

**MINUTES OF THE REGULAR MEETING OF THE
MICHIGAN CITY REDEVELOPMENT COMMISSION
JANUARY 13, 2020**

The Michigan City Redevelopment Commission met in a regular meeting in the Common Council Chambers, City Hall Building, 100 East Michigan Boulevard, Michigan City, Indiana, on Monday, January 13, 2020, at 5:00 p.m. local time; the date, hour, and place duly established for the holding of said meeting.

CALL TO ORDER

Being the first meeting of the year, Attorney Alan Sirinek called the meeting to order at approximately 5:01 p.m. to take care of the first item of business – election of the Commission's President.

ROLL CALL

Commissioners present:

Ken Behrendt, Chris Chatfield, John Hendricks, Pat Kowalski, John Sheets

Commissioners absent:

Non-voting Commissioner Theresa Edwards

Staff present:

Executive Director Skyler York, Attorney Alan Sirinek, Administrative Assistant Debbie Wilson

Staff absent:

(None)

ELECTION OF OFFICERS

Attorney Sirinek opened the floor up for nominations for President.

John Sheets nominated Ken Behrendt.

There were no other nominations, and nominations were closed. Commissioner Behrendt accepted the position and it was approved by unanimous voice vote.

Attorney Sirinek turned the meeting over to President Ken Behrendt.

President Behrendt took the chair, welcoming new members Chris Chatfield, John Hendricks, along with himself. He thanked Commissioners no longer serving – Ron Meer, Charles Oberlie, and Don Babcock.

President Behrendt opened the floor up for nominations for Vice-President.

John Sheets nominated Chris Chatfield – seconded by John Hendricks.

There were no other nominations, and nominations were closed. Commissioner Chatfield accepted the position and it was approved by unanimous voice vote.

President Behrendt opened the floor up for nominations for Secretary.

Pat Kowalski nominated John Sheets.

There were no other nominations, and nominations were closed. Commissioner Sheets accepted the position and it was approved by unanimous voice vote.

Officers for 2020: Ken Behrendt, President; Chris Chatfield, Vice-President; John Sheets, Secretary. Note: As Executive Director of the Commission, Skyler York will serve as Acting Secretary.

APPROVAL OF MINUTES

The chair entertained a motion for approval of the minutes of the executive session of 12/09/19; regular meeting of 12/09/19; executive session of 12/18/19; special meeting of 12/18/19.

Commissioner Behrendt noted a typo in the title of the special meeting of 12/18/19.

Motion by Commissioner Sheets – seconded by Commissioner Kowalski approving the minutes of the executive session of 12/09/19, the regular meeting of 12/09/19, the executive session of 12/18/19, and the special meeting of 12/18/19 as corrected. Voice vote was as follows: (Ayes) Commissioners Behrendt, Chatfield, Hendricks, Kowalski, Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

CLAIMS

Mr. York reviewed the claims docket dated January 13, 2020 as submitted noting that payroll for December totaled \$14,058.50. Mr. York read aloud all claims listed. In summary, January claims totaled: (Operating) \$3,350.45; (North TIF) \$1,087,283.79; (South TIF) \$1,720,674.41; (NE TIF) \$122,869.58; (US Bank – Ohio Street) \$188,869.79; (US Bank – Refunded Lafayette/Barker) \$.00; (US Bank – Double Track) \$.00; (Wabash Street) \$.00.

The chair entertained a motion.

Motion by Commissioner Chatfield – seconded by Commissioner Kowalski approving the claims docket dated January 13, 2020 as submitted.

Commissioner Behrendt said he assumes that what is listed as wire fees and reimbursements on the report are for bond payments, not wire fees, unless those were added to it.

Mr. York replied that he did not know but indicated he would check into it and get an answer for Mr. Behrendt.

Commissioner Behrendt asked if the City Controller is an annual fee.

Mr. York replied affirmatively.

