

STATE BOARD OF ACCOUNTS
302 West Washington Street
Room E418
INDIANAPOLIS, INDIANA 46204-2769

SUPPLEMENTAL COMPLIANCE REPORT

OF

CITY OF WHITING

LAKE COUNTY, INDIANA

January 1, 2022 to December 31, 2023



FILED

10/29/2024

TABLE OF CONTENTS

| <u>Description</u> | <u>Page</u> |
|--|-------------|
| Schedule of Officials | 2 |
| Transmittal Letter | 3 |
| Common Council: | |
| Audit Result and Comment: | |
| Training on Internal Control Standards | 6 |
| Exit Conference | 7 |
| Clerk-Treasurer: | |
| Audit Result and Comment: | |
| Certification on Internal Control Standards | 10 |
| Official Response..... | 11 |
| Exit Conference | 12 |
| Redevelopment Commission: | |
| Audit Result and Comment: | |
| Tax Increment Financing (TIF) Allocation Funds | 14-16 |
| Official Response..... | 17-28 |
| Exit Conference | 29 |

SCHEDULE OF OFFICIALS

| <u>Office</u> | <u>Official</u> | <u>Term</u> |
|--|------------------|----------------------|
| Clerk-Treasurer | John Haynes | 01-01-22 to 12-31-24 |
| Mayor | Steve Spebar | 01-01-22 to 12-31-24 |
| President of the Board of Public Works and Safety | Steve Spebar | 01-01-22 to 12-31-24 |
| President Pro Tempore of the Common Council | Chris Sarvanidis | 01-01-22 to 12-31-24 |



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF ACCOUNTS
302 WEST WASHINGTON STREET
ROOM E418
INDIANAPOLIS, INDIANA 46204-2769

Telephone: (317) 232-2513
Fax: (317) 232-4711
Web Site: www.in.gov/sboa

TO: THE OFFICIALS OF THE CITY OF WHITING, LAKE COUNTY, INDIANA

This report is supplemental to the audit report of the City of Whiting (City), for the period from January 1, 2022 to December 31, 2023. It has been provided as a separate report so that the reader may easily identify any Audit Results and Comments that pertain to the City. It should be read in conjunction with the Financial Statement Audit Report of the City, which provides our opinions on the City's financial statement. This report may be found at www.in.gov/sboa/.

As authorized under Indiana Code 5-11-1, we performed procedures to determine compliance with applicable Indiana laws and uniform compliance guidelines established by the Indiana State Board of Accounts. The Audit Results and Comments contained herein describe the identified reportable instances of noncompliance found as a result of these procedures. Our tests were not designed to identify all instances of noncompliance; therefore, noncompliance may exist that is unidentified.

Any Official Response to the Audit Results and Comments, incorporated within this report, was not verified for accuracy.

Beth Kelley, CPA, CFE
Deputy State Examiner

October 10, 2024

(This page intentionally left blank.)

COMMON COUNCIL
CITY OF WHITING

COMMON COUNCIL
CITY OF WHITING
AUDIT RESULT AND COMMENT

TRAINING ON INTERNAL CONTROL STANDARDS

Condition and Context

The City did not have internal controls in place to ensure all personnel whose official duties include receiving, processing, depositing, disbursing, or otherwise having access to funds, completed the required training concerning the City's internal control standards and procedures.

The following personnel were not trained and should have been:

- Eight part-time Mascot Hall of Fame Museum employees, who were crossed trained for all floor jobs, which would include receiving funds.
- A part-time accounts payable clerk who worked for nine months in 2022.
- A part-time clerk hired in April 2023 did not complete the internal controls training until September 2024 while the audit was being conducted.

Criteria

The Indiana State Board of Accounts (SBOA) is required under Indiana Code 5-11-1-27(e) to define the acceptable minimum level of internal control standards. To provide clarifying guidance, the State Examiner compiled the standards contained in the manual, *Uniform Internal Control Standards for Indiana Political Subdivisions*. All political subdivisions subject to audit by SBOA are expected to adhere to these standards. The standards include adequate control activities. According to this manual:

"Control activities are the actions and tools established through policies and procedures that help to detect, prevent, or reduce the identified risks that interfere with the achievement of objectives. Detection activities are designed to identify unfavorable events in a timely manner whereas prevention activities are designed to deter the occurrence of an unfavorable event. Examples of these activities include reconciliations, authorizations, approval processes, performance reviews, and verification processes.

