

**MINUTES OF A REGULAR MEETING OF THE  
MICHIGAN CITY REDEVELOPMENT COMMISSION  
OCTOBER 17, 2022**

The Michigan City Redevelopment Commission held their regular monthly meeting in the Common Council Chambers, City Hall, 100 E. Michigan Boulevard, Michigan City, Indiana, on Monday, October 17, 2022, at 5:00 p.m. local time; the date, hour, and place duly established for the holding of said meeting. This meeting also being available via Zoom and streaming live on My Michigan City, Indiana Facebook. Access LaPorte County Media hosted Zoom.

**CALL TO ORDER**

President Christopher Chatfield called the meeting to order at approximately 5:05 p.m.

**ROLL CALL**

**Commissioners in attendance:**

Kenneth Behrendt, Christopher Chatfield, Kathy Dennis, Angie Nelson Deutch, John Hendricks, and non-voting advisor Thomas Dombkowski (all in person)

**Commissioners absent:**

None

**Staff in attendance:**

Executive Director Skyler York; Attorney Alan Sirinek; Administrative Assistant Debbie Wilson (all in person).

Also present in person was Associate Planner Kyle Anthony-Petter.

**MINUTES**

The chair entertained a motion for approval of the minutes of the 09/12/22 executive session and the 09/12/22 hybrid regular meeting.

***Motion by Commissioner Behrendt – seconded by Commissioner Hendricks approving the minutes of the 09/12/22 executive session and the minutes of the 09/12/22 hybrid regular meeting. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Chatfield, Dennis, Deutch, Hendricks – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.***

**CLAIMS**

Mr. York reviewed the claims list dated October 17, 2022, Revised 1, noting that payroll for September 2022 totaled \$11,894.75. Mr. York read the claims listed into the record. In summary, October claims total: (Operating) \$815.63 (North TIF) \$1,071,648.30; (South TIF) \$1,238,469.89; (East TIF) \$56,961.87.

Mr. York clarified that the payments to NICTD are for the Double Track project betterments which were previously approved by the Redevelopment Commission; noting that commitment will be paid in full with the payment of these invoices.

Attorney Sirinek explained the reason for so many Wallack, Somer & Haas invoices, stating that last month's invoices were received after the deadline, so they were included with the invoices received for this month.

The chair entertained a motion.

***Motion made by Commissioner Deutch – seconded by Commissioner Dennis approving the claims list dated 10/17/22 Revised 1. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Chatfield, Dennis, Deutch, Hendricks – 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 08/31/22, summarizing cash balances as follows: Operating Account \$302,093.06; South Side TIF Account \$8,719,421.41; South Side TIF Debt Reserve Account \$336,308.50; South Side TIF Capital Account \$16,660.41; North End TIF Account \$3,870,956.94; East TIF Account \$106,655.95; Northeast TIF Account \$421,190.95; for total cash of \$13,773,287.22. Loans Receivable include the County Business Loan Fund in the amount of \$133,333.00, bringing total assets to \$13,906,620.22.

The chair entertained a motion.

***Motion made by Commissioner Behrendt – seconded by Commissioner Deutch approving the 08/31/22 financial report as submitted. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Chatfield, Dennis, Deutch, Hendricks – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.***

### **FAÇADE GRANT(S)**

#### **825 Franklin Street**

Mr. York recalled that the Redevelopment Commission previously approved a Façade Grant request for Farina Café at 825 Franklin Street. The total project cost was \$13,450 with the Redevelopment Commission approving a reimbursement not to exceed \$8,070. The project has been completed; staff reviewed the documents submitted by the applicant and determined they were proper and complete. Mr. York recommended approval of the request to reimburse the applicant \$8,070.

The chair entertained a motion.

***Motion by Commissioner Deutch – seconded by Commissioner Hendricks approving the request for reimbursement for façade work at 825 Franklin Street in the amount of \$8,070. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Chatfield, Dennis, Deutch, Hendricks – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.***

### **SOUTH TIF CONNECTIVITY IMPROVEMENT PROJECT**

Mr. York acknowledged Jeff Wright being present in person from Haas & Associates as well as Ryan Laughlin from Haas & Associates being present via zoom. Mr. York gave a project summary, stating that bids came in and a contractor has been chosen; consultants are working on getting the rights of entry/easements in place to complete the CC1 portion of the project.

