14 and what's prevailing out there, there's a proposed amendment to the Ordinance. One is
15 that involves public works projects of at least \$150,000 or any project that this sees that
16 amount that may be petitioning the City to receiving incentives to tax abatement and so
17 forth. So this would apply to those to those if it's a public project over that amount, and if
18 it's they're going to approach the city for any kind of economic incentive. That that would
19 fall under the ordinance. The second change is really just there's already a provision in the
20 existing ordinance, this is number five. It just strengthens the existing section and relates
21 to the apprenticeship program to make sure that what is in place is actually a legitimate
22 and well run, excuse me, apprenticeship program. So you can see and this is what is is
23 becoming standard that's why we've proposed in, in, in our ordinance. That you have to
24 graduate at least five apprentices in each of the past five years. Rather than our existing
25 Ordinance that's does it state that so this just shores that up. It's important cause you
26 know we have some, and have had, some larger pretty robust developments and we just
27 want to make sure that when that time comes if they feel the desire to approach the City on
28 the any kind of economic development in the package. That this ordinance is followed and
29 protects our trades and protects the workers up in our region, and that's paramount to get
30 not only get getting the development done but but looking out for our home base workers.
31 So those are the two, the rest of the ordinance remains intact. So like I said, other just
32 meeting with other communities this has kind of become the prevailing provisions and or
33 communities that actually have an RBO.

1 **Andrew Kyres -**
2 If there are no impact fees pertaining to this, are we OK to complete this this evening?

3 **Mayor Pete Land -**
4 Yeah. There's no there's no impact fees. It's just as I stated, just if you're gonna approach
5 the City, you gotta make sure that you follow this ordinance.

6 **Andrew Kyres -**
7 Right. And then impact, I'll move to suspend the rules.

8 **Zack Bryan -**
9 Second.

10 **Mayor Pete Land -**
11 Yes. So we have a motion to suspend the rules. I think Zach was the second. Any further
12 discussion on the motion?

13 **Scott Evorik -**
14 Yes. I read I read the original ordinance and this might be really petty. I just in the first A
15 under requirements subject to perjury laws on a form designated by the City that wasn't
16 that wasn't on the new. The new ordinance.

17 That line I just read was on the old ordinance and I don't see it on the new one.

18 **Mayor Pete Land -**
19 I'm sorry I got the order.

20 **Scott Evorik -**
21 So under requirements number 2A, that's where I wrote it on here I don't have this
22 ordinance book with me right now, but In the ordinance book on them right now.

23 **Laura Saurerman -**
24 [Inaudible] Accountability for what's given in the petition.

25 **Scott Evorik -**
26 Yeah. Action.

27 **Laura Saurerman -**

1 Yeah, I would too.

2 **Scott Evorik -**

3 Why wouldn't they be left in? That's that's true. So cover for the city too.

4 Yeah, it's different.

5 **Mayor Pete Land -**

6 Can you just restate then what what language you would like.

7 **Scott Evorik -**

8 It said right after under oath, by each contractor and subcontractor subject to perjury laws
9 on a form designated by the City. That was the old ordinance, and that's what should be
10 still written in that.

11 **Mayor Pete Land -**

12 So you want that that verbiage included in the amended ordinance? Keep it the same.

13 **Scott Evorik -**

14 To keep it the same as the old. Yes. I think it's kind of important, but kind of petty, I mean.

15 **Mayor Pete Land -**

16 It's not petty. No.

17 **Scott Evorik -**

18 Does the current will will be the the application that's being used by those contractors.
19 Does that already include the perjury provision on on that application? So maybe it's
20 redundant.

21 **Alex Kutanovski -**

22 There's no specific application form [inaudible].

23 **Scott Evorik -**

24 The state form for the per bids.

25 **Alex Kutanovski -**

26 Would that be state bid form, but I'm not sure that that state OK.

27 **Laura Saurerman -**

1 I also wanted to clarify. Meeting this criteria is simply the minimum. It doesn't guarantee
2 there's no language here that indicates it's a done deal. That, I mean, it would just be the
3 minimum requirements, but it's still case by case it did.

