

**MINUTES OF A REGULAR MEETING OF THE
MICHIGAN CITY REDEVELOPMENT COMMISSION
JUNE 14, 2021**

The Michigan City Redevelopment Commission held their regular monthly meeting in the Common Council Chambers, City Hall, 100 E. Michigan Boulevard, Michigan City, Indiana, the meeting also being available via Zoom and streaming live on My Michigan City, Indiana Facebook, on Monday, June 14, 2021, at 5:00 p.m. local time; the date, hour, and place duly established for the holding of said meeting. Zoom was hosted by Kaleb Goodwin, City IT.

CALL TO ORDER

In the absence of President Chris Chatfield, Vice-President John Hendricks called the meeting to order at approximately 5:02 p.m.

ROLL CALL

Commissioners in attendance:

Ken Behrendt, Angie Nelson Deutch, John Hendricks, Michael Mack, non-voting advisor Thomas Dombkowski – all appearing in-person

Commissioners absent:

Chris Chatfield

Staff in attendance:

Executive Director Skyler York, Associate Planner Lilliana Rosado, and Attorney Alan Sirinek – all appearing in-person, and Administrative Assistant Debbie Wilson appearing via Zoom

MINUTES

The chair entertained a motion for approval of the minutes of the 05/10/21 Zoom executive session and 05/10/21 Zoom regular meeting.

Motion made by Commissioner Behrendt – seconded by Commissioner Deutch approving the minutes of the 05/10/21 Zoom executive session and 05/10/21 Zoom regular meeting as submitted. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Deutch, Hendricks, Mack – 4; (Nays) None – 0. With a vote of 4 ayes and 0 nays, the MOTION CARRIED.

CLAIMS

Mr. York reviewed the claims list dated June 14, 2021, noting that payroll for May 2021 totaled \$9,366.72. Mr. York read the claims listed into the record. In summary, June

claims totaled: (Operating) \$387.90; (North TIF) \$465,262.84 with add-ons for approval of \$262,000.00 for acquisition of 5th/Cedar parcels; (South TIF) \$1,096,934.50.

There were no questions/comments; the chair entertained a motion.

Motion made by Commissioner Mack – seconded by Commissioner Deutch approving the claims list dated 06/14/21 as submitted. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Deutch, Hendricks, Mack – 4; (Nays) None – 0. With a vote of 4 ayes and 0 nays, the MOTION CARRIED.

FINANCIAL REPORT

Mr. York reviewed the financial report dated 04/30/21, summarizing cash balances as follows: Operating Account \$222,757.18; South Side TIF Account \$6,484,689.10; South Side TIF Debt Reserve Account \$336,120.09; South Side TIF Capital Account \$17,152.71; North End TIF Account \$4,267,611.18; Wabash Street Streetscape Construction \$122,028.62; Wabash Street Streetscape Debt Reserve \$215,841.73; Northeast TIF Account \$295,474.72; for total cash of \$11,961,675.33. 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 \$12,116,036.82.

Recalling a question asked last month about the 3/31/21 Statement of Income and Expenses sheet for the South Side TIF Account and the North Side TIF Account, Commissioner Behrendt asked what the refunds were for.

Mr. York replied that he received an email in response to that question and could provide that to Commissioner Behrendt.

There were no other questions/comments; the chair entertained a motion.

Motion made by Commissioner Behrendt – seconded by Commissioner Deutch approving the financial report/balance sheet dated 04/30/21 as submitted. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Deutch, Hendricks, Mack – 4; (Nays) None – 0. With a vote of 4 ayes and 0 nays, the MOTION CARRIED.

FAÇADE GRANT(S) / UPPER STORY GRANT(S)

Mr. York noted another Façade Grant request that was not reflected on the agenda.

Lilliana Rosado (Associate Planner) noted an Upper Story Grant request not reflected on the agenda as well. She distributed copies of both applications to Commissioners.

Ms. Rosado presented the following:

815 Washington Street – Façade Grant

Amber Lapaich-Stalbrink requesting a Façade Grant in the amount of \$30,000 for exterior improvements to include removing and replacing windows, replacing trim, doors, hardware, and siding. Total exterior improvement cost is \$65,000. With interior improvements the total investment is \$125,000. Eligibility requirements for the program were met. The applicant submitted all required documentation. A Certificate of Appropriateness was granted on 1/25/21 by the Historic Preservation Commission.

Commissioner Behrendt asked the proposed use of the building.

Ms. Rosado responded that the owner has indicated a hair salon as possible use.

Richard Stalbrink, appearing in-person, stated that this is his wife's property and that he has been slowly working on it over the last five years; he has reached a point where he can't and won't go any further. It was a former eye doctor's office. It will be a commercial space; they have a couple options. The electric, plumbing, and HVAC have completely been redone. Drywall installation is ready to go, waiting on the windows to be installed.