Jeff Wright, Haas & Associates, 526 Franklin Street, Michigan City IN, addressed the Commission recalling that at the last meeting the Commission asked him to see if he could get a better price from the only bidder (Rieth Riley). He said he did value engineering but what Rieth Riley came back with was not much better. Rieth Riley suggested a way to get a better price would be by issuing the contract and doing everything with change orders, rather than negotiating new prices. Mr. Wright agreed with that solution to get a better price.

Mr. York asked if there was any savings by changing the unit prices.

Mr. Wright said the original base bid was around \$492,000 with the alternate bid being around \$228,000. He said Rieth Riley came back with revised unit prices, but it only came down about \$15,000 lower, although if they went through the change order process, they could get it down about \$48,000 for the whole project. He explained how the change order process would drive the prices down.

Attorney Sirinek pointed out that last month the Commission approved the base bid of \$492,481.25 subject to being able to get a contract written with Rieth Riley for that amount, and in turn the Commission would get to select what they get for that amount. Because the bid submitted was far in excess of the estimates, the Commission would like to pick and choose what gets done for the \$492,481.25. He asked Mr. Wright if they were at that point with them.

Mr. Wright stated that if the Commission authorized that, they should be able to get the contract done at that value, although he questioned if the unit prices would carry over through the winter assuming they do not get done this year.

Attorney Sirinek stated that the prices would carry over if there is a signed contract for that amount.

Mr. York said he is okay working with Mr. Wright, Attorney Sirinek, and Rieth Riley if that is the desire of the Commission, then he will report back the outcome of the negotiations to the Commission. He pointed out that one of the main drivers of this portion of the project was to get the intersection done because there is already approval from INDOT.

Mr. Wright stated that the biggest hang up right now is with the right of ways, easements, and right of entries to acquire the properties to get the project done.

***Motion by Commissioner Deutch – seconded by Commissioner Dennis to approve a negotiated contract with Rieth Riley Construction Co. not to exceed \$492,481.25 for the CC1 portion of the South TIF Connectivity Improvement Project. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Chatfield, Dennis, Deutch, Hendricks – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.***

Ryan Laughlin, Haas & Associates, emphasized what Mr. Wright said about the CC1 portion of the project regarding the securing of rights of entry and land easements that DLZ is working on and that being a critical component of the decision to move forward with that construction work.

Mr. Laughlin gave an update on the base project, stating that a preliminary design review meeting was held on August 24, 2022. From that meeting those drawings have been revised and an opinion of probable costs has been developed and should be shared with the Commission later this week. The five main components of the base project include Town Centre Drive, Town Centre Drive extended, Larkspur Lane extended, Meijer Drive, and Ameriplex Drive extended. They are finalizing some geotechnical investigations and are waiting on satisfying special requests and requirements from Menards to do that work on their property.

#### **LAFAYETTE/BARKER SEWER PROJECT**

Mr. York opened discussion, recalling that there was a presentation at the last Commission meeting by Jeff Wright of Haas & Associates stemming from an idea he had which he has peer reviewed but not tested. Mr. York stated that this would be a 3-phase project, with the first phase being design and peer review to make sure it will work. He referred to page 5 of the proposal, noting the total project cost is \$94,670.00. At the last meeting, the Commission discussed Phase 1 (\$49,670.00) which is the feasibility study and is the only thing that needs to be done right now.

Mr. Wright expanded on the separate phases and the background of the project. He stated that from an engineering point of view the project will work, although there are some logistic things they need to do to ensure the constructability, including an inspection of the pipe for cracks because it has been in the ground for 10 years. Once all the information is compiled and assuming the Commission wants to move forward,

they intend to have 70-80% design drawings, then move into Phase 2 final design and bring it to construction documents through bid and award, with Phase 3 being construction inspection. Mr. Wright recommended the Commission award the entire proposal but issue a notice to proceed on Phase 1.

Commissioner Hendricks asked what kind of pipe it is, if it is reinforced concrete.

