

WESTVILLE TOWN COUNCIL

MARCH 08, 2021
MINUTES OF MEETING

A public hearing of the Westville Town Council was held at the Town Hall, 100 Setser Drive at 6:00 p.m. Present: Michael Albert, Regina Ruddell, James Bechinske, Olga Pothorski, Lori Mercer, Clerk-Treasurer, Town Attorney, Doug Beige.

Absent: Tom Fath

Michael Albert called the public hearing to order at 6:00 pm. This public hearing is regarding the property that the Town is acquiring for the wastewater expansion project. Town Attorney Doug Beige stated that this meeting is to set the value of said property. He stated that once the value is set, we will send notice to the owner. The owner will then have an opportunity to object at a hearing, which the town will set and publish in the newspaper.

The appraised value of this property is \$45,000.00. (Appraisal report attached)

Michael Albert made a motion to approve the amount of \$45,000.00 as the appraised value of the property. Regina Ruddell, second. Roll Call: Ruddell, yes; Pothorski, yes; Bechinske, yes; Albert, yes.

Michael Albert made a motion to adjourn at 6:04 pm. Regina Ruddell, second. All approved. Motion carried.

I, Lori Mercer, attest that these minutes are true and accurate.

Lori Mercer

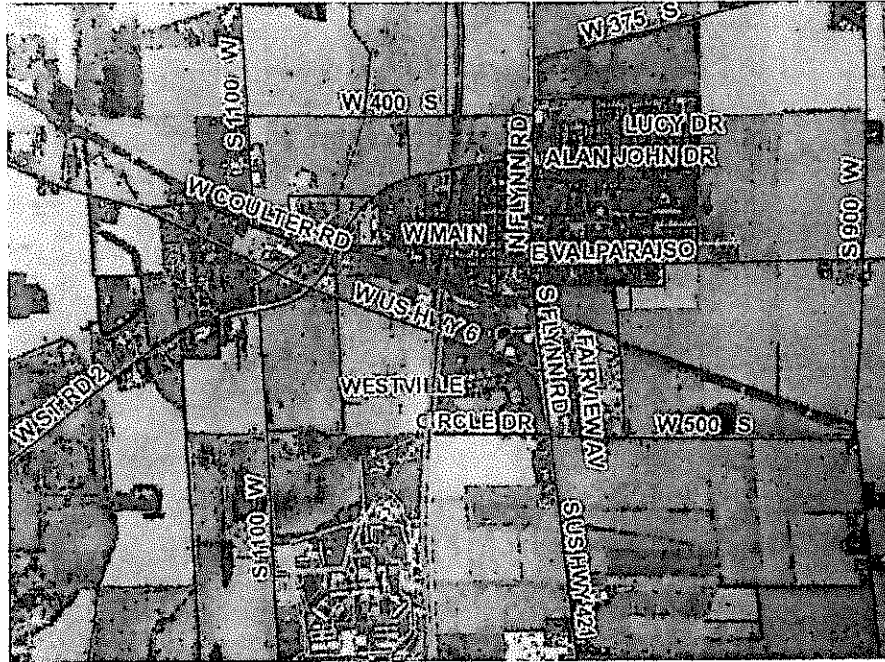
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ON

**Narrative Appraisal
of a
Proposed Land Acquisition
For
Waste Water Infrastructure
on
Vacant Land**



**Prepared for
Michael Albert
Town Council President
353 West Main Street
Westville, IN 46391**

**Prepared by
La Porte County Appraisal Service, Inc.
1029 N Roeske Trail
Michigan City, IN 46360**

Appraiser

Louis A. Pezzuto

Effective Date

December 20, 2020

Westville Waste Water Infrastructure

Qualifications of Appraiser

Louis A. Pezzuto
Real Estate Appraiser

Education:

High School: St. Mary's High School
Michigan City, IN 46360

College: Master of Science in Education, with Honors
Purdue University
West Lafayette, IN 47906
and Purdue University North Central

Bachelor of Science, with Honors
Purdue University West Lafayette

Honors

Phi Kappa Phi Honor Society (Purdue University)
Elected May of 1972

Professional Appraisal Coursework:

Appraisal Institute: - 1A1 - Real Estate Appraisal Principles at Memphis, TN
Appraisal Institute: - 1A2 - Valuation Procedures at Memphis, Tennessee
Appraisal Institute: - 8-2 - Residential Valuation at Chicago, IL
Appraisal Institute: - 8-3 - Standards of Professional Practice at Chicago, IL
Real Estate Certification Program: Income Capitalization
4.7 Basic Residential HUD Appraisal Requirements
Uniform Standards of Professional Practice
Environmental Pollution and Mold
Breaking Barriers – Fair Housing
Understanding Real Estate and Mortgage Fraud
Title & Escrow: Two Families, One Transaction

Indiana Licensed Broker - #IB51289231
Federal National Mortgage Association Approved
FHA Approved
Indiana Certified Residential Appraiser - License #CR69100137

1978 - Present Employed full time Independent Fee Appraiser for
La Porte County Appraisal Service, Inc.

Real Estate Professional Affiliations

La Porte County Association of Realtors®
Greater Northwest Association of Realtors MLS

General Assumptions

1. The legal description in this report is assumed correct.
2. No survey of the property has been made by the appraiser and no responsibility is assumed in connection with such matters. Sketches in this report are included only to assist the reader in visualizing the property.
3. No responsibility is assumed for matters of a legal nature affecting title to the property nor is an opinion of title rendered. The title is assumed to be good and merchantable.
4. Information furnished by others is assumed to be true, correct and reliable. A reasonable effort has been made to verify such information, however, no responsibility for its accuracy is assumed by the appraiser.
5. All mortgages, liens, encumbrances, leases and servitudes have been disregarded unless so specified within the report. The property is appraised as though under responsible ownership and competent management.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil or structures which would render it more or less valuable. No responsibility is assumed for such conditions or for engineering which may be required to discover them.
7. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless noncompliance is stated, defined and considered in the appraisal report.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined and considered in the appraisal report.
9. It is assumed that all required licenses, consents or other legislative or administrative authority from any local, state or national governmental or private entity or organization have been or can be obtained or renewed for any use which the value estimate contained in this report is based.
10. It is assumed that the utilization of the land and improvements is with the boundaries or property described and that there is no encroachment or trespass noted within the report.

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General Limiting Conditions

1. The appraiser will not be required to give testimony or appear in court because of having made this appraisal, with reference to the property in question, unless arrangements have previously been made therefore.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event only with proper written qualification and only in its entirety.
3. The distribution of the total valuation within this report between land and improvements applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
4. Unless otherwise stated in this report, the existence of hazardous substances, including and without limitations asbestos, polychlorinated biphenyls, petroleum leakage, or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If there is presence of such substances such as asbestos, urea formaldehyde foam insulation, or other hazardous substance or or environmental conditions, may effect the value of the property; the value estimate is predicated on the assumption that there is no such condition on or in the property or in such proximity thereto that would cause a loss in value. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them. We reserve the right to revise the value conclusion if more reliable data becomes available.
5. No environmental impact studies were either requested or made in conjunction with this appraisal, and revealed no problems. The appraiser therefore is under the assumption that no problems exist with the property that would be detrimental to marketability.
6. Neither all nor any part of the contents of this report, or copy thereof shall be conveyed to the public through advertising, public relations news sales or other media without written consent and approval of the appraiser. Nor shall the appraiser, firm or professional organization of which the appraiser is a member be identified without written consent of the appraiser.
7. The Americans with Disabilities Act ("ADA") became effective January 25, 1992. The appraiser has not made a specific compliance survey analysis of this property

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to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property, the appraiser reserves the right to amend this report. Any comparable sale constructed after 1992 will be adjusted in the report.

8. Acceptance of and/or use of this appraisal reconstitutes acceptance of the foregoing general assumptions and generally limiting conditions.