4 **Mayor Pete Land -**

5 That's right.

6 Right. Yes.

7 **Chad Jefferies -**

8 I think we're just getting into sort of a different time where we're having developers that you
9 know, these are international developers that are coming in asking for very, very large
10 amounts of money and participation from the City and I think it's just a way to protect the
11 taxpayer dollars, right, when if, if if the City is offering up any type of incentive to the to
12 these developers then you know that there's got to be some assurance that we're getting a
13 quality product out of what we're participating in.

14 **Scott Evorik -**

15 Not only that, it seems to hold hold these people to a higher standard than to so from
16 health and safety perspective as well. It helps mitigate some liability from that standpoint.

17 **Mayor Pete Land -**

18 Yes, I would agree with that.

19 **Andrew Kyres -**

20 So with that, I'll move to adopt Ordinance 2025-03-09 to include the additional provision.

21 **Mayor Pete Land -**

22 I don't know if we have the final vote on to suspend the rules motion we have a motion and
23 a second.

24 **Zack Bryan -**

25 Second

26 **Andrew Kyres -**

27 Oh, I thought, we all said aye. Oh, then lot all out of order.

28 **Alex Kutanovski -**

29 Yeah, nobody didn't all say aye.

1 **Laura Sauerman -**
2 We are good at that, that's.

3 **Mayor Pete Land -**
4 Right. But we do have a motion and a second to suspend the rules. All in favor signify with
5 an aye. Aye. Opposed? Then we cannot suspend the rules.

6 **Laura Saurerman -**
7 No.

8 **Andrew Kyres –**
9 OK, so I'll move to reading title only and hold over for a second reading Ordinance 2025-03-
10 09.

11 **Mayor Pete Land -**
12 OK, so we have a motion to approve.

13 **Bob Clemons –**
14 Second.

15 **Mayor Pete Land -**
16 We have a second and a second. Any further discussion on the motion? Hearing none, all
17 in favor signify with an aye opposed. Motion passes. Thank you, council.

18 **Laura Saurerman -**
19 And then we'll see the amended version of this for second reading.

20 **Mayor Pete Land -**
21 Yeah, because we'll have that language that Scott wanted.

22 Number 5 ordinance #2025-03-11 an ordinance authorizing a Park Impact Fee, additional
23 appropriation for Street. Adam.

24 **Adam Graper -**
25 Yes, Mayor Council for you is a an additional appropriation the park to add the Park Impact
26 Fee Fund. I believe in discovery as we were paying invoices for the skate park, we started to
27 draw off the budget balance there, but even in doing so, share, if not mistaken, that should
28 by ordinance be a non-reverting account, correct?

1 Yeah. So what we're looking at doing is since we only budget a certain amount, there's
2 cash available in that fund. It should be there for expenses as necessary. Specifically this
3 project here. We're just asking that that cash bail would be appropriated that's sitting there
4 right now to be used in expense for the ongoing projects. So I know most of this Board is
5 aware, but several years ago we had the park impact study that was done. Those fees that
6 come back into those developments pay for that. They are only allowed to be paid for
7 certain efficiencies that we have and it it still would reside in there as necessary. So we will
8 not expense through that. I don't believe this year, so there's still money left in there, but as
9 we get to budget season, we'll kind of go back and correct that and adjust that fund to
10 where how it should be. I can answer any questions.

11 **Mayor Pete Land -**

12 Right. So yeah, as Adam said we've we've kind of realized it should be a non-reverting fund.
13 We'll take care of that in the next budget cycle. This is just to reappropriate the money
14 that's in there for this.