Mr. Wright replied that it is a 78" Hobas jacking pipe, and it is reinforced.

Commissioner Hendricks asked if there are any connector pipes to the existing sewer system.

Mr. Wright replied that there are none of which they are aware.

Mr. York pointed out that the Commission is still paying for that bond, so he felt it would be good for the pipe to finally be used.

Commissioner Chatfield asked the next step after Phases 1-3 since utilization of this pipe has never occurred.

Mr. York talked about the use of the pipe, noting that recently there has been flooding in areas of the Downtown and on Michigan Boulevard. The idea would be how to utilize this pipe to reduce flooding in these areas using best management practices to hold water and release it gradually, percolating down and taking solvents and pollutants out of it so they do not immediately discharge into Trail Creek. He said the idea also would be how this could benefit Downtown development, the neighborhoods, and how to connect to this pipe and make it beneficial. Mr. York explained that originally when the pipe was built it was supposed to outfall directly into Trail Creek. To do that the Commission would have to bond another \$9 million. This would be an alternative that puts the pipe to use almost like it originally was supposed to work with a less expensive design.

Mr. Wright said one of the major components would be treating the water before it gets to Trail Creek; currently untreated water just flows into Trail Creek.

Commissioner Behrendt asked if it would alleviate anything along the Barker Avenue corridor as originally planned.

Mr. Wright replied that he knows where the sewer lines are but could not specifically answer that at this time. He also pointed out that the exact same concept that would be applied to this can be applied to other sections of pipe 5' and 6' in diameter that were installed in anticipation of connecting them to this pipe, so there would be significant benefits that have not even been discussed yet.

Mr. York stated that they would not know that until they do the feasibility study.

Commissioner Deutch commented that this is a great way to put this pipe to use.

***Motion by Commissioner Deutch – seconded by Commissioner Behrendt accepting a proposal for engineering services with Haas & Associates in a not to exceed amount of \$94,670.00, with a notice to proceed for Phase 1 Feasibility Study in the amount of \$49,670.00 for the Lafayette-Barker Storm Sewer Modifications. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Chatfield, Dennis, Deutch, Hendricks – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.***

#### **ADDENDUM – PRIMERA ENGINEERING AGREEMENT**

Attorney Sirinek recalled that in May the Redevelopment Commission entered into an agreement with Primera Engineers in the amount of \$93,815 to look at various streets that were somewhat impacted by the Double Track project and looking at the possibility of Franklin Street and the future use of that. He pointed out that Primera Engineers also has an agreement with the City for engineering services because the City currently does not have a City Engineer, but that is separate from the Redevelopment Commission's agreement and the addendum before the Commission tonight. He pointed out that Mr. York had requested that the Redevelopment Commission approve extending their May engineering services agreement with Primera Engineers by \$100,000 for specifically designated projects coming before the Commission to include the transit center, double track project, You Are Beautiful project, Woodruff Business Park, TRG, as well as other miscellaneous Redevelopment Commission projects.

Mr. York explained that currently Brad Minnick with Primera Engineers is on contract with the City as the City Engineer, so it makes sense that he would be involved with the Redevelopment Commission as well. He said the Redevelopment Commission has some large projects coming up that need to be reviewed by the expertise of an engineer.

Brad Minnick (appearing in person) introduced himself being with Primera Engineers, 5281 Fountain Drive, Crown Point, Indiana, concurring with Mr. York's introduction.

Mr. York added that the City contract for engineering services with Primera Engineers is through the Board of Public Works & Safety. Some of the things Mr. Minnick is working on with the Board of Works coincide with the Double Track project because it is in the City right of way where they are working. Mr. York clarified that Mr. Minnick, as acting City Engineer through the Board of Works, is involved in those projects from that standpoint, but he is not involved with the station block development; there would be a contractual separation.

Commissioner Behrendt asked if they anticipate any conflicts of interest.

Mr. Minnick replied that he does not, adding that for accounting purposes when he is working with the Redevelopment Commission it is a separate project number with his company, and when he is working for the City it is a separate project number as well.