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Scope of Work

The scope of this appraisal is to personally inspect the appraised property and its marketplace and to provide an Appraisal Report of the complete appraisal process utilizing acceptable methods and techniques. Market data obtained is from sources considered reliable and has been verified wherever possible. These sources include the personal files of this firm, local multiple listing services, other appraisers, etc.

In regard to the subject property, the Sale Comparison Approach utilizing comparable vacant land sales will be the only approach to value employed.

The client for this report is Town of Westville and the Town Council President, Michael Albert contacted Appraiser Louis A Pezzuto by means of a telephone conversation on December 20, 2020. Per my conversation with Michael, I am to appraise the value of a railroad right-of-way located in parts of Sections 29 and 32 in New Durham Township. Description of the site was based on a visual inspection of the subject property where deemed accessible and a copy of the Resolution of the Town of Westville for the acquisition of the site. Additionally, John M. Slurgill of Mc Mahon Associates, Inc. provided a drawing of the site.

La Porte County Appraisal has only one appraiser and the work on this appraisal was provided solely by Louis A. Pezzuto. Additionally, no other appraisers outside of La Porte County Appraisal Service assisted on this report.

Environmental Study

No environmental assessment of the subject site has been supplied to our office. Please refer to the Limiting Conditions Section as it relates to this matter. As a policy, we recommend that an investigation into environmental hazards be completed prior to the lending or sale of this property. The appraiser is not expert in this area and reserves the right to amend our appraisal report in order to reflect any existence of environmental hazards. The appraiser did a rudimentary search on the web site Enviro Mapper provided by the Environmental Protection agency, and found no problems with the site.

Purpose of the Appraisal

The purpose of the appraisal is to estimate the market value of the subject property as of December 20, 2020.

Definition of Fee Simple Estate

A fee simple estate as defined by "The Dictionary of Real Estate Appraisal" prepared and published by The American Institute of Real Estate Appraisers is:

"Absolute ownership unencumbered by any other interest or estate; subject only to the limitations of eminent domain, escheat, police power, and taxation."

Definition of Market Value

1989 Market Value as defined in FIRREA:

Market Value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with

Definition of Value in Use

The appraisal Institute uses the terms “use value” and “value-in-use” interchangeably in its publications *The Appraisal of Real Estate* and *The Dictionary of Real Estate Appraisal*. In the *Appraisal of Real Estate*, the Appraisal Institute notes that:

...use value, is a concept based on the productivity of an economic good. *Use value is the value a specific property has for specific use.* Use value focuses on the value the real estate contributes to the enterprise of which it is part, without regard to the property’s highest and best use or the monetary amount that might be realized upon its sale. Use value may vary depending on the management of the property and external conditions such as changes in the business. Real property may have a use value and a market value. For an example an older factory that is still used by the original firm may have considerable use value to that firm, but only a nominal market value for another use. Very often use value is less than exchange or market value since use value embodies the premise that the value is predicted predominately in its current use or proposed usage.

Value in use can be succinctly described as the value contributed by the real estate to the overall enterprise. Often use value only reflects a portion of the market value when exchanged on the open market and therefore it is generally lower than market value. Value in use is the net present value of a cash flow or other benefits that an asset generates for a specific owner under a specific use.

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The acquisition involved is the land currently owned by the CSX Transportation Inc. The total site has 5.98 acres and is spread over 2,650 linear feet centered between multiple properties not owned by the CSX. Consequently, the land can be considered value in use and not market value where properties are subject to Bulk Lot Requirement, surface area requirements, and functional feasibility.

Property Rights Appraised

The captioned real property is appraised in “Fee Simple Title”, together with the Full Bundle of Rights, free and clear of all liens and encumbrances, subject only to the normal restrictions of such ownership, such as, Escheat, Police Power and Eminent Domain.

Most Recent Usage

The land has not been utilized for any specific use other than as a former right-of-way for the CSX Railroad System.

Uniform Standards of Professional Practice

The following appraisal report conforms to the standards of USPAP as adopted by the Appraisal Standards Board of the Appraisal Foundation.

Effective January 1, 2014 through December 31, 2015, Standard Rule 2-2 states that each report must be prepared under one of two options which are Appraisal Report or Restricted Report. In regard to this rule, this report is prepared as an Appraisal Report. It should be noted that under a Restricted Report, the appraisal can only be used for one intended user. By preparing an Appraisal Report, this restriction is eliminated.

Standards Rule 2-1

Each written or oral real property Appraisal Report must:

- (a) Clearly and accurately set forth the appraisal that will not be misleading;
- (b) Contain sufficient information to enable the intended users of the appraisal to understand the appraisal report properly;
- (c) Clearly and accurately disclose all assumptions, hypothetical conditions, and limiting conditions used in the assignment.

Taxing Trend

The taxes appear to be on the rise and should continue in the future to be escalating in light of decreasing state revenues for public schools. Municipalities are exempt.

Westville Waste Water Infrastructure

Effective Date

The effective date is December 20, 2020, the date of my inspection.

Sale History

Title XI of the Federal Financial Institutions Reform Recovery and Enforcement Act of 1989 commonly known as the Savings and Loan Bailout Bill led to the development of the Appraisal Foundation and the Uniform Standards of Professional Practice as the current industry standard. Under the Uniform Standards, an appraiser is required to disclose if the property being appraised has sold within the last five years if the property is commercial in nature.

Based on information from the La Porte County Assessor's office the subject property has not sold or transferred within the last 5 years. It appears there have been in house transitions involving the Railroad on 1-1-2017.

Function of the Report

To determine market value for a potential purchase by the Town of Westville.

Marketing Time

The marketing time for commercial property such as the subject is one year based on market value determined by the appraiser after the effective date of the report.

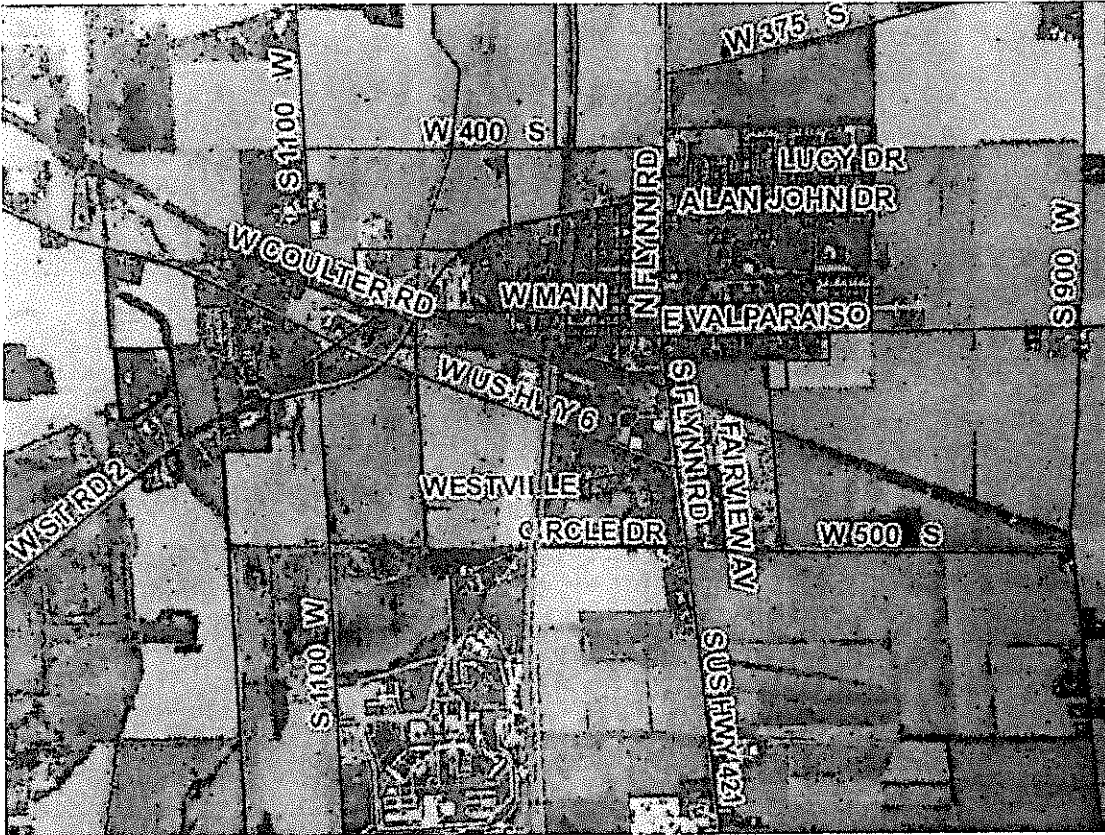
Site Description

The site can best be described as a long narrow strip of land that is approximately 2,650 sf. of length by approximately 100 feet of depth.