15 **Adam Graper -**

16 Yeah, you do. We drew down budget tonight. I believe there's an expense that came off on
17 the on the, the, the invoices this evening which brought that down. So we're just looking
18 instead of coming back for additional corporation, every every month or two as this project
19 comes to completion, we just don't put that accounts.

20 **Mayor Pete Land -**

21 Then any unspent funds will just be rolled over in the 2026, under the non-reverting fund.

22 **Adam Graper -**

23 Correct and and and again, those funds can only be used for what's specified in that so.

24 **Laura Saurerman -**

25 Sorry, I'm sorry. Did you say skate park?

26 **Adam Graper -**

27 Yeah, yeah. Part of the skate park. So yeah, that's it. So that'll cover those expenses
28 remaining. We did get the Dean Barber White money that came for that, but the remaining
29 will be pulled from the parking.

30 **Mayor Pete Land -**

31 OK. Thank you. We'll bring this to the. Council.

1 **Zack Bryan -**
2 Move to reading title only and hold over for second reading ordinance #2025-03-11.

3 **Mayor Pete Land -**
4 We have a motion to approve.

5 **Scott Evorik -**
6 I'll second.

7 **Mayor Pete Land -**
8 And a second and approve the discussion on the motion.

9 **Scott Evorik -**
10 If we're not spending the money and we're just putting it basically just all of a sudden things
11 going to a non-reverting fund. I mean, is that something that we can clean up tonight? So
12 it's done or is it? And I don't it does, OK.

13 **Speaker 6 -**
14 [Inaudible]

15 **Mayor Pete Land -**
16 Any further discussion on the motion? Hearing none. All in favor, signify with an aye,
17 opposed. Motion passes. Thanks, Adam.

18 Number six conflict of interest form. I believe we have one for the Council to review and
19 take action.

20 **Scott Evorik -**
21 I'll make a motion to approve the conflict of interest form that's presented to us.

22 **Mayor Pete Land -**
23 Motion to approve. We have a second?

24 **Bob Clemons -**
25 Second.

26 **Mayor Pete Land -**

1 And a second. Any further discussion on the motion? Hearing none, all in favor signify by
2 the Aye. Opposed? Motion passes. OK, our next regular meeting will be Monday, April 7th
3 at 7:00 PM and we would need a motion. To adjourn

4 **Scott Evorik –**

5 So moved.

6 **Bob Clemons –**

7 So moved.

8 **Mayor Pete Land –**

9 That motion, Zack, Bob Second. Scott. Scott. I'm sorry. Any further discussion on the
10 motion hearing none all signify with an aye, opposed?

11

Petitioner's Exhibit 26

on CD to be hand-delivered

Petitioner's Exhibit 27

STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION

Cause Number 45992

IN THE MATTER OF THE PETITION OF)
THE TOWN OF WINFIELD, LAKE COUNTY,)
INDIANA, FOR APPROVAL OF A)
REGULATORY ORDINANCE ESTABLISHING)
A SERVICE TERRITORY FOR THE TOWN'S)
MUNICIPAL SEWER SYSTEM PURSUANT TO)
IND. CODE 8-1.5-6, ET SEQ.)

DEPOSITION OF GREGORY GUERRETTAZ

The deposition upon oral examination of
GREGORY GUERRETTAZ, a witness produced and sworn
before me, Tara Gandel Hudson, RPR, CRR, a Notary
Public in and for the County of Hancock, State of
Indiana, taken on behalf of the Town of Winfield at
the offices of Bose, McKinney & Evans LLP, 111
Monument Circle, Suite 2700, Indianapolis, Marion
County, Indiana, on the 7th day of August, 2025,
scheduled to commence at 1:30 p.m., pursuant to the
rules of the Indiana Utility Regulatory Commission,
with written notice as to the time and place
thereof having been given.

