

Burns Harbor Redevelopment Commission Minutes of Wednesday, January 8, 2020

The Redevelopment Commission of the Town of Burns Harbor, Porter County, Indiana met in a regular session on Wednesday, January 8, 2020 in the Town Hall. The meeting was called to order by Redevelopment Commission Vice President, Brad Enslen at 6:00 p.m.

The Pledge of Allegiance to the American Flag was recited.

Roll Call:

Commissioner Biancardi (Toni).....	Present
Commissioner Roseann (Bozak)	Present
Commissioner Enslen (Brad)	Present
Commissioner Hull (Eric)	Absent
Commissioner Loving (Nick)	Present
Commissioner Stone (Ronald) (non-voting member)....	Absent

Additional Officials Present

Attorney-Clay Patton
Karnerblue Era-Consultant-Tina Rongers
Recording Secretary-Marge Falbo

Others Present

Holladay Properties-A.J. Monroe and Mike Micka
SEH of Indiana-Glenn Peterson
Sarah Oudman

In Loving Memory of Raymond G. Poparad

Commissioner Enslen says I would like to note the passing of our member, Commissioner Ray Poparad. Ray will be missed on this commission because of his skill, knowledge and common sense to our proceedings. Please keep Ray's family in your thoughts.



Courtesy of White-Love Funeral Home

After graduating from Chesterton High School in 1972, Ray began a career in the Operating Engineers Local 150 and remained an active member for over 45 years. During this time, he also took on the role of a volunteer firefighter in Burns Harbor. A role that would eventually lead him to becoming the Fire Chief and serving for more than 30 years. Another one of his roles in the town he loved was serving as an elected official on the Burns Harbor town Council. This was a position that led him to be Town Council President where he served with pride by representing those who elected him.

Ray was a civic minded individual who valued family, community service and good deeds. He was a husband, father, grandfather, brother, uncle, friend, mentor and leader of the community. In his spare time, he was usually found working on projects in one of his barns, helping friends in times of need and spending days with his family. One of his fondest summer activities was watching his grandsons play in the barns and ride four wheelers. He will be missed.

Reorganization

Commissioner Biancardi makes a motion to retain the current officers, Commissioner Hull, President, Commissioner Enslen, Vice President and I would remain Secretary. Commissioner Loving seconded the motion. Commissioner Biancardi–Aye, Commissioner Bozak–Aye, Commissioner Loving–Aye, Commissioner Enslen–Aye. **Motion passed.**

Approval of Minutes

Commissioner Loving makes a motion to the approve the December 11, 2019 meeting minutes. Commissioner Biancardi seconded the motion. Commissioner Bozak–Aye, Commissioner Biancardi –Aye, Commissioner Loving–Aye, Commissioner Enslen–Aye. **Motion passed.**

Reports

Commissioner Biancardi says I was at the DEDC today and Chesterton reported that they are demolishing the K-Mart and apparently signing a lease agreement tomorrow. We share an update of what each community is doing so I did talk about our plan that is on the website, the Trail, the Community Center and things that we have going on. Porter reported the property between Shelton and the TA on the south side of US 20, Anderson Trucking from Gary is moving their operation there and that they are moving forward with their luxury apartments. That is what's happening with our neighbors.

RDC Attorney

None

RDC Engineer

None

RDC

Consultant-Karnerblue

None

Duneland School Board Representative

None

Correspondence

Commissioner Enslin says we have something from Yost Elementary School. Commissioner Loving says that is from Mr. Huwig. I am planning on attending, taking notes and reporting back.

Commissioner Enslin says we have a meeting calendar and one possible conflict with a holiday. A meeting date of July 8, 2020. There are no vacation conflicts so we will keep the meeting date as scheduled.

Commissioner Loving says for the February 12, 2020 meeting I make a motion that we move the start of the meeting to 6:30 pm.

Commissioner Loving makes a motion to move the start of the meeting to 6:30 pm. Commissioner Bozak seconded the motion. Commissioner Loving-Aye, Commissioner Biancardi-Aye, Commissioner Bozak-Aye, Commissioner Enslin-Aye. Motion passed.

