

**Burns Harbor Redevelopment Commission  
Minutes of April 14, 2021**

The Redevelopment Commission of the Town of Burns Harbor, Porter County, Indiana met in a regular session on Wednesday, April 14, 2021 in the Town Hall and virtually via Zoom. The meeting was called to order by Redevelopment Commission Vice President, Brad Enslen at 6:00 p.m.

This meeting was made available to the public in accordance with Governor Holcomb’s Executive Order 20-09. It was streamed on both Zoom and Facebook Live.

The Pledge of Allegiance to the American Flag was recited.

**Roll Call:**

Commissioner Biancardi (Toni).....	Present
Commissioner Bozak (Roseann) .....	Via Zoom
Commissioner Enslen (Brad) .....	Present
Commissioner Hull (Eric) .....	Via Zoom
Commissioner Loving (Nick) .....	Present
Commissioner Schnabel (Tom) (non-voting member)..	Absent

**Additional Officials Present**

Attorney-Clay Patton  
Burns Harbor Clerk-Treasurer-Jane Jordan  
Karnersblue Era-Consultant-Tina Rongers  
Abonmarche-Matt Kaiser-Via Zoom  
SEH of Indiana-Glenn Peterson  
Recording Secretary-Marge Falbo

**Approval of Minutes**

Commissioner Loving makes a motion to the approve the March 10, 2021 meeting minutes. Commissioner Biancardi 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**

Clerk-Treasurer Jordan: I sent out an email with several items that need to be discussed today. I need direction from the Board on some matters that came up.

Baker Tilley sent me an email and a couple of invoices with regard to the progress, so far, on the bonding asking if the Board would be interested or would like to pay now. These are monies that could be used, or we could be reimbursed later when the bonds actually are taken out. The totals are \$22,950 for the Community Center and \$11,250, for the Westport Area Project, so we were are looking at \$34,200 for consulting fees. They were just wondering if we would pay now and then when the bonds come in, we could reimburse the Board.

Commissioner Hull: Let’s wait. Let them know we’ve had some developments, so the project is starting to move forward again.

Clerk-Treasurer Jordan: They also asked if the Board has made a decision on the selection of a Trustee for the bond process.

Commissioner Hull: That’s the bank, correct?

Clerk-Treasurer Jordan: Yes, they would be in charge of the bonds. They would take care of all of the Trustee issues with that. There are fees associated with that. They were able to get four banks interested in bidding for that. They did say if anyone had questions, they could reach out to them. I will forward this email to the entire Board in case anyone wants to chat with them about who they might recommend.

Commissioner Hull: If you do that, would you also forward your recommendation.

Clerk-Treasurer Jordan: Sure.

We received today property taxes on the land that was donated to the Town from Arcelor Mittal. I would need direction on how you want to handle that. Whether we pay out May and November installments. It is \$15,447. There is some money in there from the closing for the partial year that Arcelor Mittal owned the land. After speaking with the County Auditor, there might be something available to the Board to request waiving of that. I could start that process or see if that was even an option. I would need to contact the County Commissioners and I can do that on your behalf if that is what you would want me to do.

Attorney Patton: I believe taxes are due on the 10<sup>th</sup>. I'm not sure how soon the County Commissioners would make a decision on that. My question is if we pay these taxes on May 10<sup>th</sup> or before and they later determine it waived, do we get that money back?

Commissioner Hull: Can we pay half?

Attorney Patton: My recommendation would be to contact the County Commissioners or whoever we need to and get the application in as soon as possible; and, at the same time hold off on paying those taxes until the last day possible just so we don't have an issue of us paying them and having them refund us back. If you don't have an answer, then just pay the May installment.

Clerk-Treasurer Jordan: There was a request from the farmer of the land saying he did some till work on the property and now since the Board has decided not to renew that lease, he has asked for a \$200 reimbursement. I just want to make sure that was acceptable to the Board before I sent that check in the mail.

Commissioner Hull makes a motion to pay the farmer for the tilling work he did for us last fall for \$200. Commissioner Loving seconded the motion. Commissioner Enslin-Aye, Commissioner Loving-Aye, Commissioner Bozak-Aye, Commissioner Biancardi-Aye, Commissioner Hull-Aye.  
**Motion passed.**

Clerk-Treasurer Jordan: In tracking contracts, there was a contract that the Board had with Holladay that ran through May 2020 and then there was a second part on an addendum to that contract, that shows it was signed in July. So, between May and July it could appear as if there was no contract in place. The addendum said it would extend the contract through December. So, I interpreted that as a five-month contract-July through December. I need assurance that it's a seven-month contract, so it appears in the meeting minutes.