An integral part of the control activity component is segregation of duties. . . .

There is an expectation of segregation of duties. If compensating controls are necessary, documentation should exist to identify both the areas where segregation of duties are not feasible or practical and the compensating controls implemented to mitigate the risk. . . ."

Indiana Code 5-11-1-27(g) states:

"After June 30, 2016, the legislative body of a political subdivision shall ensure that:

- (1) the internal control standards and procedures developed under subsection (e) are adopted by the political subdivision; and
- (2) personnel receive training concerning the internal control standards and procedures adopted by the political subdivision."

COMMON COUNCIL
CITY OF WHITING
EXIT CONFERENCE

The contents of this report were discussed on October 10, 2024, with John Haynes, Clerk-Treasurer; Steve Spebar, Mayor and President of the Board of Public Works and Safety; Chris Sarvanidis, President Pro Tempore of the Common Council; Don Harbin, President of the Redevelopment Commission; and Denise Sejna, City Attorney.

(This page intentionally left blank.)

CLERK-TREASURER
CITY OF WHITING

CLERK-TREASURER
CITY OF WHITING
AUDIT RESULT AND COMMENT

CERTIFICATION ON INTERNAL CONTROL STANDARDS

Condition and Context

The City did not have internal controls in place to ensure that the Annual Financial Report certification that all appropriate personnel received training concerning the internal control standards adopted by the City was accurate. The City had certified that all appropriate personnel had received the training; however, testing determined that not all appropriate personnel were trained, which resulted in the certification to be inaccurate.

Criteria

The Indiana State Board of Accounts (SBOA) is required under Indiana Code 5-11-1-27(e) to define the acceptable minimum level of internal control standards. To provide clarifying guidance, the State Examiner compiled the standards contained in the manual, *Uniform Internal Control Standards for Indiana Political Subdivisions*. All political subdivisions subject to audit by SBOA are expected to adhere to these standards. The standards include adequate control activities. According to this manual:

"Control activities are the actions and tools established through policies and procedures that help to detect, prevent, or reduce the identified risks that interfere with the achievement of objectives. Detection activities are designed to identify unfavorable events in a timely manner whereas prevention activities are designed to deter the occurrence of an unfavorable event. Examples of these activities include reconciliations, authorizations, approval processes, performance reviews, and verification processes.

An integral part of the control activity component is segregation of duties. . . .

There is an expectation of segregation of duties. If compensating controls are necessary, documentation should exist to identify both the areas where segregation of duties are not feasible or practical and the compensating controls implemented to mitigate the risk. . . ."

Indiana Code 5-11-1-4(a) states:

"The state examiner shall require from every audited entity financial reports covering the full period of each fiscal year. These reports shall be prepared, verified, and filed with the state examiner as set forth in the uniform compliance guidelines. The reports must be in the form and content prescribed by the state examiner and filed electronically in the manner prescribed under [IC 5-14-3.8-7](#)."



Refining the Heart of Community Clerk - Treasurer

OFFICIAL RESPONSE OF THE CLERK-TREASURER OF THE CITY OF WHITING 2022-2023 AUDIT
RESULT AND COMMENT

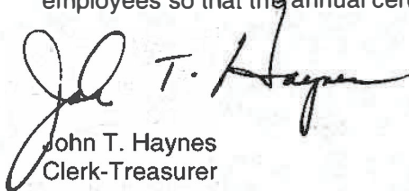
Date: October 15, 2024

Indiana State Board of Accounts
302 West Washington St. Room E418
Indianapolis, IN 46204-2765
Officialresponse@sboa.in.gov

Re: City of Whiting Clerk-Treasurer Response to 2022-2023 Audit Result and Comment

The City did not have internal controls in place to ensure all personnel whose official duties include receiving, processing, depositing, disbursing or otherwise having access to funds, completed the required training concerning the City's internal control standards and procedures.