APPEARANCES

FOR THE TOWN OF WINFIELD:

J. Christopher Janak
BOSE McKINNEY & EVANS LLP
111 Monument Circle
Suite 2700
Indianapolis, IN 46204
jjanak@boselaw.com

FOR THE INDIANA AMERICAN WATER COMPANY:

Nicholas Kile
BARNES & THORNBURG LLP
11 South Meridian Street
Indianapolis, IN 46204
nicholas.kile@btlaw.com

FOR THE OFFICE OF UTILITY CONSUMER COUNSELOR:

Daniel LeVay
INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR
115 West Washington Street
Suite 1500S
Indianapolis, IN 46204
dlevay@oucc.in.gov
infomgt@oucc.in.gov

FOR LBL DEVELOPMENT, LLC:

Steven W. Krohne
Jennifer L. Schuster
Jack M. Petr
ICE MILLER LLP
2900 One American Square
Indianapolis, IN 46282
steven.krohne@icemiller.com
jennifer.schuster@icemiller.com
jack.petr@icemiller.com

APPEARANCES
(Continued)

FOR THE CITY OF CROWN POINT:

Robert M. Glennon
ROBERT GLENNON & ASSOCIATES
3697 N. 500 E.
Danville, IN 46122
robertglennonlaw@gmail.com
Mark W. Cooper
ATTORNEY AT LAW
1449 N. College Avenue
Indianapolis, IN 46202
attymcooper@indy.rr.com

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1 illustration this number.

2 Q Now, the original proposal, as I understand it,
3 was these Phase III rates were supposed to go
4 into effect on August 1, 2026. Have I
5 misunderstood? Can you explain that to me,
6 Mr. Guerrettaz? Is that not true?

7 MR. GLENNON: Object to the form.

8 You may answer.

9 A Page 2 of this draft ordinance has August 1,
10 2026, but it also has August 1 of 2025 for
11 Phase II, which is not correct. So this
12 ordinance isn't right.

13 BY MR. JANAK:

14 Q This was introduced at the February meeting --
15 is that correct? -- of the City Council?

16 A Subject to check, I'll say yes. It was
17 introduced.

18 Q And it's your testimony that this was not a
19 recommendation from you, this was just a
20 hypothetical?

21 A I'm sorry, sir. I didn't say hypothetical. I
22 said it was an illustration of a possible
23 increase sometime in the future.

24 Q Now, are all the projects necessary to fund the
25 control -- long-term control plan to meet the

1 agreed order funded with the Phase I and
2 Phase II rates?

3 A I'm sorry, sir. You would have to ask the
4 engineer because he has a very big master plan.
5 And that's properly asked to him.

6 Q The engineer told me to ask you about the
7 financing. He said, "You need to ask Greg what
8 these are going to be used to finance."

9 Now you're telling me it's the engineer.
10 Is that your testimony?

11 MR. GLENNON: Object to the form.

12 BY MR. JANAK:

13 Q You can answer.

14 A Restate the question.

15 Q The engineer told me I needed to ask you what
16 the Phase III rates would finance and whether
17 the first two phases would finance all of the
18 improvements in the long-term control plan.

19 Are you now telling me I need to ask the
20 engineer that question?

21 A Yes, sir.

22 Q So what do these improvements, these lift
23 station improvements, will those be funded as
24 part of the Phase I and Phase II improvements?

25 A What shows on Exhibit O labeled Lift Station,

1 Construction Project 4, may be financed many
2 different ways. And even a combination of ways.

3 One of those was we were seeking in January
4 and February -- and this was told to counsel.
5 We were trying to get a food and beverage tax
6 implemented in Crown Point.

7 A food and beverage tax is what I told
8 everybody could fund Phase IV project, along
9 with the specific appropriation that we have put
10 into the redevelopment budget in 2025. And then
11 I will again put in in 2026 when I do that
12 budget. So I know it very, very well.

13 So there was discussion about a whole host.
14 We might even use EDIT. We might use LIT, the
15 new LIT under Senate Bill 1 as I stated in my
16 testimony, okay, on that page.