With a motion and second on the floor, voice vote was as follows: (Ayes) Commissioners Behrendt, Chatfield, Hendricks, Kowalski, Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

FINANCIAL REPORT

Mr. York reviewed the financial report dated 11/30/19 summarizing the cash balances as follows: Operating Account \$201,734.54; South Side TIF Account \$5,984,658.36; South Side TIF Debt Reserve Account \$336,267.08; South Side TIF Capital Account \$17,568.39; North End TIF Account \$2,448,474.34; Wabash Street Streetscape Construction \$122,282.85; Wabash Street Streetscape Debt Reserve \$216,041.56; Northeast TIF Account \$124,159.27; for total cash of \$9,451,186.39. Loans Receivable include a loan to the Eastside TIF from the Operating Account in the amount of \$21,028.49, and the County Business Loan Fund in the amount of \$133,333.00, for a total of \$154,361.49, bringing total assets to \$9,605,547.88.

The chair entertained a motion.

Motion by Commissioner Hendricks – seconded by Commissioner Sheets approving the financial report dated 11/30/19 as presented. Voice vote was as follows: (Ayes) Commissioners Behrendt, Chatfield, Hendricks, Kowalski, Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

FACADE PROGRAM

(113 York Street)

Mr. York acknowledged that Anastacia Fratto was present, recalling that she presented twice to the Commission, once for the Façade and once for the Upper Story Residential. He said they have completed their façade improvements at this location noting that it is a substantial improvement to the property.

Anastacia Fratto (Blue Harbor, 100 Anchor Road, Michigan City IN) introduced Rob Harte, her colleague and Principal of Blue Harbor. She stated that since this is the first time she is in front of new members of this Commission, she has prepared exhibits of

the building and original package submitted; part of the initial package submitted back in October for the Façade Grant Program and before/after pictures showing some of the work that has been completed.

Ms. Fratto talked about the scope of work done on the building, stating that this is part of the original Zorn complex at 113 York Street. The total building square footage is about 10,000 square feet. She said they hope to be back before the Commission in April for the Upper Story.

Ms. Fratto stated that the façade work has been complete, and they have started demo work. There is 6,000 square feet on the first floor, and they are building out three residential units on the second floor. The scope of work completed included 37 new windows installed, new entry doors, new glass garage door, tuckpointed entire building (south and east elevations, the chimney, and as needed on the north and west elevations). They repaired a significant amount of bricks missing in the building, added a secondary front entry door, a dumpster per code, and a new roof on the first floor. All façade improvements were approved by the Historic Review Board.

Ms. Fratto stated that they are requesting reimbursement for the maximum \$30,000 Façade Grant. They invested over \$100,000 in exterior maintenance work; well exceeding the grant amount. She noted that they have prepared their submittal package with their paid invoices showing they paid over \$107,000 in exterior maintenance work.

Mr. York commented that the Commission approved this in October 2019, so they got the project done in a timely manner. He thanked Ms. Fratto for putting together a nice neat packet. He asked that the Commission approve the \$30,000 request.

Commissioner Chatfield commented that it was a nice-looking project.

The chair entertained a motion.

Motion by Commissioner Kowalski – seconded by Commissioner Chatfield approving a Façade Grant reimbursement in the amount of \$30,000 for façade improvements at 113 York Street. Voice vote was as follows: (Ayes) Commissioners Behrendt, Chatfield, Hendricks, Kowalski, Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

OHIO STREET

Mr. York recalled that Ohio Street was reconstructed from 400 North to US Highway 20. This is the final step, then the street goes back to the City.

Rich Deel (American Structurepoint, Highland IN) addressed the Commission acknowledging that this is the final completion letter for the project, stating that the

punch list items were complete in June of last year. There was a patch done on Highway 20 which was finished in December.

Mr. York commented that the Sanitary District will monitor the patch to make sure it does not sink again.

The chair entertained a motion.