The site is zoned R1B Single Family residential which includes areas of moderate density single family residences. The R1B District is intended for areas where community sewers are available or scheduled in the future. The R1B Zoning also allows for day care homes licensed for five to twelve children, playgrounds and educational services as well as government buildings.

The soils are PA Palms Muck series has a very high water capacity. Surface area runoff is very slow to ponding. The soil is suited for growing corn, soybeans and specialty crops. The soil is not generally suited for building sites and for the most part septic systems.

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Location

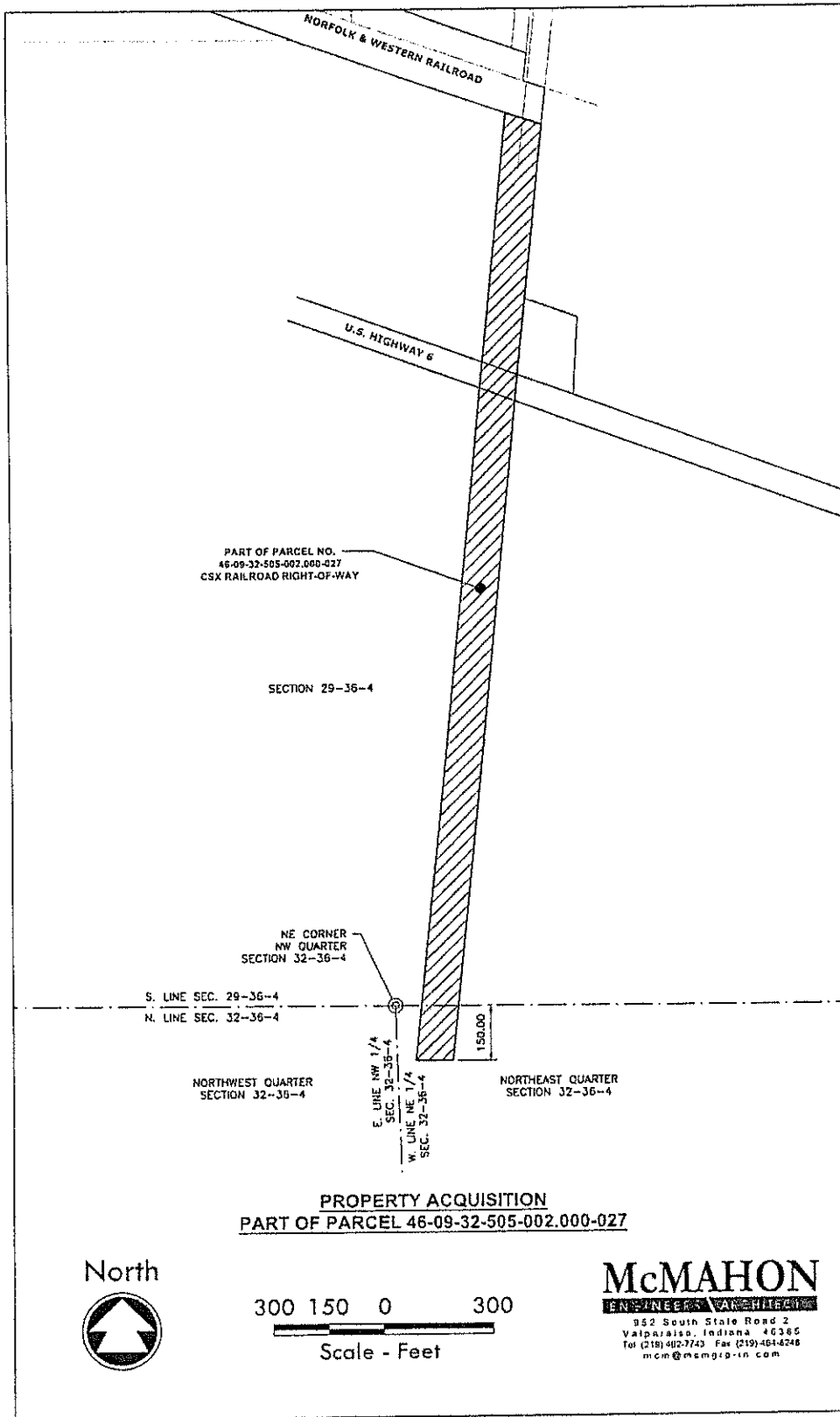
The subject property location can best be described as a narrow strip of land located just south of west Coulter Road and ending south to US Highway 6 in New Durham Township in Westville, IN 46391.

Legal Description

Part of Parcel Number 46-09-32-505-002.000-027

THAT PART OF THE CSX RAILROAD RIGHT-OF-WAY LOCATED IN SECTIONS 29 AND 32, TOWNSHIP 36 NORTH, RANGE 4 WEST OF THE SECOND PRINCIPAL MERIDIAN, LA PORTE COUNTY, INDIANA AS DESCRIBED PER PARCEL NUMBER 46-09-32-505-002.000-027, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 150.00 FEET OF SAID RAILROAD RIGHT-OF-WAY LOCATED IN SAID SECTION 32 AND ALSO THAT PART OF THE SAID RAILROAD RIGHT-OF-WAY LOCATED IN SAID SECTION 29 BETWEEN THE SOUTH LINE OF SAID SECTION 32 AND SOUTH LINE OF THE NORFOLK & WESTERN RAILROAD RIGHT-OF-WAY, SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, CONTAINING 5.98 ACRES, MORE OR LESS.

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Flood Zone

The subject property is not located in a federally designated flood plain which is zone X. The Community Panel number is 18091C0245 D and the effective date is 11-06-2013.

ANALYSIS SECTION
Highest and Best Use

Real estate is valued in terms of its Highest and Best use, which is defined by “The Dictionary of Real Estate Appraisal”, a publication of the American Institute of Real Estate Appraisers, 1984, as follows:

1. The reasonable and probable use that supports the highest present value of vacant land or improved property, as defined, as of the date of the appraisal.
2. The reasonable probable and legal use of land or sites as though vacant, found to be physically possible, appropriately supported, financially feasible, and that results in the highest present land value.
3. The most profitable use.

The second definition applies specifically to the Highest and Best use of land or sites as though vacant. When a site contains improvements, the Highest and Best use may be determined to be different from the existing use, however, the existing use will continue unless and until land value in its Highest and Best use exceeds the sum of the value of the entire property in its existing use and the cost to remove the improvements.

- 1.) **Legally Permissible** - What uses are permitted by zoning and deed restrictions?
- 2.) **Physically Possible** - To what use is it physically possible to put the site?
- 3.) **Financially Feasible** - What uses are economically and financially feasible under current and projected market conditions?
- 4.) **Maximally Productive** - What use is estimated to be the most profitable among the alternatives that are physically possible, legally permissible, and financially feasible?

Highest and Best Use

(1.) Legally Permissible:

What uses are permitted by zoning and deed restrictions?

The subject appears to be zoned R1B single family residential. R1B Transmission lines for gas, oil, and electricity are permissible. Water lines in all practicality should be permissible.