Effective immediately we will incorporate the internal control training in our onboarding procedure to ensure all employees receive the training. The Clerk-Treasurer will review all certifications for the new employees so that the annual certification in gateway is accurate.



John T. Haynes
Clerk-Treasurer

City of Whiting

1443 119th Street • P.O. Box 591 • Whiting, Indiana 46394 • tel. 219.659.3100 • fax. 219.473.0799
www.whitingindiana.com



CLERK-TREASURER
CITY OF WHITING
EXIT CONFERENCE

The contents of this report were discussed on October 10, 2024, with John Haynes, Clerk-Treasurer; Steve Spebar, Mayor and President of the Board of Public Works and Safety; Chris Sarvanidis, President Pro Tempore of the Common Council; Don Harbin, President of the Redevelopment Commission; and Denise Sejna, City Attorney.

REDEVELOPMENT COMMISSION
CITY OF WHITING

REDEVELOPMENT COMMISSION
CITY OF WHITING
AUDIT RESULT AND COMMENT

TAX INCREMENT FINANCING (TIF) ALLOCATION FUNDS

This same comment appeared in a Management Letter addressed to City Officials for the audit period ending December 31, 2021.

Condition and Context

There were deficiencies in the internal control system of the City related to ensuring Tax Increment Financing (TIF) Allocation Funds were expensed within the restricted uses authorized by Indiana Code.

A Redevelopment Commission (Commission) has the duties set forth in Indiana Code 36-7-14-11, which provides for the investigation, selection, acquisition development, and disposal of property in "areas needing redevelopment." The powers granted to a redevelopment commission in Indiana Code 36-7-14-12.2 allow the redevelopment commission to develop property in the areas needing redevelopment and to carry out other activities "for redevelopment purposes." "Redevelopment" includes activities contained in Indiana Code 36-7-1-18.

The expenses noted below from TIF allocation were not within the allocation areas or for the restricted uses authorized in Indiana Code 36-7-14-39(b)(3) (West 2022) or 36-7-14-39(b)(4) (West 2023):

- Community Center repairs/improvements totaling \$38,675.
- Land and building acquisition totaling \$108,719.
- Asbestos removal totaling \$12,300.
- Demolition of properties totaling \$44,000.

Operating disbursements of the Commission for permit renewal and check stock inventory totaling \$1,753 were also paid from TIF allocation funds. All of these were determined operating expenses and were not related to any project.

Criteria

The Indiana State Board of Accounts (SBOA) is required under Indiana Code 5-11-1-27(e) to define the acceptable minimum level of internal control standards. To provide clarifying guidance, the State Examiner compiled the standards contained in the manual, *Uniform Internal Control Standards for Indiana Political Subdivisions*. All political subdivisions subject to audit by SBOA are expected to adhere to these standards. The standards include adequate control activities. According to this manual:

"Control activities are the actions and tools established through policies and procedures that help to detect, prevent, or reduce the identified risks that interfere with the achievement of objectives. Detection activities are designed to identify unfavorable events in a timely manner whereas prevention activities are designed to deter the occurrence of an unfavorable event. Examples of these activities include reconciliations, authorizations, approval processes, performance reviews, and verification processes.

An integral part of the control activity component is segregation of duties. . . .

There is an expectation of segregation of duties. If compensating controls are necessary, documentation should exist to identify both the areas where segregation of duties are not feasible or practical and the compensating controls implemented to mitigate the risk. . . ."

REDEVELOPMENT COMMISSION
CITY OF WHITING
AUDIT RESULT AND COMMENT
(Continued)

Indiana Code 36-7-14-39(b)(4) states in part:

". . . property tax proceeds. . . shall be allocated to the redevelopment district and, when collected, paid into an allocation fund for that allocation area that may be used by the redevelopment district only to do one (1) or more of the following:

(A) Pay the principal of and interest on any obligations payable solely from allocated tax proceeds which are incurred by the redevelopment district for the purpose of financing or refinancing the redevelopment of that allocation area.

(B) Establish, augment, or restore the debt service reserve for bonds payable solely or in part from allocated tax proceeds in that allocation area.

(C) Pay the principal of and interest on bonds payable from allocated tax proceeds in that allocation area and from the special tax levied under section 27 of this chapter.

