

**Burns Harbor Redevelopment Commission
Minutes of August 12, 2020**

The Redevelopment Commission of the Town of Burns Harbor, Porter County, Indiana met in a regular session on Wednesday, August 12, 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:

Commissioner Biancardi (Toni).....	Present
Commissioner Bozak (Roseann).....	Present
Commissioner Enslen (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
Karnerblue Era-Consultant-Tina Rongers
Holladay Properties-Mike Micka
Recording Secretary-Marge Falbo
Chesterton Tribune-Lily Rex

Approval of Minutes

Commissioner Bozak makes a motion to the approve the July 8, 2020 meeting minutes. Commissioner Loving seconded the motion. Commissioner Biancardi–Aye, Commissioner Enslen–Aye, Commissioner Loving–Aye, Commissioner Bozak–Aye, Commissioner Hull–Aye.
Motion passed.

Reports

Commissioners

None

Clerk-Treasurer

None

RDC Attorney

None

RDC Engineers

None

RDC Consultant-Karnerblue

Rongers says we have not received word yet on our Chi-Cal Rivers Fund grant that we applied for last month. We'll keep an eye out for that. Under "New Business" I'll introduce a new grant opportunity that will support some efforts connected to the Westport PUD. Also, I will be working with the RDC to help with the budget planning for next year.

Duneland School Board Representative

Commissioner Stone says it's been relatively quiet. I'm sure you know we are going with the hybrid model. We are practicing social distancing. We thought this was the best chance to start school, get the kids acclimated and if it goes well our goal is to get to in-person school. Commissioner Hull says you guys have been far ahead of everyone else in communication and information.

Correspondence

Commissioner Hull says I did receive our Wetland General Permit, our Wetland Permit and our Water Quality Permit. I will make sure that everybody gets those.

Old Business

Marquette Greenway Trail Update

Commissioner Hull the construction of the Next Level Trails section that runs from here to Portage is anticipated to start. We were waiting on the permits we just received, so we should see activity soon. On the other side of Westport and the section that's under NIRPC and CMAC there is correspondence going back and forth with the Railroad and some coordination that needs to take place. I believe we're waiting on the Wetland Mitigation and the Army Corps of Engineers.

Rongers says we did receive word from the National Park Service that they will be approving our Environmental document. They are going to allow us to proceed with the INDOT document and then they will continue to coordinate with us to bring that document up to some of their new standards that have come out. They didn't want to hold back our project with some of the additional requirements and that helps us stay on track with our construction.

Westport PUD Update

Commissioner Hull says the PUD section will actually be addressed tonight at Council and the Plat is going through the motions with the Plan Commission.

Micka of Holladay Properties says to build on that the PUD could be done tonight if the Town Council approves the second reading. We are set for a Public Hearing on September 14, 2020 for the Plat by a motion made at the August meeting. The only other thing to is we identified a logo for the Westport development. We had 20 or so entries, narrowed it down to two and made a decision. I think we'll have to get through all the public and comments with the Plan Commission before we really start posting marketing signs.

Commissioner Hull says there has been some confusion about who is authorized to do what with the Westport PUD, the different documents, etc...Commission Biancardi says it might be worth it on the RDC website page (we have a specific development page) we could try to put all the documents there. Micka says there are parts of this that Holladay will develop and parts the Town will develop. I think it's our plan that we're trying to submit here. So that's the message that needs to be continued to be portrayed. Commissioner Hull says please don't hesitate to ask if you have any confusion and we will do our best to keep address it. I know that Rongers and Commissioner Biancardi have done an excellent job of keeping all the documents updated to the website. Public documents are always available and out there.

Also, just to make sure that everybody knows and we're transparent on it – Lot 16 – the large lot in the back had to be split in half because you can't have a lot so many times wider than it is deep. So, the solution for that was to split it. There is a reference to that in the Covenants and we do need to get them in review, so everyone has a chance to look at them as well. They will need to be finalized for the final plat and not for the primary plat.

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

Commissioner Hull says we are working with South Shore Clean Cities. They have a grant opportunity to possibly put in some electric vehicle charging stations. They are looking for local communities to band together in order to get a \$1 million grant and it would be good for us to participate. Are we currently a member of Clean Cities? Clerk-Treasurer Jordan says we are not, we don't pay any dues and I don't know if that means we are, or we aren't. Rongers says as part of the grant application they are requesting that we be a Silver member which is \$1,000 membership to engage in the process. What that gets us is the application and a long-term education training relationship with that membership. Commissioner Hull says they are a pretty good organization to partner up with. I watched through NIRPC and some others where they really worked with a lot of different municipalities to help get electric vehicles, garbage trucks, school busses and other alternative things that we previously wouldn't have been interested in. Commissioner Loving says is that \$1,000 for the rest of the year or for the year 2021. Rongers

says it's an annual membership and I can get clarification on that for you. Commissioner Enslin says I like the idea of having electric charging stations in Town. There are two in Chesterton and they're constantly in use.

Commissioner Loving makes a motion for the RDC to become a member of South Shore Clean Cities at the Silver level. Commissioner Enslin seconded the motion. Commissioner Biancardi-Aye, Commissioner Enslin-Aye, Commissioner Loving-Aye, Commissioner Bozak-Aye, Commissioner Hull-Aye. Motion passed.

Rongers says they really want to provide technical assistance to communities to help you understand how to implement alternative fuel uses and are really focused right now through the Volkswagen Mitigation Grant. The other benefit this would bring to the community is they work with private businesses. Another part of their outreach would be to work with local car dealerships to talk about the types of incentive programs that are available to car dealers, tax incentives to buyers of electric vehicles and so forth. So, it's really educational awareness, technical assistance, being an umbrella for large grant opportunities to bring money into local communities and we get to benefit by local match.