(2.) Physically Possible:

To what use is it physically possible to put the site?

The easement size is more than adequate to accommodate the waterline installation. The Crooked Creek Branch off the Kankakee River appears to be in the immediate area but the appraiser is unaware of any adversity.

(3.) Financially Feasible:

This "test" examines the legally permissible and physically possible uses which will yield the greatest net return on the land.

The subject property will bring fresh clean City water to the Indiana State Prison and inhabitants of the Westville periphery. Additionally this should provide an impetus to new single family residential growth.

4.) Maximally Productive:

What use is estimated to be the most profitable among the alternatives that are physically possible, legally permissible, and financially feasible?

The maximally and productive use of the site is for the proposed easement acquisition.

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Land Valuation 1 & 2

COMPARABLE SALE ONE	
LOCATION	2601 S Wozniak Road La Porte, IN 46350
SALE PRICE	\$34,300
DATE OF SALE	3-11-2019
TERMS	Arm's Length, Conventional
TERRAIN	Level Farm Land
LAND SIZE	1.86 acres
UTILITIES	Gas & Electric are available
ZONING	R1B
IMPROVEMENTS	None
VIEW	Agriculture-Residential
FRONTAGE	200 feet
UNIT PRICE	\$18,440 per acre
DATA SOURCE	GNIAR MLS #422541
PARCEL ID	460914100013000027
COMMENTS	G&J Acres Subdivision Lot 4, Lot Size is 200' x 405' Modular Homes must have a minimum of 1500 sf.

COMPARABLE SALE TWO	
LOCATION	West Highway 6 Westville, IN 46391
SALE PRICE	\$35,000
DATE OF SALE	5-24-2019
TERMS	Arm's Length, Cash
TERRAIN	Nearly Level and Clear
LAND SIZE	2 acres
UTILITIES	Gas & Electric are available
ZONING	R1B
IMPROVEMENTS	None
VIEW	Agriculture, Residential
FRONTAGE	350' x 250'
UNIT PRICE	\$17,500 per acre
DATA SOURCE	GNIAR MLS #444419
PARCEL ID	4609363000012000027
COMMENTS	Highway 6 just east of Highway 421 just past 700 south

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Land Valuation 3 & 4

COMPARABLE SALE THREE	
LOCATION	West 50 N Westville, IN 46391
SALE PRICE	\$31,500
DATE OF SALE	9-30-2020
TERMS	Arm's Length, Cash
TERRAIN	Moderately sloping deep and well drained.
LAND SIZE	2 acres
UTILITIES	Gas & Electric are available.
ZONING	R1B Residential
IMPROVEMENTS	None
VIEW	Residential-Agriculture
FRONTAGE	323 ft.
UNIT PRICE	\$15,750 per acre
DATA SOURCE	GNIAR MLS #474757
PARCEL ID	46053130001800046
COMMENTS	Heavily wooded quadrangle

COMPARABLE SALE FOUR	
LOCATION	55 South Wozniak Rd LaPorte, IN 46350
SALE PRICE	\$145,000
DATE OF SALE	9-28-2020
TERMS	Arm's Length, Cash
TERRAIN	Riddles Loam 0 to 2% slope
LAND SIZE	10 acres
UTILITIES	Gas & Electric are available
ZONING	Agriculture-Single Family Permitted
IMPROVEMENTS	Old hog barn & old outbuilding
VIEW	Agriculture
FRONTAGE	670 ft.
UNIT PRICE	\$14,500 per acre
DATA SOURCE	GNIAR MLS #478616
PARCEL ID	4605353000024000046
COMMENTS	Seller was willing to raze the existing farm buildings on the site.

Westville Waste Water Infrastructure

Land Valuation 5 & 6

COMPARABLE SALE FIVE	
LOCATION	West 700 South Union Mills, IN 46382
SALE PRICE	\$117,000
DATE OF SALE	10-23-2020
TERMS	Arm's Length, Conventional
TERRAIN	Hanna Sandy Loam, level and well drained
LAND SIZE	13.20 acres
UTILITIES	Gas and Electric are available
ZONING	Agricultural-Single Family Residential Permitted
IMPROVEMENTS	None
VIEW	Agricultural
FRONTAGE	138 feet of frontage
UNIT PRICE	\$8,863 per acre
DATA SOURCE	GNIAR MLS #482087
PARCEL ID	461301300019000044
COMMENTS	The frontage is very limited for the acreage amount which appears to be reflected in the sale price.

COMPARABLE SALE SIX	
LOCATION	South 600 West Wanatah, IN 46390
SALE PRICE	\$22,500
DATE OF SALE	02-04-2020
TERMS	Arm's Length, Cash
TERRAIN	Brem's fine sand nearly level, poorly drained
LAND SIZE	2.59 acres
UTILITIES	Gas & Electric are available
ZONING	Agriculture, single family permitted
IMPROVEMENTS	None
VIEW	Agriculture
FRONTAGE	171 feet of frontage
UNIT PRICE	8,688 per acre
DATA SOURCE	GNIAR #468745
PARCEL ID	461712200015000001
COMMENTS	65 Highway 30 East to 600 West just over the Rail Road Tracks

Westville Waste Water Infrastructure

The Preceding Sales Will Now Be Arranged From High to Low

Sale One	2601 S Wozniak Rd LaPorte, IN 46350	\$18,440 per ac
Sale Two	West Highway 6 Westville, IN 46391	\$17,500
Sale Three	West 50 N Westville, IN 46391	\$15,750
Sale Four	55 South Wozniak Rd. LaPorte, IN 46350	\$14,500
Sale Five	West 700 South Union Mills, IN 46382	\$8,863
Sale Six	South 600 West Wanatah, IN 46390	\$8,688

Reconciliation

The median cost per acre is \$15,125.

The subject contains 5.98 acres x \$15,125 = \$90,448.

The sales used in this represent lands that were buildable and functional for construction.

The percentage of fee 49% or \$45,223 rounded to **\$45,000**.

The indicated value for the easement is \$45,000

CERTIFICATION OF VALUE

I certify that to the best of my knowledge and belief the following:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limited conditions, and are our personal, unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
4. My compensation is not contingent upon the reporting of a predetermined value of direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
5. My analyses, opinions, and conclusions were developed, and this report has been prepared in accordance with the final rule by Office of the Comptroller of the Currency (12 CFR Part 34) dated August 24, 1990, as amended, the Uniform Standards of Professional Practice and in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute.
6. I have made a personal inspection of the property that is the subject of this report.
7. No one provided significant professional assistance to the persons signing this report.
8. The value estimated in this report was not based on a requested minimum valuation, a specific valuation, or for the approval of any loan.

It is my opinion and conclusion that the market value of the fee simple estate of the land, and improvements "as is" as of December 20, 2020

**FORTY-FIVE THOUSAND DOLLARS
(\$45,000)**



Louis A. Pezzuto, State Certified Appraiser

ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal is subject to the following limiting conditions:

1. The legal description furnished me is assumed to be correct. It was not verified by this appraiser from official county records.
2. I assume no responsibility for matters legal in character, nor do I render any opinion as to title, which is assumed to be marketable. All existing liens, encumbrances and assessments have been disregarded, and the property is appraised as though free and under responsible ownership and competent management.
3. The exhibits in this report are included to assist the reader in visualizing the property. I have made no survey of the property and assume no responsibility in connection with such matters.
4. Unless otherwise noted herein, it is assumed that there are no encroachments, zoning or restrictive violations existing in the subject property.
5. The appraiser assumes no responsibility for determining if the property requires environmental approval by the appropriate governing agencies, nor if it were in violation thereof unless otherwise noted herein.
6. Information, estimates and opinions contained in this report are obtained from sources considered reliable; however, no liability for them can be assumed by the appraiser.
7. This report shall be used for its intended purpose only and by the parties to whom it is addressed. Possession of this report does not include the right of publication.
8. The appraiser is not to be required to give testimony or to appear in court by reason of this appraisal with reference to the property in question unless prior arrangements have been made.
9. The description of the total valuation of this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
10. The statements of value and all conclusions shall apply as of the dates shown herein.
11. The appraiser has no present or contemplated future interest in the property which is not specifically disclosed in this report. The appraiser certifies that he has personally inspected the property and that, according to his knowledge and belief, all statements and information in this report are true and correct.