Commissioner Hendricks asked if the exterior work has already been done.

Mr. Stalbrink replied that it has not.

Mr. York stated that the applicants should not complete the work until they get the Façade Grant. It is a two-step process which includes getting their Certificate of Appropriateness through the Historic Preservation Commission, then coming before the Redevelopment Commission with their request for a Façade Grant; sometimes it is the other way around, but either way it is a two-step process.

There were no other questions/comments; the chair entertained a motion.

Motion by Commissioner Deutch – seconded by Commissioner Mack approving the Façade Grant application for 815 Washington Street in the amount of \$30,000 to be reimbursed by the Redevelopment Commission. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Deutch, Hendricks, Mack – 4; (Nays) None – 0. With a vote of 4 ayes and 0 nays, the MOTION CARRIED.

904-906 Franklin Street – Façade Grant

NRK Properties, LLC requesting a Façade Grant in the amount of \$13,458 for brick cleaning and repair; cleaning, caulking, and painting all metal and wood surfaces; installing a lighting feature; and replacing two missing stained glass panels. Total exterior improvement cost is \$22,430. Eligibility requirements for the program were met.

The applicant submitted all required documentation. A Certificate of Appropriateness was granted on 4/26/21 by the Historic Preservation Commission. They do have more work to do and intend to come back until they reach the \$30,000 maximum reimbursement.

Ms. Rosado pointed out that typically two bids are required for work, but only one bid was received for the stained glass windows. They have correspondence from local companies indicating they don't do stained glass work. The owner did contact others to see if they could find somebody to do that work.

Mr. York added that this situation has come up before with unique windows and it was difficult to get someone to bid on the work. These are historic windows that are more than likely leaded, fragile, and unique, so it would take someone with specialized knowledge and expertise to work on them.

Nancy Kominiarek (owner) appearing in-person commented that there is going to be a lighting feature that they will get estimates for, but it is not included in this estimate. It is a unique feature that needs to be built with the appropriate wood, so it does not break down. This bid will come later. The current request is for the brick work, painting, and stained glass. She noted that the stained glass panels are missing on the entire façade, currently boarded up with plywood; looking back at historic photos obtained from the library it looks like they have been missing since the 1940's or 1950's. She stated that they would love to bring this building back; it is a beautiful architectural building.

Commissioner Hendricks asked what the end use of the building will be.

Ms. Kominiarek replied that there are two commercial tenants already there – the hair salon (Hils Beauty Bar) which has been there for two years and the floral shop (J & K Flower Co) which just opened in March.

There were no other questions/comments; the chair entertained a motion.

Motion by Commissioner Deutch – seconded by Commissioner Behrendt approving the Façade Grant application for 904-906 Franklin Street in the amount of \$13,458 to be reimbursed by the Redevelopment Commission. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Deutch, Hendricks, Mack – 4; (Nays) None – 0. With a vote of 4 ayes and 0 nays, the MOTION CARRIED.

312 E. 8th Street – Façade Grant

Woodlawn Holdings, LLC requesting a Façade Grant in the amount of \$20,460 for reroofing. Total improvement cost is \$34,100. Eligibility requirements for the program were met. The applicant submitted all required documentation. A Certificate of Appropriateness was granted on 2/22/21 by the Historic Preservation Commission.

Commissioner Deutch asked if this is a residential location.

Ms. Rosado replied that it is the old library building.

Mr. York added that it is straight up residential with five units in it, so it is commercially taxed. It is a commercial building. It is a retrofit of the old library in Elston Grove, which has been there for a long time. He said this is a great re-use of that building.

There were no other questions/comments; the chair entertained a motion.

Motion by Commissioner Deutch – seconded by Commissioner Mack approving the Façade Grant application for 312 E. 8th Street in the amount of \$20,460 to be reimbursed by the Redevelopment Commission. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Deutch, Hendricks, Mack – 4; (Nays) None – 0. With a vote of 4 ayes and 0 nays, the MOTION CARRIED.

312 E. 8th Street – Upper Story Grant

Woodlawn Holdings, LLC requesting an Upper Story Grant in the maximum amount of \$30,000 for appliances, electric work, demolition, carpentry, tile, flooring, painting, drywall, staircases, HVAC, materials, and plumbing. Eligibility requirements for the program were met. The applicant submitted all required documentation. Total improvement cost is \$470,480. A Certificate of Appropriateness was granted on 2/22/21 by the Historic Preservation Commission.

There were no other questions/comments; the chair entertained a motion.

Motion by Commissioner Deutch – seconded by Commissioner Mack approving the Upper Story Grant application for 312 E. 8th Street in the amount of \$30,000 to be reimbursed by the Redevelopment Commission. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Deutch, Hendricks, Mack – 4; (Nays) None – 0. With a vote of 4 ayes and 0 nays, the MOTION CARRIED.

