

Burns Harbor Redevelopment Commission

Minutes of July 8, 2020

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

The Pledge of Allegiance to the American Flag was recited.

Roll Call:

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

Additional Officials Present

Attorney-Clay Patton
Burns Harbor Clerk-Treasurer-Jane Jordan
Burns Harbor Deputy Clerk-Corinne Peffers substituting for Marge Falbo
Chesterton Tribune-Lily Rex
Holladay Properties, Mike Micka
Karnerblue Era-Consultant-Tina Rongers
SEH of Indiana-Glenn Peterson

Approval of Minutes

Commissioner Bozak makes a motion to the approve the June 10, 2020 meeting minutes. Commissioner Loving seconded the motion. Commissioner Biancardi–Aye, Commissioner Bozak–Aye, Commissioner Enslin–Aye, Commissioner Loving–Aye, Commissioner Hull–Aye.
Motion passed.

Reports

RDC Attorney

Attorney Patton says I sent to the Town Council last week the Governor's extension of the public health emergency. We are allowed to meet remotely. We didn't for these meetings. But, should the public health emergency extend past the deadline of August 3rd or things get worse we still do have that option.

RDC Engineers

Commissioner Hull says Global engineers communicated they had nothing to report tonight.

RDC Consultant-Karnerblue

Rongers says I just want to bring forth a grant opportunity. The Chi-Cal Rivers Fund has an opportunity that would enable Burns Harbor to enhance the public access for the Fisherman's public access point just down Navajo to the dam. I spoke with Commissioner Hull about this opportunity a couple of weeks ago and he gave the go ahead, so I worked with SEH on that. Right now, in the Next Level Trails program, the Fisherman's parking lot will be enhanced as part of that project scope. Initially, when we applied for State funding for the Marquette Greenway, we had included enhancing the Trail over to the dam, but due to budget constraint on the State side, that portion had to be eliminated from the Next Level Trails. This funding program gives us the opportunity to build off Marquette Greenway to create a gravel pathway from the parking lot over to the bluff area. Then we would build a staircase down towards the Fisherman's access area and over to the river. Then there would be a paddlers path that would enable kayakers on the Little Cal to be able to portage their canoes and kayaks around the dam. This would improve public safety for our recreational users as well as our fisherman. The grant maximum is \$300,000. It is

a fifty-fifty program. So, tonight I would be asking for authorization to commit \$150,000 in funding to support this grant opportunity. This grant does have a built-in function called an “indirect rate” which will give us some dollars off that \$150,000 pledge. We could most likely be coming in at about \$132,000 as the actual Town commitment. But, for general purposes tonight, a commitment of \$150,000 to proceed with this grant application and then authorization to submit the application. It is due tomorrow. The partnership opportunity with this is Praxair. They are interested in being a volunteer source to the project. I will continue to explore funding opportunities that could be available through corporate partners. This project would be supported by National Park Service, the Town and then there are a list of other non-profit organizations that are also doing enhancements along the Trail such as Save the Dunes. This just gives us an opportunity to build out Marquette Greenway, increase safety and provide habitat improvements by removing some evasive species.

Commissioner Hull says in the event we were to authorize to apply for this grant and later we found that we didn't want it or couldn't do it, would we be bound up. Rongers says no you would still have that option. This grant would be awarded six months from now, I believe is the timeline for the review. We would be looking at a 2021 commitment, so you would have an opportunity to accept or deny based on their decision.

Commissioner Enslin says I'm assuming that the portage to get around the dam would help control erosion. Rongers says it's challenging right now for kayakers or paddlers to portage around the site because it's very overgrown. The staircase and improvement that would be made to the shoreline would help stabilize some of the shoreline erosion that occurs. In conjunction with this project there is another grant application through Save the Dunes Council that is looking at some of the log jams that are East of the dam and that again would help with some of the flood events and the severity of that. This project would help stabilize the shoreline as well as enhance the ecology and public safety of the site which is a big concern. I do believe that in 2021 there would be funding available, but we do need to think about the current commitments that the Town has relative to Westport and Marquette Greenway.