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12. Disclosure of the contents of this report is governed by the By-Laws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report, especially any conclusions as to value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or to the appraisal designations, shall be disseminated to the public through advertising media, public relations, media, news media, sales media, or any other public means of communication without the prior consent and approval of the author or authors.

13. No environmental impact studies were either requested or made in conjunction with this appraisal report. The appraiser, thereby, reserves the right to alter, amend, revise, or rescind any of the value opinions based upon any subsequent environmental impact studies, research or investigation.

14. This appraisal assignment was not based on a request of minimum valuation, a specific valuation, or the approval of a loan.

15. No personal property was considered in the valuation of the subject property. The subject property has not sold within the last one year period.

16. The statements of fact contained in this report are true and correct.

17. The report analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.

18. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

19. My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

20. My analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice.

21. I have made a personal inspection of the property that is the subject of this report.

22. No one provided significant professional assistance to the person signing this report.

23. Acceptance of and or use of this appraisal report constitutes acceptance of the foregoing General Underlying Assumptions and General Limited Conditions. The appraisers' duties, pursuant to the employment to make the appraisal, are complete upon delivery and acceptance of the appraisal report. However, any corrections or errors should be called to the attention of the appraisers within 60 days of the delivery of the report.

UNAPPARENT CONDITIONS

The appraiser and or appraisers assume that there are no hidden or unapparent conditions of the property, subsoil or structures which would render it more or less valuable than otherwise comparable property. The appraiser and or appraisers are not experts in determining the presence or absence of hazardous substance, defined as all hazardous or toxic materials, waste, pollutants, or contaminants (including but not limited to asbestos, PCB, UFFI, or other raw materials or chemicals) used in construction of otherwise present on the property. The appraiser and or appraisers assume no responsibility for the studies or analysis which would be required to conclude the presence or absence of such substances or for loss as a result of the presence of such substances. The value estimate is based on the assumption that the subject property is not so affected.

Westville Waste Water Infrastructure

**RESOLUTION OF THE TOWN OF WESTVILLE
FOR ACQUISITION OF PROPERTY**

RESOLUTION NO. _____

WHEREAS, the Town Council of The Town of Westville, Indiana, (“Westville”) has plans for a wastewater infrastructure improvement project to meet State and Federal regulations and Westville intends to proceed with the construction of such project.

WHEREAS, Westville needs to acquire the following the following property which shall be injuriously affected:

THAT PART OF THE CSX RAILROAD RIGHT-OF-WAY LOCATED IN SECTIONS 29 AND 32, TOWNSHIP 36 NORTH, RANGE 4 WEST OF THE SECOND PRINCIPAL MERIDIAN, LA PORTE COUNTY, INDIANA AS DESCRIBED PER PARCEL NUMBER 46-09-32-505-002.000-027, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 150.00 FEET OF SAID RAILROAD RIGHT-OF-WAY LOCATED IN SAID SECTION 32 AND ALSO THAT PART OF THE SAID RAILROAD RIGHT-OF-WAY LOCATED IN SAID SECTION 29 BETWEEN THE SOUTH LINE OF SAID SECTION 32 AND SOUTH LINE OF THE NORFOLK & WESTERN RAILROAD RIGHT-OF-WAY, SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, CONTAINING 5.98 ACRES, MORE OR LESS.

Now, therefore, be it resolved by the Town Council, the governing body of Westville, that:

1. This Resolution shall be published in a newspaper of general circulation published in the municipality once each week for two (2) consecutive weeks.
2. This Resolution shall be mailed to the owner of each piece of property affected by the proposed acquisition.
3. The Town Council shall consider remonstrances, if any, and then take final action confirming, modifying, or rescinding its original Resolution on December 28, 2020.

Adopted and Passed by the Town Council of the Town of Westville, Indiana, this _____ day of _____, 2020.

Market Value Definition

The agencies appraisal regulations state, in part:

Market Value means the most probable price which a property should bring in a competitive and open market under all condition's requisite to the fair sale price, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1) Buyer and seller are typically motivated;
- 2) Both parties are well informed or well advised, and acting in what they consider their own best interests;
- 3) A reasonable time is allowed for exposure in the open market;
- 4) Payment is made in terms of cash in US dollars or in terms of financial arrangements comparable thereto; and
- 5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sale concessions granted by anyone associated with the sale.

Appraiser Independence:

I certify as the appraiser of this report, that I have completed all aspects of this valuation including my reconciliation of value free of influence from the client, the client's representative, *borrower, or any other person.*

WESTVILLE TOWN COUNCIL

MARCH 09, 2021

MINUTES OF VIRTUAL MEETING

The regular meeting of the Westville Town Council was held at the Westville Town Complex Community Room, 100 Setser Drive at 7:00 p.m. Present: Michael Albert, Regina Ruddell, Tom Fath, Olga Pothorski, James Bechinske, Lori Mercer; Clerk-Treasurer, Town Attorney, Doug Biege.

A motion was made by Tom Fath to approve minutes of the February, 2021 meeting. James Bechinske, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes.

A motion was made by Tom Fath to approve claims for the month of February, 2021. Michael Albert, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes.

UTILITIES

Nathan Howell gave a brief summary of the MCO report for February. It is attached.

STREETS

James Bechinske reported that there was some damage to some yards in town from the snow plowing and they will be repaired as soon as possible. He also reported that the mail boxes need to be set back 8" inches from the curb to allow for easier mail delivery as well as snow plowing.

PARKS

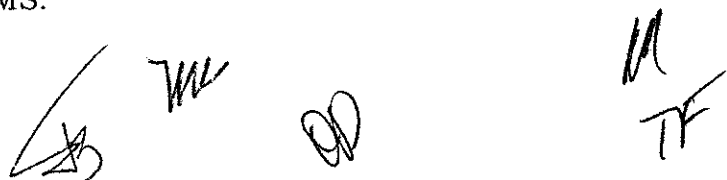
Olga Pothorski read the port-a-pot quote for the 2021 season from Johnson's Johns. For the year 2021: \$4,008.00, year 2022: \$4,203.00, year 2023: \$4,555.00. Olga Pothorski made a motion to approve the quote from Johnson's Johns. Regina Ruddell, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes.

Mike Albert made a motion to allow Tri-Kappa to use Prairie Meadow Park for free for the Pumpkin Festival on October 1st - 3rd, COVID permitting. James Bechinske, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes.

POLICE DEPARTMENT

Marshal Hynek reported monthly stats.

Marshal Hynek reported the quote from RMS (Report Management System) came in considerably less than in the past, at \$2,604.00 per year. Council approved Marshal Hynek to enter into agreement with RMS.

Handwritten signatures and initials at the bottom of the page, including a large signature on the left, a signature in the middle, a signature on the right, and the initials 'M TF' on the far right.

POLICE DEPARTMENT (CON'T)

Marshal Hynek reported they have tested candidates for the 5th officer position and they are currently working on doing the background checks on each candidate.

Marshal Hynek briefly summarized Ordinance 2021-2, Police Safety Board. He stated the board will consist of three (3) members; one member will be chosen by the Marshal and Chief Deputy, one member will be chosen by the first-class deputies, and one member will be chosen by the Town Council. The compensation for the members will be \$100.00 per year. If the Town Council chooses a member of the Council to serve on the Safety Board, that Council person will not receive compensation.

Michael Albert read Ordinance 2021-2, Police Safety Board, in its entirety. Michael Albert made a motion to approve Ordinance 2021-2 on first reading. Regina Ruddell, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes. Regina Ruddell made a motion to suspend the rules and adopt Ordinance 2021-2. Michael Albert, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes.

