

**Burns Harbor Redevelopment Commission  
Minutes of May 12, 2021**

The Redevelopment Commission of the Town of Burns Harbor, Porter County, Indiana met in a regular session on Wednesday, May 12, 2021 in the Town Hall and virtually via Zoom. The meeting was called to order by Redevelopment Commission President, Eric Hull 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).....	Via Zoom
Commissioner Bozak (Roseann) .....	Present
Commissioner Enslin (Brad) .....	Present
Commissioner Hull (Eric) .....	Present
Commissioner Loving (Nick) .....	Present
Commissioner Schnabel (Tom) (non-voting member)..	Absent

**Additional Officials Present**

Attorney-Michael Brazil  
Burns Harbor Clerk-Treasurer-Jane Jordan  
SEH of Indiana-Glenn Peterson  
Recording Secretary-Marge Falbo

**Also Present**

Building Commissioner Jack McGraw  
Sarah Oudman  
Wilbur Oudman

**Approval of Minutes**

Commissioner Bozak makes a motion to the approve the April 14, 2021 meeting minutes. Commissioner Loving seconded the motion. Commissioner Biancardi–Aye, Commissioner Enslin–Aye, Commissioner Loving–Aye, Commissioner Bozak–Aye, Commissioner Hull–Aye.  
**Motion passed.**

**Reports**

**Commissioners**

None

**Clerk-Treasurer**

Clerk-Treasurer Jordan: I spoke with Sam at Baker Tilley and based on our conversation BOK Financial seems to be the least expensive option of the four banks that bid. He said that Baker Tilley has worked with all four of those banks and feels all of them would be a good choice. So if the Board chose to go with the least expensive as it pertains to fees assessed to the project and the process of being a Trustee I would just go with the lower bidder.

Indiana Code 36-7-14-39 talks about by June 14 the Board needs to notify overlapping taxing units of any excess assessed value. I know that you’ll be paying bonds soon and I don’t believe that’s an issue. I just want to confirm that you agree there will be no assessed value left that you wouldn’t be using.

Hull: I do not believe there is anything in excess that we will not be using.

Clerk-Treasurer Jordan: I will send out notification of that before the deadline.

Lastly, the American Recovery Grant. The Town is expecting to receive \$380,000, half of it this June and the other half in about twelve months. One of the allowable ways we can spend that

money (because just like all the other grants, they have been very strict about how we use that) saying that if we do not spend it by the end of 2024 we have to repay anything we don't use. One of the options for using these funds is to do water and sewer infrastructure. New guidelines have come out today and I haven't had an opportunity to review those. The guidelines I've seen so far and knowing that the Town Council has final say on how the money is spent, it occurred to me that you will be doing water and sewer infrastructure at Westport and that's going to be about 12½% of project cost. Certainly something to think about but like I said the Council would have the ultimate say.

Hull: That's an option we didn't have before. That's really good.

Biancardi: Clerk-Treasure Jordan had spoken to me as well about being able to use it for Sanitary infrastructure. If it does get to the point that we are unable to spend the entirety of the money, we do have three potential pieces of property that could be developed and a couple that are for sale currently that our sanitary does not reach. So we would need to do some extensions. Maybe we should keep that in mind as well that we might want to do some extensions to properties for future development.

Hull: That's an excellent idea. Stay on that and keep it in mind when we go to try and spend it on something else.

Clerk-Treasurer Jordan: Again, they're pretty restrictive on how we can use it and there's a lot of reporting and requirements because it's Federal money. This might be a great way to make sure that we could spend it all instead of having to pay any back.

Hull: Let's let the Council know that RDC would definitely be interested in using the funds.

As far as the bank for the bonds, do you need formal action on that?

Clerk-Treasurer Jordan: I apologize, I spoke to Sam and I don't know if Baker Tilley's anticipating us giving them a final decision this evening. Some of these bids came in several months back and I told him once the Board discussed it this evening that maybe we would ask him to go back with whomever you decided and confirm that those rates or fees are going to remain the same as what they bid.

Hull: I would feel good if we gave him that recommendation to allow the bond to move forward and not hold us back.

Loving: it's BOK Financial?

Clerk-Treasurer Jordan: BOK Financial, yes. The Community Center project came in at an acceptance fee of \$500, a one-time fee and then a \$600 annual fee until the bond is paid off. For the Westport PUD Bond project, they were going to waive the acceptance fee and then they would also have a \$650 annual fee until the bonds were paid off. So the total would be \$22,600 to do that Trustee work for both of those bonds combined.

Hull: How is that compared to the others?

Clerk-Treasurer Jordan:

Old National at \$29,250

Huntington Corporation at \$34,500

US Bank at \$45,000

Commissioner Loving makes a motion to go with BOK Financial as the Bond Trustee. Commissioner Enslin seconded the motion. Commissioner Loving–Aye, Commissioner Bozak–Aye, Commissioner Biancardi–Aye, Commissioner Enslin–Aye, Commissioner Hull–Aye. Motion passed.

**RDC Attorney**

None

**RDC Engineers**

None

### **RDC Consultant-Karnerblue**

Hull: Rongers had another commitment tonight. She submitted her report and you should have received that. Peterson of SEH is here tonight and he's going to give us an update.

### **Duneland School Board Representative**

None.