Commissioner Hull: I believe when that happened the contract expired, we determined we needed to get an extension which took us until the next month to get which we had to review and sign. But the intent always was to continue service through the end of December. The dates are a technicality of when things were accomplished, but the spirit of the whole project was to keep it going the whole time.

Commissioner Hull makes a motion that the contract with Holladay was to extend through the entire period May through December and there should not have been any gap period. Commissioner Loving seconded the motion. Commissioner Loving-Aye, Commissioner Bozak-Aye, Commissioner Biancardi-Aye, Commissioner Hull-Aye, Commissioner Enslin-Aye.  
**Motion passed.**

#### **RDC Attorney**

Attorney Patton: I have nothing other than to let you know next month due to other obligations I will not be present. Attorney Brazil will be here for the May 12, 2021 RDC and Town Council Meetings.

## **RDC Engineers**

None

## **RDC Consultant-Karnerblue**

Rongers: Good evening. Just a short report this month.

We are continuing with our Marquette Greenway grant management. We submitted the quarterly reports that were due to the Department of Natural Resources last month.

We have an upcoming INDOT quarterly for the Phase I CMAC grant.

You remember a few months ago we partnered with Save The Dunes and the National Park to pursue a LARE grant for log-jam removal in the Little Calumet River, that project was not selected. The State was looking for large scale log jams and ours was a series of smaller ones. It was not selected for that reason, but they will continue to look for funding opportunities so that may come back up again.

We are in the process of completing the selection for the right-of-way services as it relates to the McCauley property for the CMAC grant and we will be reviewing the three RFP responses we received. Those were Abonmarche, SEH of Indiana and BLN. Upon completion of the review, the selection will occur pending INDOT approval. We need to just finalize the selection process through them and that will be forthcoming.

## **Duneland School Board Representative**

None.

## **Correspondence**

None

## **Old Business**

### *Marquette Greenway Trail Update*

Peterson of SEH: Construction is pretty much wrapped up on Phase III. We put seed down last week so with the weather being pretty good here we should start to see some sprouts coming through.

They are planning on doing the striping the week of the 26<sup>th</sup> for the parking lot and all the crosswalks through all the driveways as well.

Commissioner Hull had met with Praxair about the site. Praxair is going to remove the rusty old fence at the end of Navajo to make it look a little nicer over there.

There has also been discussion about adding some additional timber railing along the south side of the parking lot to box in that area to make it more visually appealing. If that is something the Board would like to proceed with it would be about 126 feet and the posts are set in ten feet increments so it would go to 130 feet. That railing is \$100 per linear foot so that would add about \$13,000 to the contract. We believe that would also be recoupable through the Next Level Trails grant since we are still under the overall budget of the project.

Commissioner Loving: It's going to box in the parking lot and everyone is saying how it's going to look nicer which is all well and good, but it completely eliminates the possibility of somebody driving around the fence that's there now.

If we would like to replace that fence with some timber railing, I would be happy to meet you out there to determine what we could potentially do to make it look a little better in that area.

Commissioner Hull makes a motion to add no more than 150 feet of additional fence to finish off that area. Commissioner Loving seconded the motion. Commissioner Loving–Aye, Commissioner Biancardi–Aye, Commissioner Bozak–Aye, Commissioner Hull–Aye, Commissioner Enslin–Aye.  
**Motion passed.**

Commissioner Biancardi: This is going to be recoupable through the grant because we are under budget, correct?

Peterson of SEH: Correct

Rongers: Peterson, this is the \$25,000 that the RDC pre-approved back in January.

Peterson of SEH: If this does exceed that amount a little bit, we'll do a final quantity balancing change order at the next meeting to solidify once they get everything installed out there.

The ultimate goal would also be to improve that access point down to the river. We submitted that for grant funding about a year ago. That was unsuccessful but would be a good project going forward at some point in time.

One thing I do want to mention is we finally got authorization from National Parks that they were all good with the compliance on the Mnoke Prairie Wetland Mitigation compensation for Phase III.

Phase II and Phase I, which is just north of the railroad tracks and west of Babcock Road. We solicited quotes from seven contractors. We got two responses with proposals. We got three other responses with "we can't complete this work at this time." The two quoters were R.V. Sutton of Chesterton at \$112,500 and Gariup Construction at \$137,700. I would make a recommendation that the RDC select the proposal of R.V. Sutton and issue the notice to proceed to them so we that we can get that work scheduled. That work will be reimbursable at 64% through the Next Level Trails grant. 64% of the wetland impacts were on Phase III of the of the project--the Next Level Trails portion. There is a chance that it comes in under \$112,500.

Commissioner Biancardi makes a motion to award the bid to R. V. Sutton. Commissioner Loving seconded the motion. Commissioner Biancardi–Aye, Commissioner Loving–Aye, Commissioner Bozak–Aye, Commissioner Hull–Aye, Commissioner Enslin–Aye. Motion passed.