(D) Pay the principal of and interest on bonds issued by the unit to pay for local public improvements that are physically located in or physically connected to that allocation area.

(E) Pay premiums on the redemption before maturity of bonds payable solely or in part from allocated tax proceeds in that allocation area.

(F) Make payments on leases payable from allocated tax proceeds in that allocation area under section 25.2 of this chapter.

(G) Reimburse the unit for expenditures made by it for local public improvements (which include buildings, parking facilities, and other items described in section 25.1(a) of this chapter) that are physically located in or physically connected to that allocation area.

(H) Reimburse the unit for rentals paid by it for a building or parking facility that is physically located in or physically connected to that allocation area under any lease entered into under [IC 36-1-10](#).

(I) For property taxes first due and payable before January 1, 2009, pay all or a part of a property tax replacement credit to taxpayers in an allocation area as determined by the redevelopment commission. . . .

(J) Pay expenses incurred by the redevelopment commission for local public improvements that are in the allocation area or serving the allocation area. Public improvements include buildings, parking facilities, and other items described in section 25.1(a) of this chapter.

(K) Reimburse public and private entities for expenses incurred in training employees of industrial facilities that are located:

(i) in the allocation area; and

(ii) on a parcel of real property that has been classified as industrial property under the rules of the department of local government finance. . . .

REDEVELOPMENT COMMISSION
CITY OF WHITING
AUDIT RESULT AND COMMENT
(Continued)

(L) Pay the costs of carrying out an eligible efficiency project (as defined in [IC 36-9-41-1.5](#)) within the unit that established the redevelopment commission. However, property tax proceeds may be used under this clause to pay the costs of carrying out an eligible efficiency project only if those property tax proceeds exceed the amount necessary to do the following: . . .

(M) Expend money and provide financial assistance as authorized in section 12.2(a)(27) of this chapter.

The allocation fund may not be used for operating expenses of the commission."

The uses of TIF funds are restricted to those set forth in the Indiana Code. The power of a redevelopment commission to expend such funds is limited to the express statutory powers as set forth in Indiana Code 36-7-14. The use of TIF funds for ongoing maintenance of redeveloped property is not an expressly or impliedly permitted use, except as provided in Indiana Code 36-7-1-18(7) for repairing and maintaining buildings acquired before redevelopment is complete. (Redevelopment Commission of the Town of Munster, Indiana, v. Indiana State Board of Accounts and Paul D. Joyce, State Examiner of State Board of Accounts, 28 N.E.3d 272 (Ind. App., 2015) trans. denied, 34 N.E.3d 251)



**OFFICIAL RESPONSE OF THE REDEVELOPMENT COMMISSION (RDC) OF
THE CITY OF WHITING TO 2022-2023 AUDIT RESULT AND COMMENT**

October 16, 2024

Indiana State Board of Accounts
302 West Washington St. Room E418
Indianapolis, IN 46204-2765
officialresponse@sboa.in.gov

**RE: CITY OF WHITING RDC RESPONSE TO 2022-2023 AUDIT RESULT AND
COMMENT**

The 2023 Audit Result and Comment (Comment) of the State Board of Accounts (SBoA) identifies four (4) instances of expenditures of allocated tax proceeds (TIF) for certain projects and asserts that:

There were deficiencies in the internal control system of the City related to ensuring Tax Increment Financing (TIF) Allocation Funds were expensed within the restricted uses authorized by Indiana Code.

The expenses noted below from TIF allocation were not within the allocation areas or for the restricted uses authorized in Indiana Code 36-7-14-39(b)(3) (West 2022) or 36-7-14-39(b)(4) (West 2023).

The first instance includes:

- Community center repairs/improvements totaling \$38,675.

The City of Whiting Redevelopment Commission adopted Resolution No. WRC-2010-09 on May 12, 2010, finding and determining that the Whiting Community Center directly serves or benefits the redevelop project areas, economic project areas, and the allocation area. An executed copy of this resolution is attached.