Marshal Hynek submitted letters from himself and the Chief Deputy as well as the first-class deputy's, to the Town Council for selection of members to the Safety Board. The Marshal and Chief Deputies choice for the Safety Board is Lindsey Fletcher. Michael Albert made a motion to approve Lindsey Fletcher as a member of the Safety Board. Regina Ruddell, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes.

The first-class deputy's choice for the Safety Board is Darin Mercer. Regina Ruddell made a motion approve Darin Mercer as a member of the Safety Board. Michael Albert, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes.

The Town Council's choice for the Safety Board is Regina Ruddell. Michael Albert made a motion to approve Regina Ruddell as a member of the Safety Board. James Bechinske, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes.

Michael Albert read the Westville Volunteer Fire Department (WVFD) recap for February. It is attached.

Michael Albert reported that the Town purchased a share of the clothing that was discussed in the WVFD report. Michael Albert made a motion to donate that equipment to the WVFD. Tom Fath, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes.

FINANCE

Michael Albert reported that we have enough in the CEDIT Fund to pay off the 2019 police truck loan. Approximate payoff is \$31,325.74. This will save approximately \$2,000.00 in interest. Michael Albert made a motion to pay off the truck loan. Regina Ruddell, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes.

Michael Albert read Ordinance 2021-3, Promotion of Town Business in its entirety. Michael Albert made a motion to approve Ordinance 2021-3 on first reading.

FINANCE (CON'T)

Regina Ruddell, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes. Michael Albert made a motion to suspend the rules and adopt Ordinance 2021-3. James Bechinske, second. Roll Call: Ruddell, yes; Fath, yes; Bechinske, yes; Pothorski, yes; Albert, yes.

MISCELLANEOUS

Ryan Boots from the Westville Cruise-In was in attendance to ask the Council's permission to hold the car show again beginning in May. Ryan stated that while little league was going on, he would have the parking on the north side of the park and will keep as much distance from the concession stand as possible. They would still maintain social distancing guidelines.

Michael Albert suggested that Ryan contacts the Town Marshal and the director of the Little League, so they can all work together to see what would work the best for all involved. Council agreed.

Jamie Vales asked the council if the Birchfield Festival Committee would be able to hold their annual Birchfield Festival during Memorial Day weekend. Council agreed to allow them to use Prairie Meadow Park for their Festival during Memorial Day weekend.

Doug Beige reported that the McMahon lawsuit has been resolved.

Another member in attendance asked if the fences at Prairie Meadow Park would be repaired anytime soon. Lori Mercer stated that has been discussed and they should get in touch with Mark Hale for more information on that.

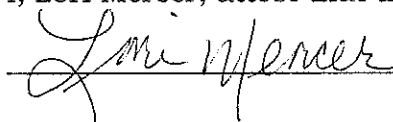
CITIZENS COMMENTS

Steve Williams was in attendance and expressed his concerns regarding part-time police officer positions being permanent. It was explained to him that these positions were on a temporary basis to cover vacations that were not able to be taken due to the COVID-19 pandemic. It was also explained that the money needed to cover the part-time officer's salaries was already in the budget and no extra money would be needed.

ANY OTHER MATTERS THAT COME BEFORE THE COUNCIL

A motion to adjourn was made by Regina Ruddell at 7:54 pm. James Bechinske, second Motion carried.

I, Lori Mercer, attest that these minutes are true and accurate.





Town of Westville
February 2021 Monthly Report of Operations
Prepared By: Nathan Howell
March 8, 2021

Water

1. GIS –Nothing new to report. We will place a large emphasis on this during the Spring.
2. The INDOT roundabout and culvert replacement projects are proceeding. Meade was on site relocating gas mains. We had to get ME Simpson to locate the water main in the area. We could not get a good locate with the Town's equipment. We have had many meetings regarding the design of the water relocation and the location of the Coulter Road force main.

NIPSCO has started relocating gas mains for the project. We were on site many times to make sure the water main was not damaged. We had ME Simpson on site to locate the main.

3. There was a water main break on 2/15/21. The leak was on the edge of Flynn Road and Valparaiso Street. Adam indicated there were potential issues with previous main breaks at that location. Because of the location, we called ME Simpson to get a hard locate on the main. We also called D & M Excavating to dig and they said they could not do it. We called G.E. Marshall who sent a crew. The asphalt was 14 inches thick in that location. The leak was repaired under pressure so a boil advisory was not necessary.

Wastewater

1. The Nash Finch Lift Station still needs a flow meter installed. We have contacted McMahon for their help in getting a contractor interested in installing the meter and vault. The station is seeing increased flows due to the increased traffic at the Dollar General facility. We have not yet begun to work on this.
2. The Westville Estates pump station is deteriorating rapidly. We have spoken with McMahon to renovate the station.
3. We continue to spend much time on the DOC renovation project.
4. MB Controls is in the process of installing the Mission unit at the wastewater plant.
5. We had both Superior Pumping and MB Controls on site for the New Durham lift station. There were pump and control issues at the station. It appears the problems have been corrected.

Town of Westville - Operational Summary for the Wastewater Treatment Plant

Influent

2021	Total Gallons	Flow			BOD		TSS		Ammonia		Phosphorus	
		Max. Daily	Min. Daily	Monthly Avg.	mg/l	#'s	mg/l	#'s	mg/l	#'s	mg/l	#'s
January	5,781,500	227,000	165,000	186,500	143	230	282	447	29.6	46.1	5.6	8.7
February	5,650,400	248,800	177,600	201,800	145	249	296	506	24.9	42	5.1	8.6
March												
April												
May												
June												
July												
August												
September												
October												
November												
December												

Effluent

2021	Total Gallons	Flow			BOD		TSS		Phosphorus		Ammonia	
		Max. Daily	Min. Daily	Monthly Avg.	Monthly Avg.	% Removed	Monthly Avg.	% Removed	mg/l	% Removed	mg/l	% Removed
January	5,560,000	221,000	158,000	174,900	2.5	98.2	3.8	98.1	.2	97.2	.16	99.5
February	5,406,400	230,500	170,000	193,100	3	97.8	6.5	97.8	.2	96.1	.34	98.6
March												
April												
May												
June												
July												
August												
September												
October												
November												
December												

Town of Westville – Operational Summary for the Water Treatment Plant

Month Ending	Total Monthly Flow	Maximum Daily Flow	Minimum Daily Flow	Average Daily Flow	Chlorine Usage (lbs.)	Fluoride Usage (lbs.)
01/31/21	3,642,000	159,500	0	117,300	56.3	41
02/28/21	4,212,900	397,600	53,500	150,500	62	46
03/31/21						
04/30/21						
05/31/21						
06/31/21						
07/31/21						
08/31/21						
09/30/21						
10/31/21						
11/30/21						
12/31/21						



Web: johnsonjohns.com
 Phone: 219-393-1080
 Fax: 219-393-3577

Address:
 P.O. Box 417
 Kingsbury, IN 46345

PORTABLE SANITATION SERVICE PROPOSAL

DATE: March 9, 2021

CUSTOMER: Town of Westville Attn: Mark Hale (PH: 219-608-0014) 100 Setser Dr. Westville, IN 46391	CONTACT: Bubba Phone: 219-608-0014 Lori Mercer Phone: 219-785-2123	JOB or PROJECT: Town of Westville Parks 2021 Season 2022 Season 2023 Season
--	---	--

DESCRIPTION	2021	2022	2023
Dates needed: April 1st - October 31st (7 months)			
<u>Main Street Park</u>			
1 - Handicap Restroom with Hand Sanitizer > Serviced on Mondays and Fridays	\$754.00	\$754.00	\$800.00
<u>Prairie Meadow Park</u>			
1 - Handicap Restroom with Hand Sanitizer > Serviced on Mondays and Fridays	\$2,300.00	\$2,495.00	\$2,750.00
2 - Regular Restroom with Hand Sanitizer > Serviced on Mondays and Fridays			
<u>Blue Line Park</u>			
1 - Handicap Restroom with Hand Sanitizer > Serviced on Mondays and Fridays	\$754.00	\$754.00	\$800.00
Units relocated and all services for Pumpkin Festival	\$200.00	\$200.00	\$200.00
Season Total	\$4,008.00	\$4,203.00	\$4,550.00

THANK YOU FOR YOUR BUSINESS!