Old Business

Marquette Greenway Trail Update

Glenn Peterson, SEH of Indiana

Peterson says we had talked before the holiday with Rongers and Commissioner Hull to give an update. It's been a while since I've been here. I think it's a good time to get this update taken care of. Just so you are aware, at the last NIRPC Transportation Resource Oversight Committee (TROC) meeting, they did approve the additional funding for the Marquette Greenway Trail through the CMAC funds.

The Phase I (Federal funded) project through the National Parks is progressing to meet all INDOT deadlines as of now. We are tracking January, February and March right now for that project.

Phase II (State funded) is the Recreational Trails Program. That one is going to be incorporated with the Westport PUD. At this point we're in a holding pattern on that until some things get sorted out on the PUD. We have until the end of 2021 to complete that project, so we are trying not to overdo that project and have to redesign it when the PUD comes in.

Phase III (State funded) is the rapidly approaching one and will go under construction this year. Design plans for that is probably 75-80% done. There are a few things that we're going to be coordinating through the RDC and Town Council to be sure that everyone's on board with the

alignment for that project. We met with INDOT in the first week of December 2019 about the crossing of State Route 149 and what they are going to allow us to do there. This is a little bit of work that needs to be done on that portion of things. Other than that Phase III is pretty much ready to go. The one thing we are still waiting on is the environmental and the document is progressing. There is going to be some additional field work being done in the next week or so for our wetland impacts on the project. We have a site in the National Park that's within the corporate limits of the Town of Burns Harbor and have a meeting with the Army Corp, National Parks and IDEM on January 24, 2020 to discuss what they are going to allow us to do for mitigation and make sure we have all everything in order for that project. This is a joint effort between National Parks, Army Corp and the Town of Burns Harbor. Utilities and railroads are moving forward as fast as utilities and railroads want to move forward. BP, we're scheduled to have all the pipeline located for the entire Trail by the end of January we should have that work done. In anticipation for getting these projects all lined up for construction, there is one thing we are going to ask for tonight and that would be for you to authorize us to go to bid with a set of plans for tree clearing for all the Phases of construction. With tree clearing and permitting agencies, there is a deadline of April 1st for tree clearing. You can't do tree clearing because of Indiana bats from April 1st to October 30th. So, what we are asking for tonight is the RDC to approve us to go to bid for a tree clearing contract. At a minimum it's going to be the Arcelor Mittal property where the Trail corridor is and to the Westport site where the Trail is going to go. We have also been trying to coordinate with National Parks to see if they would allow us to do the work on their property for the Trail corridor. They have approved the alignment informally. The formal approval is still yet to come. So, we are trying to see what can be done and what can't be done under that informal agreement. The tree clearing has been coordinated with Army Corp and US Fish and Wildlife. There's going to be some limitations as far as the clearing goes. They can't do mechanical clearing. We have to leave stumps in the ground – that type of thing, so we are not disturbing any of the wetlands. Other than that, if you have any questions on the Trail or anything else, I will leave it up to you.

Commissioner Biancardi says for the benefit of Commissioner Bozak as new, can you just explain the location of Phase I, II and III of the Trail so she can better understand. Peterson says Phase I, for reference, that will start at end of Beam Street and the end of Babcock Road where those two streets would intersect. It will head West through the Mnoké Prairie, the National Parks down into the floodway of the Little Calumet and then under the railroad bridge back through the flood plain and back up to Stanley Street.

Phase II would start at Stanley Street head down through a vacated road right-of-way or an unimproved road right-of-way through a 3½ acre parcel that the Town acquired a couple years ago and then into the Westport PUD site. Right now, the current plan is to head along the BP easement down to Haglund Road which would be the start of Phase III.

Phase III is planned to cross State Road 149, head up Boo Road down Navajo right here in front of Town Hall through the Arcelor Mittal piece to the Portage corporate limit.