The documentation specifically found that the Whiting Community Center

- a. Serves as an historical structure which reflects both the cultural and industrial History of our City;
- b. Serves the recreational, social, and health and welfare needs of the entire City;

City of Whiting

1443 119th Street • P.O. Box 591 • Whiting, Indiana 46394 • tel. 219.659.3100 • fax. 219.473.0799
www.whitingindiana.com



- c. Serves as a catalyst for economic development in the allocation area of the City;
- d. Increases and positively impacts the housing opportunities in the City and in the allocation area;
- e. Serves and benefits the overall assessed value of properties located in the allocation area;
- f. Serves and benefits the employees of companies located within the allocation area.

While these benefits may also benefit the rest of the City, the Commission made a finding explaining how the project serves and benefits the area, specifically.

In addition to the project listed above, the 2023 Comment identified a second instance which was included in the finding noted above:

- Land and building acquisition totaling \$108,719

The City of Whiting Redevelopment Commission adopted Resolution No. WRC 2017-19 on July 5, 2017 finding and determining that this acquisition serves and benefits the allocation area in that 1) the property is negatively impacting the value of nearby land; 2) that this negative impact reaches as far as the allocation area by lowering the value of land in the allocation area; 3) that the demolition of the properties can positively impact the allocation area by encouraging positive growth; 4) that the property will be needed to relocate residents from the allocation area to another area of the city; and 5) that new construction would provide a higher quality of life for those who work in the allocation area. An executed copy of the resolution is attached.

The 2023 Comment identified a third finding:

- Asbestos removal totaling \$12,300

The City of Whiting Redevelopment Commission adopted Resolution No. WRC-2021-08 on August 3, 2021 finding and determining that the acquisition of this property serves or benefits the allocation area. Specifically, the resolution found that the property was vacant and was a non-forming use under current zoning and would provide affordable housing opportunities for the relocation of owners whose properties were on the acquisition list. An executed copy of the resolution is attached.

Certainly, the purpose of redevelopment would include the demolition of blighted properties. It is Indiana law which requires the Commission to test for asbestos prior to demolition. As a result, the Commission believed this expense was justified.

The final comment in the 2023 Audit Result and Comment identified a fourth instance which was included in the finding noted above:

- Demolition of properties totaling \$44,000

The City of Whiting Redevelopment Commission adopted Resolution No. WRC 2021-13 on December 7, 2021, finding and determining that this acquisition serves or benefits the allocation area. This structure was a non-conforming structure and use – a tavern in the middle of a residential neighborhood. The acquisition and demolition of the structure provides another new housing opportunity. An executed copy of the resolution is attached.

We reiterate that expenses described under IC 36-7-14-25.1 that may be properly paid for with TIF include, but are not limited to:

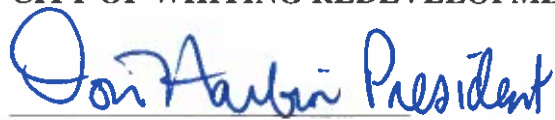
- the total, as estimated by the Redevelopment Commission, of all expenses reasonably incurred in connection with the acquisition and redevelopment or economic development of the of the property, including:
 - the total cost of all land, rights-of-way, and other property to be acquired and redeveloped; and
 - all reasonable and necessary architectural, engineering, legal, financing, accounting, advertising, bond discount, and supervisory expenses related to the acquisition and redevelopment of the property or the issuance of bonds.

The determination as to whether an expense is reasonably incurred in connection with the redevelopment or economic development of the property is a factual determination to be made by the Whiting Redevelopment Commission, in its discretion. In each instance noted by the SBOA, the Redevelopment Commission made a finding that each project directly served or benefitted the allocation area.

We are an older community with a very old housing stock and with neighborhoods with non-conforming non-residential structures. The main thrust of our redevelopment plan is to remove these blighted, vacant or non-conforming uses and provide opportunities for new construction and new commercial or industrial developments which can increase the overall assessed value of our city. We believe that these expenditures all fall within the acquisition and redevelopment of these parcels.

We would be happy to provide any further documentation and/or discuss this with you further.