17 There's a lot of options. So no need to
18 hurry on something that's out there in the
19 future.

20 Q Let's ask this. These lift stations. These
21 lift stations that you're talking about, do you
22 know if they are part of the improvements that
23 are necessary to meet the agreed order?

24 A Again, I would say you need to structure your
25 question lift stations and pipes. And I don't

1 know -- I do not know with absolute certainty if
2 the lift stations and the pipes are labeled in
3 the agreed order. That's an engineering
4 question.

5 Q Where are these lift stations located? Do you
6 know?

7 A No.

8 Q You just know there are lift stations and pipes?

9 A Yes.

10 Q One way of financing those lift stations and
11 pipes are through these Phase III rates; is that
12 correct?

13 MR. GLENNON: Asked and answered several
14 times.

15 BY MR. JANAK:

16 Q You can go ahead and answer.

17 MR. GLENNON: He said it was illustrative.
18 It was a --

19 MR. JANAK: That's not my question.

20 BY MR. JANAK:

21 Q My question is one way -- when you propose this
22 one way to finance the lift station and pipe
23 improvements is through the Phase III rates; is
24 that correct?

25 A No. I disagree.

1 Q That is not a way to finance it?

2 A You said that you proposed. I didn't propose.
3 I illustrated in this rate report in February
4 one way of many -- and also told everyone many
5 ways of doing this.

6 And, you know, one of those, like I told
7 you, we sought legislative approval for a food
8 and beverage tax. And that's an awesome way to
9 finance sewer improvements.

10 Q Let me ask you this. Let me ask --

11 At this point, we have no financing --
12 "we," being Crown Point, have no financing in
13 place to pay for these lift stations and pipe
14 improvements; is that correct?

15 A Correct.

16 Q Now, I think it was suggested at the public
17 hearing that we know where the market is at this
18 time, and what we're saying is we will review
19 the Phase III in a year or so.

20 What did you mean by "We'll look at the
21 market in another year"?

22 I think you said that, actually. That was
23 your quote from the public hearing. What did
24 you mean when you said that?

25 A I think you said it correctly at first when you

1 said my quote. A year or so. What I meant by
2 that was to give time for us to review the many
3 things and the many options.

4 And, you know, quite frankly, I knew the
5 new plant had to be up and running and probably
6 online before you hook pipes with flow. Okay?

7 So it makes so much sense in February they
8 chose to put it in draft ordinance. But I
9 recommended highly that it was only an
10 illustration and there was so much that was
11 going to change and so much time that's going to
12 go by.

13 Q So I think I must have been using a verb that
14 you disagreed with.

15 Your recommendation of the Phase III rates
16 was an illustration of how the City could pay
17 for the lift station improvements; is that
18 correct?

19 MR. GLENNON: Object to the form. Use of
20 "recommendation." He's told you five times it
21 was an illustration.

22 BY MR. JANAK:

23 Q Let me rephrase the question.

24 The Phase III rates are an illustration of
25 how the City could pay for the lift station and

Petitioner's Exhibit 28

Responses to Data Requests

Request 10.1: Crown Point's Ordinance No. 2025-02-08 states, in part, that Crown Point "wishes to establish a specific water and wastewater service territory as a Regulated Territory . . ." What is the total acreage of this "Regulated Territory" over which it seeks to exert exclusive wastewater service?

Objection: Crown Point has not previously performed a study or investigation to determine the number of acres in the "Regulated Territory" and objects to performing such a study. Winfield is free to estimate the acreage from the previously prepared maps of the requested Regulated Territory if it chooses.

Response: See Objection

Request 10.2: Provide a copy of any appraisals for the property delivered or to be delivered by LBL Development LLC as part of the Donation Agreement.

Objection: An appraisal is irrelevant and not reasonably calculated to lead to relevant information.

Response: Without waiving any objection, Crown Point is not aware of an appraisal.