Rongers: I have a follow-up to the Marquette Greenway report. It also goes back to my report I had discussed about the right-of-way services RFP selection committee. I just had an opportunity to re-read the INDOT email. I need Peterson to confirm the INDOT process. We may need tonight to adjourn the RDC meeting and then allow the selection committee to complete their scoring so that we can come back with a specific firm to recommend to INDOT. I just want to make sure because we're all here tonight that we could cover that.

Commissioner Hull: There is a scoring that has to be done by three individuals and it's not all the way complete. Once the scores come back, they review it and make a recommendation to the Board and then the Board makes the award selection.

Commissioner Loving: Who are the three individuals?

Commissioner Hull: Myself, Commissioners Biancardi and Enslin.

Attorney Patton: The problem with that committee is it's a quorum of this Board and that's a public meeting. Is this how you've done this before?

Commissioner Hull: We've never done this before.

Peterson of SEH: Scoring can be done individually. It doesn't need to be done in a group setting.

Rongers: One of the scoring is already complete.

Commissioner Loving: So, we just need five minutes for the two other people to complete their scoring.

Rongers: Correct.

#### *Westport PUD Update*

Commissioner Hull: We received word late Friday night and again earlier Monday morning in talking with BP. We provided some alternative ideas to them for the pipeline crossings. They came back with very positive comments about Alternate A.

- We will be good to go over one of the crossings.
- Another crossing which is where the Trail will cross—they're in the process of taking a look at the plans and they'll make a recommendation of where to put it that they feel will have the least chances of being disturbed in the future.
- The third crossing—they are working on a price to change the pipe in just the one section.

We reduced it from having to replace the pipe in three sections to reducing the pipe in one and being able to cross in two others. With all that comes new drawings, new applications, new permits and all the things that go along with that. We will have to come before the Plan Commission and the Town Council for the PUD. That will take a couple of months, but we are moving forward again. I received this morning an email from Abonmarche that I forwarded to the Board for estimates to redo the drawings and paperwork to bring us up to where we were before. Hopefully you have had a chance to review it. We would be looking to get some approval for Abonmarche to make all the changes and get that going for us.

Commissioner Enslen: Did they say how much?

Commissioner Hull: It's \$25,200.

- revise the plan set for Concept A,
- assist for the PUD amendment
- work with BP on permit applications
- revise the water drawings with Indiana America Water
- NIPSCO drawings
- an IDEM for the sewer permits
- MS4 (municipal separate storm sewer system)

It is anticipated it will take 60 – 70 days to get that done. At the same time Holladay will be working on new timelines for the bond process along with the Community Center.

Commissioner Biancardi makes a motion to approve the contract proposal from Abonmarche for \$25,200. Commissioner Loving seconded the motion. Commissioner Bozak–Aye, Commissioner Loving–Aye, Commissioner Biancardi–Aye, Commissioner Hull–Aye, Commissioner Enslen–Aye.  
**Motion passed.**

6:40p RDC recesses to complete scoring the RFPs for the CMAC grant.

6:48p RDC is back in session.

Rongers: The preliminary scoring for the right-of-way services contract is awarded to SEH of Indiana. We would need approval by the RDC tonight to select SEH of Indiana for the right-of-way services pending INDOT approval.

Commissioner Biancardi makes a motion to select SEH of Indiana for the right-of-way services pending INDOT approval. Commissioner Hull seconded the motion. Commissioner Biancardi–Aye, Commissioner Loving–Aye, Commissioner Bozak–Aye, Commissioner Hull–Aye, Commissioner Enslen–Aye.  
**Motion passed.**

#### **New Business**

None

#### **Approval of Claims Register**

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

#### **Approval of Financial Report for the Month of March 2021**

Commissioner Bozak makes a motion to approve the Financial Report for the Month of March 2021. Commissioner Loving seconded the motion. Commissioner Loving–Aye, Commissioner Bozak–Aye, Commissioner Biancardi –Aye, Commissioner Hull–Aye, Commissioner Enslen–Aye.  
**Motion passed.**

#### **Good of the Order**

None

**Adjournment**

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

The meeting concluded at 6:59 p.m.

**Approved on May 12, 2021**

REDEVELOPMENT COMMISSION  
FOR THE TOWN OF BURNS HARBOR

\_\_\_\_\_  
Eric Hull, President

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Brad Enslin, Vice President

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Toni Biancardi, Secretary

\_\_\_\_\_  
Roseann Bozak

\_\_\_\_\_  
Nick Loving

ATTEST:

\_\_\_\_\_  
Marge Falbo, Recording Secretary