Commissioner Biancardi says what Phases will we start construction on this year. Peterson says Phase III. The funding is this year. Phase II the funding is available whenever. Commissioner Biancardi says so we are working backwards. Peterson says yes, we are working backwards. Phase I is in 2021 and is the most expensive portion of the Trail. Commissioner Loving says I have one question. When do we put shovels in the ground this year for Phase III? Peterson says the biggest thing is going to be Army Corp permitting and that is in the works. There's a potential to go to construction as soon as March or April. The problem is how soon will we be able to get that tree clearing permit. It might go out to bid and then just sit there for a little while. It's what the thought is at this point. They can do the work that's not in the wetlands during that time.

Commissioner Loving makes a motion to have Glenn Peterson put out the Tree Clearing Bid immediately for all three (3) Phases. Commissioner Bozak seconded the motion. Commissioner Loving–Aye, Commissioner Biancardi–Aye, Commissioner Bozak–Aye, Commissioner Enslin–Aye. Motion passed.

Peterson says the plan is to receive bids on January 27, 2020 at 10:00 am by either the Clerk-Treasurer or the Deputy Clerk. If possible, we should have a Special meeting on January 29, 2020 to award the bids that night.

Commissioner Loving makes a motion to have a Special Meeting to award the bids on Wednesday, January 29, 2020 at 7:30 pm. Commissioner Biancardi seconded the motion. Commissioner Biancardi–Aye, Commissioner Bozak–Aye, Commissioner Loving–Aye, Commissioner Enslen–Aye. Motion passed.

Rongers says if I can make just one note with the tree clearing. That does move us into a construction aspect of the project and that construction management oversight by SEH would be a separate contract. So, I will be coordinating with Peterson the contract proposal for the construction piece that would help cover the construction phases of the projects going forward. I just wanted to let you know that the construction contract would be forthcoming at a future meeting.

Westport PUD Update

A.J. Monroe

Holladay Properties

Monroe says I was just asked to come in and spend a few minutes talking about where we stand with the workplan we presented to the Commission back in July of 2019. We are on track. You will recall back in November 13, 2019 we presented the vision plan for the Westport PUD here at the Town Hall. I think the meeting went well. I believe the concept was well received and subsequently we released the architect, planners, engineers and designers to move forward with the development of the concept plan. They have been busy and have had a lot of meetings over the course of the last month and one half of preparing the necessary documents to submit the Concept plan application pursuant to the requirements of the Town's Ordinance. That application will be submitted on Friday, January 17, 2020 and it's our hope to set for the agenda at the Plan Commission to present the Concept Plan to the Town's Plan Commission on February 3, 2020. At that point in the process we will be seeking their advice and recommendations for the preliminary plan for the PUD. We will be ready for that submittal on January 17, 2020. Smith Group will be here. Abonmarche will be here at the Plan Commission meeting on February 3, 2020 to assist in the presentation of the Concept Plan and answer any questions at that time the members of the Plan Commission may have. Again, we're on track. Everything is going well.

Monroe says Commissioner Bozak, as a new member, if there is any time you would like to get together, I will review what was presented on November 13, 2020 and answer any questions you or anyone else has. I would be more than happy to spend any time that you need to catch up on what's going on.

Commissioner Loving says I was at the Plan Commission meeting on Monday, January 6, 2020 and they are expecting you to be on the agenda and you are good to go. Commissioner Hull was very clear that everyone should come prepared to that meeting on February 3, 2020. Monroe says we'll have the requirements that are outlined in the Ordinance ready and submitted in that application and it's our intention to also present a PowerPoint presentation to talk about the Concept Plan.

Duneland School Agreement

Commissioner Loving says Commissioner Biancardi and I worked on this over the course of the last month as instructed. We are going towards a grant-based program eventually, but I think our recommendation is going to be to proceed with this year as we have in the past. We will make the payment to the School Board in February, and then keep working on the logistics of how the grant-based program would work. The problem is in order to do a grant issuance for the 2020 through 2021 school year (which is the next school year) we would be asking people to submit grants right now in order to approve it by April so they knew what they would have funding for next year because the timeline is too compressed.