PROPOSAL SUBMITTED BY: Derek Johnson General Manager Johnson Johns & Septic Service T: 219-393-1080 C: 219-363-3534 E: derek@johnsonjohns.com	CUSTOMER SIGNATURE: <div style="text-align: center; font-family: cursive;">Lori Mercer</div>	DATE: <div style="text-align: center; font-size: 1.2em;">3-9-21</div>
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ORDINANCE NO. 2021-2

AN ORDINANCE OF THE TOWN COUNCIL OF
THE TOWN OF WESTVILLE, INDIANA,
ESTABLISHING A SAFETY BOARD FOR THE
WESTVILLE POLICE DEPARTMENT

WHEREAS, Indiana Code § 36-5-7 sets forth the statutory definition and powers for the Town Marshal; and

WHEREAS, pursuant to IC. 36-8-3 a local authority such as the Town of Westville, Indiana, is permitted to establish a Safety Board; and

WHEREAS, the establishment of the Safety Board relinquishes the Police Department from utilizing the Civil Service Commission; and

WHEREAS, the Town Council of the Town of Westville, Indiana, has determined that it is in the best interests of the citizens of Westville, Indiana, to enact an ordinance establishing a Safety Board to oversee the Westville Police Department.

NOW, THEREFORE, BE IT RESOLVED, ESTABLISHED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WESTVILLE, INDIANA, AS FOLLOWS:

SECTION 1. Organization

The Safety Board will consist of three (3) members comprised of:

- 1 member – selected by the Town Council (can be the Police Liaison; however, Police Liaison may not receive additional compensation for this duty).
- 1 member – selected by the Town Marshal.
- 1 member – selected by non-administrative police personnel.

Safety Board members will be approved for membership by a majority vote of the Town Council.

Members may be removed at the request of the appointing unit and unanimous vote of the Town Council.

Members must live within the geographical jurisdiction of the Town of Westville, possess strong character, and be representative of the community standards for the Town of Westville.

Members are to serve a term of four (4) years with no set term limit. Members will be subject to appointment at the Town Board meeting directly preceding the swearing in of the newly elected Town Board. Members will internally select a member to serve as Board Chair.

The Safety Board will convene regularly two (2) times a year at the direction of the Board Chair and at the request of the Town Marshal in special circumstances including but not limited to hiring, firing, and promotional processes. The two (2) designated meetings will consist of training and legal updates at the direction of the Police Liaison (or member selected by the Town Council).

Special appointments will take place in the event a member has vacated his/her seat on the Safety Board and at the time of this ordinance's passage.

SECTION 2. Authority

The Town Council retains the sole ability to appoint a Town Marshal in accordance with IC 36-5-7 and IC 36-8-3-3(c)(1). The Town Marshal shall appoint the Westville Police Department's Chief Deputy with a majority vote of approval from the Safety Board.

The Safety Board will appoint all full-time and part-time sworn law enforcement personnel with recommendation from the Town Marshal and being in accordance with standards set forth in IC 36-8-3.2 for a probationary term of one (1) year. After successful completion of probationary status, personnel shall be retained for regular full-time employment.

The Safety Board will be tasked with internal promotions within the Police Department through a formal process of including but not limited to a written test and interview.

The Safety Board will oversee all discipline, demotion, dismissal, including hearings, appeals, and administrative leave as set forth in IC 36-8-3-4. Members are entitled to notification of the Town Marshal's recommendation of termination or demotion to the Safety Board.

The Town Marshal may suspend any member without approval of the Safety Board for a maximum of five (5) days. The Town Marshal must notify in writing to the Safety Board of any members' suspension or leave and justification.

The Safety Board will also appoint and terminate non-sworn positions such as clerical and technical support positions within the department considering guidelines established and the recommendation of the Town Marshal.

The Town Marshal retains exclusive control of operations of the Police Department. IC 36-8-3-3(g).

SECTION 3. Compensation

Members will receive a yearly compensation of \$100 a year for services rendered in the best interest of the Police Department, Town Council, and the Town of Westville.

SECTION 4. Repealer


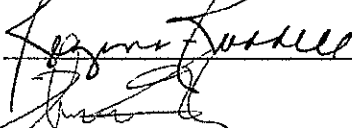
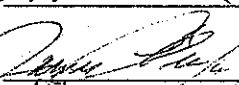
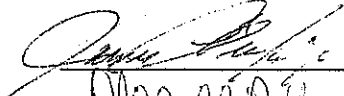
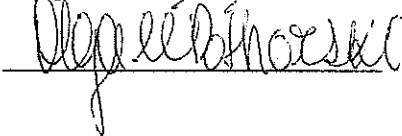
All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. It is provided, however, that such repeal shall be only to the extent of such inconsistency, and in all other respects the ordinances or parts of ordinances are hereby ratified, reestablished and confirmed.

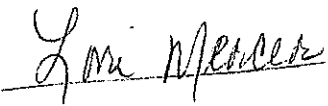
SECTION 5. Effective Date

This Ordinance shall be in full force and effect from and after its adoption in the procedures required by law.

Passed by the Town Council of the Town of Westville, LaPorte, Indiana, by a vote of 5 of all members present and voting this 9 day of Mar, 2021.

WESTVILLE TOWN COUNCIL

BY: 





Attest: 



WESTVILLE POLICE DEPARTMENT

Town Marshal Nathan Hynek

Chief Deputy
Joe Walker

100 Setser Drive
Westville, IN 46391
(219) 785-4177

March 9, 2021

Westville Town Council

Michael Albert, Board President

Tom Fath, Board Vice-President

James Bechinske, Council Member

Regina Ruddell, Council Member

Olga Pothorski, Council Member

100 Setser Drive

Westville, IN 46391

Re: Nomination for Safety Board

Town Board Members,

With the passage of Ordinance #2021-2, we respectfully submit Darin Mercer, a Town of Westville resident, as our nomination in service to the Westville Police Department and the Town of Westville. Thank you for your consideration in this matter.

Respectfully,

Tempest Miller & Dylan Barden

Westville Police Department



WESTVILLE POLICE DEPARTMENT

Town Marshal Nathan Hynek

Chief Deputy
Joe Walker

100 Setser Drive
Westville, IN 46391
(219) 785-4177

March 9, 2021

Westville Town Council

Michael Albert, Board President

Tom Fath, Board Vice-President

James Bechinske, Council Member

Regina Ruddell, Council Member

Olga Pothorski, Council Member

100 Setser Drive

Westville, IN 46391

Re: Town Marshal Nomination for Safety Board

Town Board Members:

With the passage of Ordinance #2021-2, I respectfully submit Lindsey Fletcher, a Town of Westville resident, as my nomination in service to the Westville Police Department and the Town of Westville. Thank you for your consideration in this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "N. Hynek".

Nathan Hynek, MS

Town Marshal

Westville Police Department

ORDINANCE Number 2021-3

ORDINANCE AUTHORIZING THE EXPENDITURE OF LIMITED FUNDS FOR THE
PROMOTION OF BUSINESS IN
THE TOWN OF WESTVILLE, INDIANA

WHEREAS, the Town of Westville has proposed periodic expenditure of funds for the promotion of the Town of Westville; and

WHEREAS, funds have previously been used for the purposes set forth in this Ordinance; and

WHEREAS, the Town has the authority pursuant to IC § 36-1-3 to enable the Town of Westville to invest in its activities, and has determined it in the best interest of the Town and its residents, to invest in the promotion of the Town of Westville.