TIF ALLOCATION PASS-THRU LETTERS

Mr. York explained that these letters are required to be sent out every year by June 15th notifying the overlapping taxing units as to whether there is any excess assessed value to be allocated to them; in this case there being none.

There were no questions/comments; the chair entertained a motion.

Motion by Commissioner Deutch – seconded by Commissioner Behrendt authorizing staff to send out the letters to the overlapping taxing units. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Deutch, Hendricks, Mack – 4; (Nays) None – 0. With a vote of 4 ayes and 0 nays, the MOTION CARRIED.

SOUTH TIF CONNECTIVITY IMPROVEMENTS PROJECT UPDATE

Ryan Laughlin (Haas & Associates) appearing via Zoom gave a project update, stating that they have completed topographic surveying along Towne Center Drive; they still need to complete topographic surveying on the Ameriplex Drive extended area; and they also need to do surveying along the Meijer Drive extended area, but they have not received access authorization for that land yet. They will do the work once they receive access authorization from the Commission or their consultant DLZ.

Regarding geotechnical investigations, Mr. Laughlin reported that drilling has been completed as of last week and they are expecting a Geotech report on June 24th. This does not include all the geotechnical work including soil borings and pavement cores needed for the project, but it covers everything that is within the public right of way. Anything on privately owned land will have to wait until they receive access authorizations from the Commission or DLZ.

Regarding wetland surveys, Mr. Laughlin reported that a wetland survey is needed for Towne Center Drive extended area. A wetland survey was done in the past, however the jurisdictional determination for that wetland survey is expiring on October 11, 2021, so it will not suffice going forward and will need to be done again. A wetland survey is not needed for Redevelopment Commission owned land on Cleveland Avenue just north of Highway 20 as it was completed recently enough that the survey will not expire anytime soon. A wetland survey will need to be completed for the Ameriplex Drive extended area and the Meijer Drive extended area. They have requested access authorizations for each of those areas but have not received those yet.

Regarding the preliminary design for the roadways, Mr. Laughlin reported that they will begin that after they complete all the topographic surveying which should be happening soon. Once they get access authorizations and complete the surveying, they will have a better idea of what they can do in terms of preliminary design.

Regarding pedestrian amenities, Mr. Laughlin stated that those would include the crossing of Highway 421 as well as sidewalks along Towne Center Drive and bus stops along Towne Center Drive. The pedestrian crossing design won't happen until they have early coordination with INDOT which should be soon. After that they will put together preliminary designs based on their input and what they will allow. Regarding the sidewalk and bus shelters along Towne Center Drive, Mr. Laughlin stated that they will be getting into that soon after they complete all the topographic surveying work. He requested any kind of conceptual information that is desired in terms of sidewalks and bus stops (number of and locations) as they start to develop the preliminary layouts.

Regarding permitting, Mr. Laughlin stated that they will reach out to the regulators to schedule a coordination meeting regarding the Towne Center Drive extended area. The primary environmental issue there is the removal and moving of a deed restriction on one of those parcels. As soon as the wetland surveys are completed, they will also

coordinate with Army Corp of Engineers and IDEM regarding any potential wetland mitigation work. They will reach out to INDOT this week to schedule an early coordination meeting with them to discuss the crossing of Highway 421.

Regarding the overall project schedule, Mr. Laughlin stated that they are still in line with their preliminary project schedule provided in their proposal. They expect 3-4 months to complete phase 1 services; however, it is dependent upon gaining access authorizations and completing the subsequent work on those areas.

Commissioner Hendricks asked if they have had a chance to look at how the isolated wetlands and the new law will affect this project, or if it will affect it at all.

Mr. Laughlin replied that in speaking with their wetland consultant (Soil Solutions), if anything it will reduce the amount of impact, which is essentially the effect of that new law. Wetlands that may have been considered regulatory wetlands before may not be any more; however, that is to be determined and will be determined once their consultant gets in there to do the wetland surveying. Mr. Laughlin stated that generally he thinks it could only be beneficial in terms of mitigation that might be required, although that is to be determined.

Mr. York stated that he has been working with Robin Tillman (the City's Director of Transportation) who just put out an RFP for bus shelters at certain strategic locations. He recommended coordinating with her, so the bus shelters all look alike and are consistent. Once the road is completed, she has ideas of how she can deliver better service via Towne Center Drive. Currently she is dropping off at Walmart, then getting back on Highway 421, then getting on Towne Center Drive to drop off, then getting back on Highway 421 again. She sees this project as a much needed benefit for her services. Mr. York also suggested coordinating with the City Engineer on the sidewalks.

Mr. Laughlin confirmed that he would contact both Ms. Tillman and the City Engineer.