Commissioner Biancardi says I don't have a strong opinion either way. If grants are the direction the Board wants to go, we don't have a framework in place to make that smooth. I think we need to make sure we consider the investment that the teachers and/or Corporation will need to make to get us the applications and how it all works together. I don't want to say yes until I figure out

what's happening. I agree with Commissioner Loving, we already budgeted the \$100,000 this year in anticipation of an agreement. I checked with Attorney Patton and I believe by making a motion we could make a payment in February 2020.

Commissioner Biancardi makes a motion to make a payment to the Duneland School Corporation in February 2020 in the amount of \$50,000. Commissioner Bozak seconded the motion. Commissioner Bozak–Aye, Commissioner Loving–Aye, Commissioner Biancardi–Aye, Commissioner Enslen–Aye. Motion passed.

New Business

Karnerblue Contract for Professional Services

Commissioner Loving says did the rates stay the same. Rongers says there was a rate increase for my time, but the overall value of the contract hasn't changed. It has been consistent. Commissioner Loving says what was it this year. Rongers says it was \$130,000.

Commissioner Biancardi makes a motion to approve the contract with Karnerblue. Commissioner Loving seconded the motion. Commissioner Loving–Aye, Commissioner Biancardi–Aye, Commissioner Bozak–Aye, Commissioner Enslen–Aye. Motion passed.

Commissioner Loving says Rongers is worth every penny. Rongers says thank you.

Holladay Properties Proposal for Professional Services

Westport Municipal Building

Commissioner Loving says this is to produce the schematic design services in three (3) \$9,500 payments for a total of \$28,500 plus the soil for \$7,000.

Commissioner Biancardi says we have had a conversation and would like your opinion on the 30%. Rongers says the discussion was the difference between 30% and what you can cost out and can you provide solid numbers for 30%. Micka says we are pretty comfortable at the 30%. 100% is great – you're spot on, but the way we typically do things as a developer/owner is we have checkpoints throughout the process. Commissioner Biancardi says as you said with the checkpoints at 30%, if something changed somewhere, we have the flexibility to change it. If you get a 100% plan, and something changes, now you're paying to go back and modify that plan essentially. Rongers says it is my understanding also it helps inform the RDC in terms of the type of development finance package that we need to create the project. So, from the financial budgeting standpoint instead of overcommitting and not having the resources, the 30% helps the RDC make better decisions. Commissioner Biancardi says I like that because it helps us be more responsible financially and to make sure we're gathering data and information as we go. Micka says when we were selected to be part of this team we were selected as a developer and you guys are the owner here. This is the way we've done all of our projects. We have come up with a concept and take it to the schematic drawing level, go through the budget exercise at that point to see if it still makes sense and then decide to go forward. Commissioner Biancardi says I like that.

Commissioner Biancardi makes a motion to approve the contract for the 30% architectural design. Commissioner Bozak seconded the motion. Commissioner Loving–Aye, Commissioner Biancardi–Aye, Commissioner Bozak–Aye, Commissioner Enslen–Aye. Motion passed.

Approval of Claims Register

Commissioner Biancardi makes a motion to approve the Claims Register. Commissioner Loving seconded the motion. Commissioner Biancardi–Aye, Commissioner Bozak–Aye, Commissioner Loving–Aye, Commissioner Enslen–Aye. Motion passed.

Approval of Financial Report for the Month of December 2019

Commissioner Loving makes a motion to approve the Financial Report for the Month of December 2019. Commissioner Bozak seconded the motion. Commissioner Bozak–Aye, Commissioner Loving–Aye, Commissioner Biancardi–Aye, Commissioner Enslen–Aye. Motion passed.

Good of the Order

None

Adjournment

Commissioner Loving makes a motion to adjourn. Commissioner Bozak seconded the motion. Commissioner Biancardi-Aye, Commissioner Loving-Aye, Commissioner Bozak-Aye, Commissioner Enslin-Aye. Motion passed.

The meeting concluded at 6:42 p.m.

APPROVED on February 12, 2020

REDEVELOPMENT COMMISSION
FOR THE TOWN OF BURNS HARBOR

Eric Hull, President

Brad Enslin, Vice President

Toni Biancardi, Secretary

Roseann Bozak

Nick Loving

ATTEST:

Marge Falbo, Recording Secretary