Commissioner Hull says it looks like we need closer review. Commissioner Biancardi says is there an opportunity possibly to have funding partners for this. Rongers says for the grant it doesn't prevent us from looking at other strategies to meet the local match. We can continue to dialog with Praxair, Arcelor or other industry partners or other grants that could support that work. Commissioner Hull says combining Clerk-Treasurer Jordan's financial report and the multi-year spreadsheet would help us understand our situation better. I believe we have some funds that are not committed at this time. Rongers says I think there is room in the budget to look at the timing of some of the commitments and movement of funds as we budget into 2021. Clerk-Treasurer Jordan says I just want to point out that you didn't get your tax abatement money this year yet. You should anticipate getting that at the end of July beginning of August. That will be at least \$300,000 and you'll get another \$300,000 next year and that is separate from the TIF money that Rongers is trying to schedule out how to pay. Commissioner Hull says this is a project that wasn't on our list but it's up the board members what they want to do. It's an opportunity where we can get someone else to give us a grant to pay for half of it and that's great. We don't have any other opportunities on the other projects that are on that list at this time in front of us.

Commissioner Biancardi makes a motion for Rongers to apply for the grant and for the RDC to commit the \$150,000 match. Commissioner Enslin seconded the motion. Commissioner Biancardi-Aye, Commissioner Bozak-Aye, Commissioner Enslin-Aye, Commissioner Loving-Aye, Commissioner Hull-Aye. Motion passed.

Rongers says I want to acknowledge Clerk-Treasurer Jordan and her for her report. It's really helpful to the level of detail that's provided. I will continue to coordinate to get the multi-year spreadsheet updated and as we get some new project information coming from our other commitments, we can give you a clearer picture coming into August.

Duneland School Board Representative

Commissioner Stone says we are putting together our plan to get the kids back to school. It's 42-pages. We are trying to cover everything. We surveyed 90% of our students' parents. Our numbers were phenomenal with the survey. 80% want to come back traditionally. Let's get back to school. If we can social distance, wear masks, then that's what we're going to have to do. I

think we're going to capture a lot of the kids and hopefully it's goes smoothly. We have to work on some busing issues. People may have to drive their kids; they may have to make sacrifices but it's better than your kids not going to school. We're trying. Commissioner Hull says the kids are itching for some kind of normalcy. Commissioner Stone says I think everybody is.

Commissioner Biancardi says can we add Clerk-Treasurer under reports, so she has the opportunity to report on items related to financials.

Correspondence

None

Old Business

Marquette Greenway Trail Update

Rongers says I will report on Next Level Trails. We will be having our first construction meeting next Wednesday to kick-off that project. Gariup Construction is the firm leading that. The contract was signed earlier this week. We submitted our claim to the State and it's under review. The DNR staff is on vacation this week so after they have an opportunity to review it, we should be receiving our Next Level Grant funds to support construction.

We have the Trail plan set for the Recreational Trails Program section which is the Westport area. That's in coordination with Abonmarche and SEH. We are just finalizing that plan and will have that submitted to the State hopefully by the end of this week.

With CMAC, we are continuing with the railroad coordination. There are some technical issues involving communication between INDOT, Norfolk Southern, NIRPC and so forth. We will have more information for you with respect to that probably next month. We are looking at these issues and doing some documentation as it relates to that project.

Commissioner Hull says something came up during the last couple of weeks -- Gariup had asked if they could use our sales tax. There was an issue with that. Rongers says I haven't had a chance yet with this grant to be able to reach out to the State to find out about the exemption use without using Burns Harbor's tax ID.

Westport PUD Update

Micka of Holladay properties says a quick update of where we're at with the Westport PUD. We're actually in the final stage. A lot of the work has been done through the Plan Commission over the last several months. We had a Public Hearing on the PUD on June 8, 2020 and the recommendation was to move to the Town Council. The hope is seven of seven tonight and we'll have the Council approval for the PUD. The next level of project related to this is the primary plat. The primary plat was submitted for review on Monday, July 6, 2020 and that's being reviewed, and the hope is to get that on the Plan Commission meeting on August 3, 2020. We should be done with the PUD process tonight. Then the primary and secondary plat which will take us through November 2020 to get all that approved. Commissioner Hull says you had forwarded over an addendum for the contract. Micka says I did. The contract that we signed was in May of 2019 and that was the response to the RFQ for Master Developer for Westport. The contract was based on the \$4,000 per month to run the project through the PUD process and the platting. The contract was for 12 months. There was renewal language in the contract but after further discussion with Attorney Patton it was recommended that we amend the contract upon approval and extend it instead of just verbally. So, what we are asking for tonight is an amendment to the contract from May 8, 2019 through December 8, 2020--basically extending it from May 2020 through December 2020. That will get us through everything relating to the PUD ordinance, primary and secondary plat for the Westport development. The fee will remain the same - \$4,000 per month for that term. Commissioner Hull says so basically, we're making an extension to the contract and that's the only change in it. Then at the end of that contract we should be complete with everything we want to do. Attorney Patton says I have no issues with the contract.