Mr. York gave an update on DLZ, stating that there are some adjustments to language clarification in the contract before it is signed, so that is why they have not started their work yet. He said he will schedule a coordination meeting with them as soon as the contract is signed.

Commissioner Deutch asked for clarification on the timeline on the wetland survey and if it needs to be done by October 11th.

Mr. Laughlin explained that the jurisdictional determination letter is a letter that the Army Corp will issue after a wetland survey has been completed stating that they agree with the findings of the wetland survey. There was a wetland survey that was completed for the area of Towne Center Drive extended, however it was done in 2016. In the letter it gives an expiration date for the jurisdictional determination, which is usually five years.

In this case it will expire on October 11, 2021, so after that the wetland survey is no longer valid and will need to be replaced. With the timeline of this project, a new survey will be needed.

Commissioner Deutch asked about the access authorization and the timeline for that.

Mr. York replied that DLZ is doing the right-of-way acquisition, so as soon as the contract is signed, they can begin their work, and the City can get Towne Center Drive in their inventory. He said his goal is to get this done immediately.

Commissioner Behrendt asked if the negotiations with DLZ will include Lowes and Menards.

Mr. York replied that it will be Lowes, Meijer, and two more owners to the west. Menards is owned by the City.

Commissioner Behrendt asked Mr. York if he thought about requiring Lowes and Meijer to fix the road and then turn it over to the City.

Mr. York replied that they have talked about that. DLZ will probably get an attorney involved, so they will be making contact. Mr. York said he would like for it to get fixed, but he thinks the problem is that the road is failing so it may need to be reconstructed. He said they won't know until they get the cores. He said it appears there is something more significant than just popping off asphalt. He agreed it is in bad shape. It currently is owned by Meijer and Lowes.

Commissioner Hendricks commented that we need to see these improvements; it is a high profile job right now. He said he recently has seen people trying to cross Highway 421, so it is something that needs to get resolved so they can cross safely.

Mr. Laughlin agreed with Mr. Hendricks stating that he has seen similar situations, so there are constant reminders out there of how important this project is.

100 WASHINGTON STREET UPDATE / APPROVAL

Attorney Sirinek asked that this be tabled; he should have a resolution ready by the next meeting.

The chair entertained a motion.

Motion by Commissioner Deutch – seconded by Commissioner Mack tabling 100 Washington Street until the July 12, 2021 meeting. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Deutch, Hendricks, Mack – 4; (Nays) None – 0. With a vote of 4 ayes and 0 nays, the MOTION CARRIED.

REPORT BY LEGAL COUNSEL

Attorney Sirinek noted 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.

Attorney Sirinek noted a previous approval on tonight's claims docket for acquisition of four parcels at 5th and Cedar Streets in the amount of \$262,000. He explained that the tie up is the seller has requested the Commission make the acquisition from him in such a manner he gets a tax break from one of his corporations into another. He said that is not a problem and expects that agreement to be completed for execution upon Commissioner Chatfield's return.

Attorney Sirinek continued, stating that given the fact there has been development interest on that entire parcel, and now that the Commission owns all of it, he suggested a public offering be made for that entire parcel.

There were no comments/questions; the chair entertained a motion.

Motion by Commissioner Deutch – seconded by Commissioner Mack approving going forward with the public offering process for the entire parcel bounded by Spring Street to Michigan Boulevard and 5th Street to 6th Street. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Deutch, Hendricks, Mack – 4; (Nays) None – 0. With a vote of 4 ayes and 0 nays, the MOTION CARRIED.

REPORT BY DIRECTOR

Mr. York stated that with the public offering of the parcels, he will need authorization to order appraisals.

The chair entertained a motion.

Motion by Commissioner Behrendt – seconded by Commissioner Mack authorizing Mr. York to get appraisals for parcels between Spring Street and Michigan Boulevard and 5th Street and 6th Street. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Deutch, Hendricks, Mack – 4; (Nays) None – 0. With a vote of 4 ayes and 0 nays, the MOTION CARRIED.

Commissioner Hendricks asked if the minutes from the June 7th special meeting will be approved at the next meeting.

Mr. York replied that he believes they are not finished yet, so approval will be on the July meeting agenda.

PUBLIC COMMENTS

Tom Kulavik (1316 Ohio Street, Michigan City IN) appearing via Zoom spoke regarding the 5th and Pine Street property, stating that he would really like to see something done there so the property doesn't look so greyfield site looking.

COMMISSIONER COMMENTS

None.

NEXT MEETING DATE

Vice-President Hendricks announced that the next regular meeting is scheduled for July 12, 2021 at 5:00 p.m.

ADJOURNMENT

The chair called for a motion to adjourn.

Motion to adjourn by Commissioner Behrendt – seconded by Commissioner Mack and unanimously approved. The chair declared the meeting adjourned at approximately 5:55 p.m.



Angie Nelson Deutch, Secretary