NOW, THEREFORE, BE IT ORDAINED BY THE WESTVILLE TOWN COUNCIL, LA PORTE COUNTY, INDIANA, THAT:

Section 1: Recitals - The foregoing recitals are hereby incorporated into this Ordinance, No. 2021-3 as if fully set forth herein.

Section 2: The Town of Westville may budget as appropriate, funds from the general fund to pay the expense of, or to reimburse Town officials, for expenses incurred in promoting the best interests of the Town. Such expenses may include, but are not limited to: staff events, non-profit organizations, Westville Schools, Westville Community Historical Society, the purchase of flowers for funerals, and Town promotions.

Section 3: Severability - The various portions of this Ordinance are hereby expressly declared to be severable, and the invalidity of any such portion of this Ordinance shall not affect the validity of any other portions of this Ordinance, which shall be enforced to the fullest extent possible.

Section 4: Repealer - All ordinances or portions of ordinances previously passed or adopted by the Town of Westville that conflict with or are inconsistent with the provisions of this Ordinance are hereby repealed.

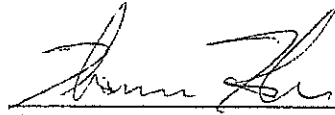
Section 5: Effective Date - This Ordinance shall be in full force and effect from and after its passage and approval.

APPROVED by the Town Council on 3/9, 2021.

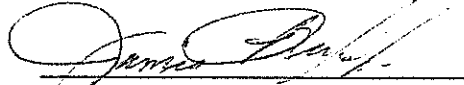
Town of Westville, Indiana



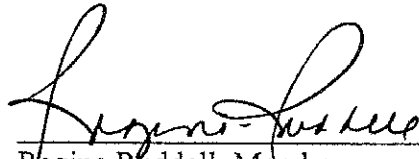
Michael Albert, President



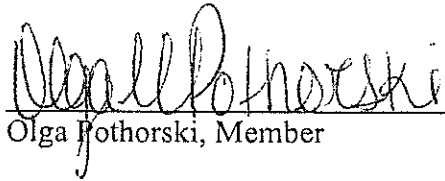
Tom Fath, Vice President



James Bechinske, Member

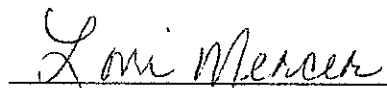


Regina Ruddell, Member



Olga Pothorski, Member

ATTEST:



Lori Mercer, Clerk-Treasurer

WVFD Activity Recap

Location: Westville Town Hall Monthly Town Board Meeting

Date: 3-9-2021

Time: 19:00

Agenda details:

- | | |
|------------------------|--------------------------------|
| I. February 2021 Calls | February call |
| A. Town Limits- 13 | Breakdown |
| B. New Durham Twp- 11 | EMS: 26 |
| C. Jackson Twp- 11 | MVA W/INJ: 2 |
| D. Mutual Aid- 2 | MVA WO/ INJ: 1 |
| E. Total-----37 | Disregarded: 3 |
| | False Alarms-1 |
| | Citizen Complaint/Open Burn- 2 |
| | Mutual aid- 2 Building fires |

II. Happenings:

a. WVFD would like to express our greatest appreciation to the town council for the funds that we used to purchase 2 new sets of structural firefighting gear, for all of our members. As well as 2 sets of wildland gear for all members. As time progresses firefighters are faced with an extraordinarily rising rate of cancer due to toxins that are released in modern fires. The additional gear allows us to properly decontaminate gear without members being placed out of service until their gear has been decontaminated. This further strengthens our abilities to keep our members as well as their families safer after calls.

b. Awaiting results from our ISO Audit in October. ISO grades the water department on water supply, hydrant testing and maintenance as well as us on our vehicles and equipment, and our abilities to respond and get water on a fire in a timely manner. This rating has a significant effect on taxpayers home insurance rates.

d. Currently gathering specs from multiple apparatus manufacturers for new pumper tanker. This will eliminate two of our oldest pieces of equipment that have succumbed to corrosion due to age as well as road treatments in the winter. One of them has an approximately 24 inch crack on the frame and was immediately taken out of service.

e. Still looking for new members, COVID restricted much of our ability to recruit new members. For example going to the high school and talking to juniors or seniors, as well as not being able to have an open door policy for visitors at the station where we gained potential new members

WESTVILLE TOWN COUNCIL

MARCH 16, 2021
MINUTES OF MEETING

A public hearing/special meeting of the Westville Town Council was held at the Town Hall, 100 Setser Drive at 5:00 p.m. Present: Michael Albert, Regina Ruddell, James Bechinske, Lori Mercer, Clerk-Treasurer.

Absent: Tom Fath, Olga Pothorski, Town Attorney, Doug Beige.

Michael Albert called the public hearing to order at 5:00 pm.

First on the agenda is the additional appropriation public hearing. The additional appropriation is for \$24,000.00 for other fees and services and \$11,000.00 is for capital outlay for a total of \$35,000.00 for the General Fund. Michael Albert stated this is money that was left over from the Cares Act Fund. \$24,000.00 of this money will be used to satisfy a portion of the contract with the Town and the Fire Department. Michael Albert asked if there was any public comment. There was none. Michael Albert closed the Public Hearing portion of the meeting.

Michael Albert read Ordinance 2021-4, Additional Appropriation in its entirety. Michael Albert made a motion to approve Ordinance 2021-4 on first reading. James Bechinske, second. Roll Call: Ruddell, yes; Bechinske, yes; Albert, yes.

Michael Albert made a motion to suspend the rules and adopt Ordinance 2021-4. Regina Ruddell, second. Roll Call: Ruddell, yes; Bechinske, yes; Albert, yes.

Michael Albert made a motion to adjourn at 5:04 pm. Regina Ruddell, second. All approved. Motion carried.

I, Lori Mercer, attest that these minutes are true and accurate.

Lori Mercer

M
RB
JK
W
OP

WESTVILLE TOWN COUNCIL
MARCH 16, 2021
PUBLIC HEARING/SPECIAL MEETING
100 SETSER DRIVE
5:00 P.M.

AGENDA

ADDITIONAL APPROPRIATION

NOTICE TO TAXPAYERS OF ADDITIONAL APPROPRIATIONS

Notice is hereby given to the taxpayers of Town of Westville, La Porte County, Indiana, that the proper legal officers will consider the following additional appropriations in excess of the budget for the current year at their regular meeting place at 100 Setser Drive, Westville, Indiana, 5:00 o'clock p.m., on the 16th day of March, 2021.

AMOUNT

Fund Name: 0101 GENERAL

Major Budget Classification:

Services and Charges	\$ 24,000
Capital Outlay	<u>\$ 11,000</u>
TOTAL for General Fund:	<u>\$ 35,000</u>

The additional appropriations as finally made will be referred to the Department of Local Government Finance (Department). The Department will make a written determination as to the sufficiency of funds to support the appropriations within fifteen (15) days of receipt of a Certified Copy of the action taken.

Dated March 1, 2021

LORI MERCER, CLERK-TREASURER
(Fiscal Officer)

**ORDINANCE 2021-4
ADDITIONAL APPROPRIATION ORDINANCE**

Whereas, it has been determined that it is now necessary to appropriate more money than was originally appropriated in the 2021 annual budget; now, therefore:

Sec. 1. Be it ordained by the Town Council of the Town of Westville, La Porte County, Indiana, for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to laws governing the same:

	AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
Fund Name: 101 GENERAL		
Major Budget Classification:		
Services and Charges "	\$ 24,000.00	
Capital Outlay	\$ 11,000.00	
Total for General Fund	\$ 35,000.00	

Adopted this 16th day of March, 2021.

NAY	James BAYE
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ATTEST:
Loni Mercer
Secretary of Governing Body