### **Correspondence**

None

### **Old Business**

#### *Marquette Greenway Trail Update*

Peterson of SEH: They got striping down yesterday and today. They still have to strip State Road 149. That's the only thing outstanding on this project. There are a couple punchlist items. A hole found in the asphalt that will be taken care of. We will also address some of the elevation changes on the bridge. There might be a trip hazard with some of the boards. We're wrapped up with construction. They got that extra fencing installed. It turned out nice boxing in that area and getting rid of the old rusty fence at the easement. You can still get a maintenance vehicle around there if we have to, and also have a good access point for the fisherman. It's more channelized than it was before.

Tonight there are two pay applications for Gariup that were submitted. One is the final pay application. The other one is the reduction of retainage.

At the last meeting you approved the proposal for RV Sutton to begin the wetland mitigation work at Mnoke Prairie. They have started that work out there and got everything mowed down and are getting ready to start constructing some of those keyways out there. That first pay application which will also be grant reimbursable was submitted for tonight's meeting.

The last SEH invoice for the construction inspection work on Phase III. I think we came in at approximately \$140,000 under budget on that because we built it based on the estimated construction cost not the final construction cost. Also, Gariup moved pretty quickly. We had less hours on that project. That's all on Phase III.

We're still working on setting a date for the ribbon cutting and trying to coordinate with the Governor's office and DNR because the goal is to have this as a joint effort with the City of Portage as a groundbreaking for their project. It should be in June sometime for that.

Phase II / Phase I. We are still working through the environmental process on those two projects. The change from National Parks to the INDOT format has been...we had more hoops to jump through. We are at the point now where we're finalizing that piece and will submit it next week for review.

Hull: You stated the wetland mitigation work that RV Sutton and Soil Solutions started over there is grant refundable but that's on the...

Peterson of SEH: That's from the Next Level Trails fund and a portion of that is reimbursable through Next Level Trails. That covers the mitigation for all the phases of the project.

Clerk-Treasurer Jordan: Rongers sent me notification on how to pay for that invoice and I'm going off of memory. Half of it was paid for by the RDC and the other half was Next Level Trails. You should see that in the claim book.

Peterson of SEH: Gariup still has some work to do. But, because of the way the grant funding and grant closeout works rather than having another meeting we just decided to get it all done tonight and get it taken care of.

Hull: I believe Lisa Herber contacted earlier today and she wants a follow-up call with you to get the RTP section straight.

Peterson of SEH: The RTP section has been a challenge just because we've taken this project that was supposed to be from State Road 149 all the way to Stanley Street and now we've

chopped it up and with the change in the PUD side of things we've chopped it off again. Rongers and I have had some conversations with Herber about the status. The problem is she's getting questioned by Federal highway about what the status of the project is because it hasn't gone to construction yet. The reason it hasn't gone to construction is because we're tying that together with Westport. Pretty soon we'll have to make a decision about what to do there. We'll schedule that follow-up call with Lisa but that's where we're at on that.

Hull: When are we going to make the decision on what we're going to do over there?

Peterson of SEH: That's up to the Board.

Hull: What do we have to decide?

Peterson of SEH: Whether you want to proceed with the Federal dollars that are attached to that project which is I believe \$168,000 to construct the two end pieces of the Trail or do we give it back and construct it as part of Westport.

Hull: I would hate to waste the grant dollars and all the work we put in to get that.

Biancardi: Could we reach out to Kaiser at Abonmarche and get his opinion if the development would impact that and, if not, I think we should move forward, so we don't lose that money.

Hull: That's a good idea Biancardi. Peterson please get with Kaiser and see what they recommend. I think the project team meets next Monday so if we could run that past them before that to get you some guidance to work with Herber. Does that make sense?

Peterson of SEH: Absolutely.

The other question mark that has come up is we said that we were constructing "X" number of miles of trail with that money and now we're only constructing 50% of that. The other half is being constructed as part of the development. We're still getting the same amount of trail but you're just paying for this much.

Hull: We are going to pay for the middle, they're going to pay for the end instead of just a combined total project?

Peterson of SEH: Correct. Realistically, the southwest corner, we're talking \$20,000 or less of what that actually costs. If we just did the north end, the more expensive portion of it, maybe that's the way to go.

I should mention INDOT is paving State Road 149 this year. So, we are painting the stripes on State Road 149 now just to have the active costing. They are going to get wiped out so INDOT has to replace those. They will come back with a better material that will be more durable too. I just thought I would mention that. I did talk with INDOT and they said the contractor is required to give us any pavement markings that are out there before they go out to do their milling. I think that will start after July 4, 2021.

#### *Westport PUD Update*

Hull: We don't have a lot of news on that. You have seen the things that came into Plan Commission and they applied for a request for Public Hearing. It's been set for next month. Other than that I don't know anything new on the Westport side.

#### **New Business**

None

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

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

**Approval of Financial Report for the Month of April 2021**

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

**Good of the Order**

None

**Adjournment**

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

The meeting concluded at 6:30 p.m.

**Approved on June 9, 2021**

REDEVELOPMENT COMMISSION  
FOR THE TOWN OF BURNS HARBOR

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

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Brad Enslen, Vice President

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Toni Biancardi, Secretary

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

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

ATTEST:

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Marge Falbo, Recording Secretary