Commissioner Loving says the difference between the Silver and Gold levels is all promotional on our behalf through their social media platforms. So, we would be promoted on social media websites, get our logo added to their monthly newsletter and all their marketing materials and then we would appear on the front page with the Burns Harbor Town logo on their website is the difference between Silver and Gold is \$1,000 to \$2,000. I withdraw my previous motion and amend it to Gold membership.

Commissioner Loving makes a motion for the RDC to become a member of South Shore Clean Cities at the Gold level for a 12-month yearly membership. Commissioner Enslin seconded the motion. Commissioner Loving-Aye, Commissioner Bozak-Aye, Commissioner Biancardi-Aye, Commissioner Enslin-Aye, Commissioner Hull-Aye. Motion passed.

Rongers says I just want to make sure we aren't missing a step. I pulled up the timetable that Bond Counsel Attorney Scott Peck has sent us, and I see that on August 12, 2020 the Burns Harbor Redevelopment Commission tonight is to be adopting the Declaratory Resolution establishing a new allocation area for Tax Increment Financing. It sounds like that may have been directed towards the Town Council. Commissioner Hull says yes. Rongers says according to the documents, the RDC would first adopt the Resolution for that and establish the new allocation area for the TIF. Then the Town Council would follow up with adopting the Ordinance establishing the EDC and nominate the members. Attorney Patton says Attorney Peck requests the Declaratory Resolution to be signed by this Board. Clerk-Treasurer Jordan says the Council in the past has done the Declaratory Resolutions for creating TIFs. Commissioner Hull says if the RDC does anything as an advisory board we are going to forward it to Council. Attorney Patton says correct. Commissioner Hull says if we want to do this, we wouldn't have the ultimate decision the Council would. Attorney Patton says correct.

Commissioner Loving makes a motion for a favorable recommendation to the Town Council for adoption of the Declaratory Resolution tonight. Commissioner Enslin seconded the motion. Commissioner Loving-Aye, Commissioner Bozak-Aye, Commissioner Biancardi-Aye, Commissioner Enslin-Aye, Commissioner Hull-Aye. Motion passed.

Approval of Claims Register

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

Approval of Financial Report for the Month of July 2020

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

Good of the Order

Commissioner Bozak says I have someone on Facebook asking if the documents on the Town website the most recent available. Commissioner Hull says yes and I'm glad there is someone paying attention. People are participating and we would love it if they came here and participated.

Clerk-Treasurer Jordan says the County Auditor sent on August 10, 2020 an advance of your TIF Distributions after the penalty waived period expired in July. That amount was \$75,604.54 in addition to the June distribution that is about 63% of what you're anticipating getting in TIF Revenue. As far as Tax Abatement Fees (even though they were most likely paid) to expedite this advance the County chose not to distribute anything but property tax. Therefore, you will not get your Tax Abatement Fees from Praxair and Mittal until December's distribution.

Commissioner Loving says when should the Tax Abatement Fees have been paid to us from the County. Clerk-Treasurer Jordan says normally they would have been paid in June when June distributions were sent because the people receiving Tax Abatement would have had to pay them in June when they paid property taxes. They chose not to pay their property taxes in June. They took advantage of the Governor's order and so they paid it by July 10, 2020 and now that the Auditor is trying to advance communities, because it's State law, she does have the ability to advance funds prior to distribution which is how she is doing that. It's all a big process and has to be approved by the State. Commissioner Loving says so essentially, we are making an interest free \$267,000 loan to Porter County for six months. Clerk-Treasurer Jordan says I think it's closer to \$360,000. Commissioner Loving says can we send them an invoice for that? Because if we had that money when we were supposed to get it, it's going to collect "X" percent interest for six months. Clerk-Treasurer Jordan says there is a law on the books that allows a community to request interest on taxes if the County Auditor does not release the funds within a certain number of days of when it's collected. This is an unusual circumstance. I don't know if that qualifies as property tax because I believe it is property tax. I will research it to see if Tax Abatement Fees fall under this law and see if we can't write them a letter and ask them for some assistance.

Two contracts were approved at the RDC in July and I was told they were going to be signed – have those been signed yet? If so, I would need copies of those. One was from Holladay to get us through the end of December and the other was for designing the trail for the Westport section.

When the Town first received your Recreational Trails State Boards' opinion at that time was because it's a reimbursable grant that a separate fund did not have to be set up and appear on your Fund Report at the Town. Since that happened, this year, they changed their mind and we need to create a fund going forward for that grant. Moving forward for 2021 we will need to create a budget for that and submit it to the State for approval just like we do some of your other grants.

Just so you are all aware you are going to need a budget for the Recreational Trails, the Next Level Trails and the CMAC Trail if you are starting to do all those projects next year. They are all going to have their own fund and we are going to have to budget those.

Rongers says we do have an executed contract with Abonmarche and I just forwarded it to Clerk-Treasurer Jordan. Commissioner Hull says we just need the Holladay addendum which is through the end of the year.

Attorney Patton says the Master Development Agreement Amendment #1 has signatures for all the members of this Board. I don't know if it was printed off and signed last month and if it was, it didn't get to the Clerk-Treasurer. I have a copy of it here. Commissioner Hull says can we get that signed tonight just in case we don't have it. Because of the virtual meetings, just like the minutes, it has been a challenge getting everyone together.

Adjournment

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

The meeting concluded at 6:52 p.m.

APPROVED on September 9, 2020

REDEVELOPMENT COMMISSION
FOR THE TOWN OF BURNS HARBOR

Eric Hull, President

Brad Enslens, Vice President

Toni Biancardi, Secretary

Roseann Bozak

Nick Loving

ATTEST:

Marge Falbo, Recording Secretary