CITY OF WHITING REDEVELOPMENT COMMISSION



Don Harbin, President

RESOLUTION NO. WRC 2010-09

**REDEVELOPMENT COMMISSION
CITY OF WHITING, INDIANA**

**A RESOLUTION OF THE WHITING REDEVELOPMENT COMMISSION TO
MAKE SPECIFIC FINDINGS THAT THE WHITING COMMUNITY CENTER
DIRECTLY SERVES AND BENEFITS THE
WHITING CONSOLIDATED ALLOCATION AREA**

WHEREAS, the City of Whiting Department of Redevelopment (hereinafter referred to as "the Department") is a duly authorized body of the City of Whiting in accordance with I.C. 36-7-14-1 *et seq*; and

WHEREAS, the Department has the statutory authority under I.C. 36-7-25-3(a) to finance projects, improvements, or purposes in areas not located in redevelopment project areas or economic development areas as long as the projects, improvements or purposes directly serve or benefit those areas; and

WHEREAS, the Commission wished to acknowledge that the Whiting Community Center is such a project and purpose; and

WHEREAS, the Department and the Whiting Redevelopment Commission (hereinafter referred to as "the Commission") believe it is in the best interests of the City and its citizens to make a determination that the Whiting Community Center serves and benefits the Whiting Consolidated Allocation Area in order to maintain the historic structure; and

WHEREAS, the improvements to the Whiting Community Center are consistent with the Whiting Redevelopment Plan as last amended and confirmed on August 12, 2009.

NOW, THEREFORE, BE IT RESOLVED by the City of Whiting Department of Redevelopment as follows:

1. It is found by the Whiting Redevelopment Commission that the Whiting Community Center:
 - a. Serves as an historical structure which reflects both the cultural and industrial history of our Community;
 - b. Serves the recreational, social, and health and welfare needs of the entire City;
 - c. Serves as a catalyst for economic development in the allocation area of the City;
 - d. Increases and positively impacts the housing opportunities in the City and in the allocation area;

- e. Serves and benefits the overall assessed value of properties located in the allocation area;
- f. Serves and benefits the employees of companies located within the allocation area.

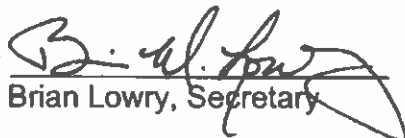
- 2. Based on the above findings, the Commission finds that the projects, improvements or purposes of the Whiting Community Center directly serve or benefit the redevelopment projects areas and economic project areas in the City, including but not limited to the allocation area.
- 3. The Commission specifically authorizes the use of funds from the Whiting Consolidated Allocation Area to be used for improvements at the Whiting Community Center.

BE IT FURTHER RESOLVED that any resolution in conflict with the terms specified herein is hereby repealed.

ADOPTED AND APPROVED at a meeting of the Whiting Redevelopment Commission held this 12th day of May, 2010.



William R. Wajvoda Vice President

Attest: 
Brian Lowry, Secretary

**REDEVELOPMENT COMMISSION
CITY OF WHITING, INDIANA**

RESOLUTION NO. WRC 2017-19

**A RESOLUTION OF THE WHITING REDEVELOPMENT COMMISSION
AUTHORIZING THE ACQUISITION OF REAL ESTATE ON FRONT STREET IN
ACCORDANCE WITH I.C. 36-7-14-12.2**

WHEREAS, the City of Whiting Department of Redevelopment (hereinafter referred to as "the Department") is a duly authorized body of the City of Whiting in accordance with I.C. 36-7-14-1 *et seq*; and

WHEREAS, the Department has the statutory authority to acquire by purchase, exchange, gift, grant, condemnation, or lease, or any combination of methods, any interest in real property needed for the redevelopment of areas within the corporate boundaries of the City pursuant to I.C. 36-7-14-12.2; and

WHEREAS, the owners of various properties located in the allocation areas or the Redevelopment District of Whiting, Indiana, are interested in selling the properties to the Department; and

WHEREAS, the Department and the Whiting Redevelopment Commission (hereinafter referred to as "the Commission") believe it is in the best interests of the City and its citizens to pursue the acquisition of these properties in accordance with available funding; and

WHEREAS, the acquisition of these properties is consistent with the Whiting Redevelopment Plan as amended and confirmed on March 7, 2017.