Commissioner Loving makes a motion to extend the Westport PUD contract through December 2020 at \$4,000 per month. Commissioner Bozak seconded the motion. Commissioner Biancardi--Aye, Commissioner Bozak--Aye, Commissioner Enslin--Aye, Commissioner Loving--Aye, Commissioner Hull--Aye. Motion passed.

Rongers says Matt Kaiser of Abonmarche reached out late last week to say as part of doing the Trail plans and because of the technical issues of the site with paralleling the BP pipeline that their budget was about \$7,000 over. So, he has submitted a letter requesting authorization to be able to submit those funds to us. If you recall, initially SEH was overseeing that part of designing of the Trail but we shifted to have SEH focus on the bookends of the Trail through Westport and then Abonmarche focusing on the part of the Trail as it goes through the development area. SEH had a cost savings of approximately \$27,000 and so we essentially do have existing funds available to cover this additional \$7,000 in overrun by Abonmarche. Commissioner Hull says I received the letter from Abonmarche today and I will forward it to the Board members so you will have the letter from them. They would like that task to be called Marquette Greenway Trail design. It is added to their existing contract up to \$7,000 and would be added as an addendum. What we can do off of their request is tell them our intent. They can provide the addendum and Attorney Patton can review it. As long as we approve it for next month, we should be good. If that's what everyone wants to do.

Susan Hall
1216 Stanley Street

I am a resident of Burns Harbor and several of the neighbors are hearing a lot of rumors about what is actually going into this Westport Development, especially about the apartments that are scheduled to go in there. The rumor is that these are going to be like HUD homes for income based. Is that true? Commissioner Hull says the gentleman that going to build all the apartments is sitting right next to you. I'm sure he and all of us can answer any questions you have. A lot of the information is available on the Burns Harbor website and the purpose of that is, so we don't have rumors. Micka of Holladay Properties says these will be market based apartments. We are not seeking any government finance for the projects or HUD projects. We had a market study done that helped us target our rent amounts and we're designing the buildings and renting them out for a market base development.

Duneland School Corporation Agreement

Commissioner Hull says I don't believe we've made any progress or have anything different. We are going to continue to leave it on the agenda until we come to a resolution.

New Business

None

Approval of Claims Register

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

Approval of Financial Report for the Month of June 2020

Commissioner Bozak makes a motion to approve the Financial Report for the Month of June 2020. Commissioner Loving seconded the motion. Commissioner Biancardi–Aye, Commissioner Bozak–Aye, Commissioner Enslin–Aye, Commissioner Loving–Aye, Commissioner Hull–Aye. Motion passed.

Good of the Order

Commissioner Enslin says regarding the Ambulance, is it possible to set up a like a charitable foundation to support them so that if a Burns Harbor company or corporation wants to make a donation, they can actually get a tax deduction out of it. Attorney Patton says the biggest expense to my understanding are the salaries. I'm not sure how we can accept donations that would pay for salaries. I don't know if Clerk-Treasurer Jordan has any thoughts on that. Clerk-Treasurer Jordan says it is my understanding that you don't have to be a 501c3 or government entity—so a donation is tax deductible. You can when you make a donation, as a person or company to a community say I'm donating X amount of dollars and I want used for this. The Council can choose to accept or refuse it depending on what they're saying that want to do with it. Then we would earmark it for that purpose. Commissioner Enslin says what brought this to mind is in the UK the lifeboat service is funded by a charity. We have a money crunch here for the foreseeable future and it would be nice if we had something in place, if it's possible to do it. It's probably something for the Town Council to consider and I just thought I'd bring it up and see if anybody could look into it and how do we get word out that it's possible to donate.

Rongers says the Indiana Arts Commission approved our grant modification. So, we've got about \$3,500 in grant funds to partner with the Parks Department to offer a series of social distance painting classes for the community. I want to thank Commissioner Biancardi and Kim Burton for taking the lead and crafting that opportunity. The State worked with us to change the intent for which we were originally seeking those funds which was some of the engagement we had last year at the Food Truck Square.

Adjournment

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

The meeting concluded at 6:44 p.m.

APPROVED on August 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