Motion by Commissioner Hendricks – seconded by Commissioner Chatfield approving the Certificate of Final Completion for the Ohio Street project. Voice vote was as follows: (Ayes) Commissioners Behrendt, Chatfield, Hendricks, Kowalski, Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

US 12 BRIDGE

Chris Murphy (American Structurepoint, Indianapolis IN) addressed the Commission giving a brief history on the project for the benefit of new Commissioners. He explained that the bridge is owned by INDOT as part of Highway 12. Due to condition, the bridge was identified for repairs and rehabilitation a couple years ago. During the process of engineering, the City approached INDOT about adding elements to their project that would make the bridge more user-friendly for the community of Michigan City, particularly as it provides an access across Trail Creek from the Downtown to the casino area. INDOT agreed and worked with the City to provide a new typical section across the bridge that will provide a 10' multi-use path on the north side of the bridge and a 5 ½' sidewalk on the south side of the bridge; this being achieved by taking out the current median in the center of the two lanes and moving the two lanes together creating more room on the outside of the bridge.

Mr. Murphy continued stating that the City also asked INDOT to utilize a special crash railing between the travel lanes and pedestrian areas that would provide 18" of concrete barrier above the traffic lane and crash railing made of tubes above the 18". That will allow traffic to see through the tubes and pedestrian railing to enjoy the view from the top of the bridge. INDOT agreed to add those amenities to the project. They asked the City to compensate for the difference over and above the standard concrete railing that they would typically provide. Structurepoint worked up details for the special crash railing and pedestrian railing, as well as details to change out the lights from the INDOT standard to decorative lights on both the approaches to the bridge on either side and on the bridge itself. INDOT agreed to that.

Mr. Murphy stated that there is a change order before the Commission tonight regarding the decorative lights. INDOT calls them a proprietary item in that the City called for a specific manufacturer to these lights to be consistent with other decorative lights utilized by the City. INDOT agreed to that, but during the process of putting together specs for those lights, there was confusion by the manufacturer about the light poles needed for

the decorative lights, particularly related to the height of the poles. The manufacturer provided poles that were too short, and as a result there is a change order to provide the appropriate height of poles which consists of 14' high poles mounted on top of the crash barrier on the bridge and 18' high poles mounted on breakaway elements off the bridge on the approaches. A total of 39 light poles are involved. The additional cost is \$22,723.10. This is an expense that is part of the City's responsibility for costs to the project to provide decorative elements over and above the INDOT standard lighting.

Mr. York said he would refer to Mr. Murphy on how it affects the look of the bridge or feel of the lights and if this is an appropriate action; specifically, how does an 8' pole versus a 14' pole look, feel, and put out light. Mr. York said it looks like this is what is being recommended, and it fits in with the design we have; it will not affect the look of the bridge, and probably will add to the lighting.

Mr. Murphy replied that was correct, adding that the taller poles are what were designed as part of the lighting elements necessary for the bridge for safety of the pedestrians and traffic; it is appropriate to make the change to the taller poles to be consistent with the actual lighting design.

Commissioner Chatfield asked if there will be any additional items that the Commission will be responsible for moving forward on this project.

Mr. York said he would hope there would not be additional change orders. He explained that it was designed with a 14' pole but the wrong manufacturer code was submitted.

Commissioner Chatfield stated that he likes that it shows consistency with the lighting going on in the city. He said he does not have an issue with it; it seems it was just a mistake.

Mr. Murphy noted that there has previously been discussion with the Commission regarding the pedestrian railing on the bridge, which now consists of a standard metal tube railing system at pedestrian height which will be painted. There was discussion about whether there should be the addition of some emblem or medallion decorative type elements to provide the standard railing with more of a decorative approach. He pointed out that there is still some time to discuss it because the railing will be one of the final items installed on the bridge because of the lengthy lead time for ordering the railing. Mr. Murphy advised that there could possibly be an additional change order to the railing if the Commission decides to move ahead with those elements.

Mr. York asked if it would be appropriate to circulate those ideas to the Commission for discussion at the next meeting.

Commissioner Chatfield stated that it would be appropriate.

Mr. Hendricks asked if the 8' light poles were already received and sent back.

Mr. Murphy replied that they were not. The issue was discovered during the shop drawing review process when the specifications come to the engineer for review to make sure the appropriate elements are being designed/manufactured to be delivered to the site. The poles were not tall enough per design to meet the lighting requirements.