NOW, THEREFORE, BE IT RESOLVED by the City of Whiting Department of Redevelopment as follows:

1. The Commission hereby authorizes the President or his designee to pursue the acquisition of the properties on the current acquisition list which are designated on attached Exhibit "A".
2. The acquisition may be accomplished by any means authorized by IC 36-14-7-12.2(a).
3. The President or his designee is hereby authorized to execute whatever documents are necessary to effectuate the acquisition and financing of the properties designated herein.
4. The Commission hereby finds that the acquisition of these properties benefits the allocation area in that 1) the properties are

negatively impacting the value of nearby land; 2) that this negative impact reaches as far as the allocation area by lowering the value of the land in the allocation area; 3) that demolition of the properties can positively impact the allocation area by encouraging positive growth; 4) that the properties will be needed to relocate residents from the allocation area to another area of the city; and 5) that new construction would provide a higher quality of life for those who work in the allocation area.

BE IT FURTHER RESOLVED that any resolution in conflict with the terms specified herein is hereby repealed.

ADOPTED AND APPROVED at a meeting of the Whiting Redevelopment Commission held this 5th day of July, 2017.



Joseph M. Stahura, President

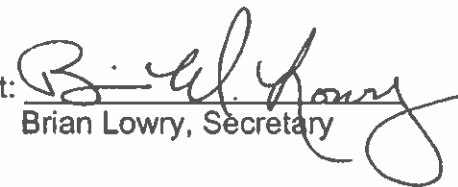
Attest: 
Brian Lowry, Secretary

EXHIBIT A

2211 Indianapolis Boulevard
2107-09 Schrage Avenue
2010 White Oak
2016 White Oak
2018 White Oak
2020 White Oak
2030 White Oak
2032 White Oak
2034 White Oak

**REDEVELOPMENT COMMISSION
CITY OF WHITING, INDIANA**

RESOLUTION NO. WRC 2021-08

**A RESOLUTION OF THE WHITING REDEVELOPMENT COMMISSION
AUTHORIZING THE ACQUISITION OF REAL ESTATE IN ACCORDANCE
WITH I.C. 36-7-14-19.5**

WHEREAS the City of Whiting Department of Redevelopment (hereinafter referred to as "the Department") is a duly authorized body of the City of Whiting in accordance with I.C. 36-7-14-1 *et seq*; and

WHEREAS, the Department has the statutory authority to acquire by purchase, exchange, gift, grant, condemnation, or lease, or any combination of methods, any interest in real property needed for the redevelopment of areas within the corporate boundaries of the City pursuant to I.C. 36-7-14-12.2 and IC 36-7-14-19.5; and

WHEREAS there is a willing seller of property located at 1719 Atchison Avenue in the Redevelopment District of Whiting, Indiana; and

WHEREAS the property does not meet current zoning regulations as it is discontinued church in an area zoned Single Family Residential; and

WHEREAS the Commission wishes to purchase the vacant building, demolish the structure, and offer the property for new construction of two (2) single family homes; and

WHEREAS the Department and the Whiting Redevelopment Commission (hereinafter referred to as "the Commission") believe it is in the best interests of the City and its citizens to pursue the acquisition of this property in accordance with available funding; and

WHEREAS the acquisition of this property is consistent with the Whiting Redevelopment Plan as amended and confirmed on March 7, 2017.


NOW, THEREFORE, BE IT RESOLVED by the City of Whiting Department of Redevelopment as follows:

1. The Commission hereby authorizes the President or his designee to pursue the acquisition of the property located at 1719 Atchison Avenue.
2. The acquisition may be accomplished as authorized by IC 36-14-7-19.5.

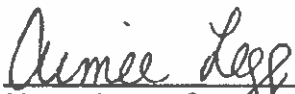
3. The Commission finds as follows:
 - a. The property is currently vacant and is a non-conforming use under current zoning.
 - b. The current owners are willing to sell the vacant church building to the Commission.
 - c. The Commission has obtained two (2) appraisals for the purchase of the property.
 - d. The Commission has authorized the Redevelopment Director to make an offer to purchase the property in accordance with Commission guidelines.
 - e. Since the property consists of sixty (60) feet of frontage, the Commission could demolish the structure and offer the property for the construction of two (2) new single family residences.
4. The President or his designee is hereby authorized to execute whatever documents are necessary to effectuate the acquisition an of the property designated herein.
5. The Commission hereby finds that the acquisition of this property benefits the allocation area in that it will provide an affordable housing opportunity for relocation of an owner whose property is on the Commission acquisition list.

BE IT FURTHER RESOLVED that any resolution in conflict with the terms specified herein is hereby repealed.

ADOPTED AND APPROVED at a meeting of the Whiting Redevelopment Commission held this 3rd day of August 2021.



Don Harbin, President

Attest: 

Aimee Legg, Secretary

RESOLUTION NO. WRC 2021-13

**REDEVELOPMENT COMMISSION
CITY OF WHITING, INDIANA**

**A RESOLUTION OF THE WHITING REDEVELOPMENT COMMISSION
AUTHORIZING THE ACQUISITION OF REAL ESTATE (1928 NEW YORK
AVENUE) IN ACCORDANCE
WITH I.C. 36-7-14-12.2 AT A PRICE GREATER THAN
THE AVERAGE OF TWO APPRAISALS**

WHEREAS, the City of Whiting Department of Redevelopment (hereinafter referred to as "the Department") is a duly authorized body of the City of Whiting in accordance with I.C. 36-7-14-1 *et seq*; and

WHEREAS, the Department has the statutory authority to acquire by purchase, exchange, gift, grant, condemnation, or lease, or any combination of methods, any interest in real property needed for the redevelopment of areas within the corporate boundaries of the City pursuant to I.C. 36-7-14-12.2; and

WHEREAS, the Commission previously authorized the acquisition of the property located at 1928 New York Avenue; and

WHEREAS, the average of the two appraisals obtained by the Department is well below the asking; and

WHEREAS, I.C. 36-7-14-9(b) permits the Commission to specifically authorize an offering price in excess of the average of two (2) appraisals; and

WHEREAS, the Department and the Whiting Redevelopment Commission (hereinafter referred to as "the Commission") believe it is in the best interests of the City and its citizens to pursue the acquisition of this property in accordance with available funding; and

WHEREAS, the acquisition of this property is consistent with the Whiting Redevelopment Plan as amended and confirmed on March 7, 2017.

NOW, THEREFORE, BE IT RESOLVED by the City of Whiting Department of Redevelopment as follows:

1. The Commission hereby authorizes the President or his designee to pursue the acquisition of the following property:

1928 New York Avenue


2. The acquisition may be accomplished by any means authorized by IC 36-14-7-12.2(a).
3. The President or his designee is hereby authorized to execute whatever documents are necessary to effectuate the acquisition and/or financing of the property designated herein with a purchase price not to exceed Two Hundred Sixty One Thousand Six Hundred Twenty Five Dollars and no cents (\$261,625.00).
4. The Commission specifically finds as follows:
 - a. The property is a key acquisition towards the completion of the Redevelopment of the 1900 block of New York Avenue;
 - b. The property is currently for sale and a new owner could hinder the existing development and inflate future acquisition costs;
 - c. The Commission owns other property on that block so new construction could commence in a timely fashion;
 - d. A willing seller for the property reduces acquisition costs and legal fees if eminent domain was necessary to complete the project.
 - e. The acquisition serves and benefits the Allocation Area.
5. Based on the findings, the Commission authorizes the President or his designee to offer a price in excess of the value of the average of two appraisals (which is Two Hundred Twenty Seven Thousand Five Hundred Dollars \$227,500.00) in the best interests of the redevelopment of the area and in an amount not to exceed the price specified above.

BE IT FURTHER RESOLVED that any resolution in conflict with the terms specified herein is hereby repealed.

ADOPTED AND APPROVED at a meeting of the Whiting Redevelopment Commission held this 7th day of December, 2021.



Don Harbin, President

Attest: 
~~Aimee Legg~~, Secretary

Kenny Kusba

REDEVELOPMENT COMMISSION
CITY OF WHITING
EXIT CONFERENCE

The contents of this report were discussed on October 10, 2024, with John Haynes, Clerk-Treasurer; Steve Spebar, Mayor and President of the Board of Public Works and Safety; Chris Sarvanidis, President Pro Tempore of the Common Council; Don Harbin, President of the Redevelopment Commission; and Denise Sejna, City Attorney.