Commissioner Behrendt asked the targeted completion date of the project.

Mr. Murphy replied that it is at the end of the 2020 construction season. He noted that INDOT bid the project last August. Because it was bid later in the construction season there was not an opportunity for this amount of construction to be complete in 2019 and it would winter over in some form of maintenance of traffic, so the City asked INDOT if they could hold off on the start of construction until the beginning of the 2020 construction season so that all construction will be complete in the 2020 construction season. INDOT agreed to that. The work done so far has been some preliminary work to set up for the start of construction. The idea will be to maintain two lanes of traffic (one in each direction) open at all times.

For transparency basis, Commissioner Chatfield commented that INDOT has put in about \$5.5 million into this project. It is a needed update, and the Commission's piece in this is a very small part of the overall project with respect to the lighting and other elements.

Mr. Murphy agreed, adding that INDOT and the City has worked well together to accommodate the needs of the City on the State Highway system. He stated that over the years INDOT has gotten much better at working with the City's needs, pointing out that this is another example of working with the City to the better future of the community.

The chair entertained a motion.

Motion by Commissioner Sheets – seconded by Commissioner Kowalski approving change order 002 to INDOT in the amount of \$22,723.10 for the correct ornamental light poles for the US 12 Bridge project. Voice vote was as follows: (Ayes) Commissioners Behrendt, Chatfield, Hendricks, Kowalski, Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

FORMER MEMORIAL SITE

John Doyle (John Doyle & Associates, Michigan City IN) reported that work is complete on capping/building the parking lot on top of the subsurface drainage system on the north side of project site. All concrete tests came back within specification. He stated that there is still some joint work to be done in the spring but everything else is complete up to this point of his authorization.

Attorney Sirinek gave a status report on the new developer recalling that it was discussed at the December meeting and the non-binding term sheet was approved by the Commission at that time. Now that the holidays are past, they hope to start working next week on a project agreement including all subsequent documents to go with it for consideration at the Commission's February meeting. At that point, benchmarks can be set as to actual construction commencing all the way up to when occupancy can occur. In response to Mr. Doyle's report and comment regarding authorization, Attorney Sirinek stated they do know that with the group who submitted their project, there will be nothing changed with respect to the work that has already been done up to this point.

Mr. Doyle pointed out that what has been installed on the site for the stormwater detention system is only half of what was required under the original development. He said he has not seen any new plans to know how much impervious area may be reduced or added. He wanted the Commission to be aware that there is still another stormwater detention system that needs to be put in when this development occurs.

REPORT BY LEGAL COUNSEL

Attorney Sirinek noted for the record that an executive session was held prior to this meeting. No decisions were made, and nothing was discussed other than what is permitted by Open Door Law.

REPORT BY DIRECTOR

Mr. York requested authorization to have a Phase I environmental conducted for property that is under consideration for the Redevelopment Commission to acquire.

The chair entertained a motion.

Motion by Commissioner Chatfield – seconded by Commissioner Hendricks authorizing Mr. York to secure a Phase I environmental on a potential property purchase by the Redevelopment Commission. Voice vote was as follows: (Ayes) Commissioners Behrendt, Chatfield, Hendricks, Kowalski, Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

PUBLIC COMMENTS

Dalia Zygus stated that she is present on behalf of the Commission on Sustainability. She reminded everyone that the Cheney Run Karwick Road redevelopment project needs public input on recreational facilities for that area. The meeting is Wednesday, January 29th, from 6:00-8:00 p.m., at Krueger Memorial Hall.

COMMISSIONER COMMENTS

(None)

NEXT MEETING DATE

President Behrendt announced that the next regular meeting will be February 10, 2020.

ADJOURNMENT

The chair entertained a motion to adjourn.

Motion to adjourn by Commissioner Hendricks – seconded by Commissioner Kowalski and unanimously approved. The chair declared the meeting adjourned at approximately 5:43 p.m.



John Sheets, Secretary