***Motion by Commissioner Behrendt – seconded by Commissioner Hendricks approving Addendum 1 to the May contract for engineering services between the Michigan City Redevelopment Commission and Primera Engineers, Ltd. for an additional \$100,000 for projects as identified in Addendum 1, including but not limited to the Transit Center/Double Track Project, You Are Beautiful Development Project, Woodruff Business Park Development Project, TRG Mixed Use Project, and other general engineering services as requested by the Redevelopment Commission/staff. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Chatfield, Dennis, Deutch, Hendricks – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.***

#### **MILLENNIUM BUSINESS PARK PAVING**

Mr. York opened discussion explaining that Millennium Business Park (formerly Woodruff Business Park) had a major investment by GAF building a 300,000 square foot building for storage and loading of shingles from their manufacturing facility. Their building is in the rear portion of the park, plus they have purchased almost all the land in the back of the park that abuts Menke Road. Mr. York said he has been working with Clarence Hulse (EDCMC) and they are entertaining a new investment for the remaining lot in the park. Mr. York explained that as part of this business park development, the road was built approximately 22 years ago. It has been severely impacted and is past its lifespan. He stated that Brad Minnick requested quotes for a paving project and received only one quote back. Mr. York pointed out that normally the Redevelopment Commission does not get involved in paving projects, but in this situation, it is an encumbrance to getting a business relocated in there as well as to businesses that are in there that are in a TIF; being a direct economic impact with respect to expansion or staying in the business park.

Mr. Minnick referred to the single quote he received from Rieth Riley, explaining that it is broken into two parts: a base bid and an alternate option. The base bid is for the front of the business park, approximately 200' past the railroad tracks (worst of the roadway), and the alternate would be to put a 2" asphalt overlay on the remainder of the road within the park next construction season. He pointed out that it is getting toward the end of the construction season right now, so time is of the essence to get this road passable over the winter months. The base bid would be to reconstruct the entrance, place two lifts of asphalt on it yet this fall, and the top lift surface course on in the spring. The alternate would be to simply install an overlay from the tracks to the back of the business park.

Commissioner Behrendt asked Mr. Minnick how long he feels this would last.

Mr. Minnick replied that his expectation for the proposed reconstruction would be a 15-20 year fix. He commented that the road got tore up when GAF was building their facility, so he feels it is important to fix it now before other tenants come in, or it could end up being a more extensive fix.

Commissioner Chatfield questioned the prices and if they are good today and into the spring.

Mr. Minnick explained that he broke it into two phases with the first phase milling up the existing asphalt, leaving it in place and re-laying it (so it is not being trucked off site and lose the previous investment), then put lifts of asphalt on it yet this fall. Then in the spring come back and put a surface course on the top. He said this allows the opportunity to let the construction from this fall settle out and then come back in the spring when the weather is warmer and more conducive to a better looking product.

Commissioner Hendricks asked about the 2" surface coat for the alternate and where that would be placed.

Mr. Minnick replied that it would be from 200' beyond the tracks through the rest of the business park. He said this would be a preventative measure, so it does not befall the same fate as the entrance.

Commissioner Chatfield asked for the costs to be broken out for the fall and the spring.

Mr. Minnick replied that the base bid is the entrance for both fall and spring. The subtotal for the fall work is approximately \$112,000; to put the surface lift on in the spring would be approximately an additional \$33,000; the total base bid being \$145,719. The alternate bid is \$183,500. Mr. Minnick recommended awarding the base bid in its entirety with the expectation it will be along the lines of \$112,000 and \$33,000, fall and spring respectively, and table the alternate bid to possibly relet it in the spring in hopes of getting a second contractor interested.

Commissioner Behrendt asked Mr. Minnick when he would expect the base bid final payments to be approved.

Mr. Minnick said his expectation would be to pay for the \$112,000 for fall work yet this calendar year and the remainder upon completion in the spring.

There was discussion about the timing of the tax draws and if there would be sufficient funds.

Mr. York said if there is not enough money in the East TIF account there is the option to loan to it from the other TIF's in anticipation of the payout, although he felt the tax draw



would be sufficient to cover the invoices. Mr. York commented that the road is in very bad shape, and it will probably not make it through the winter.

Mr. Minnick pointed out that the mobilization and traffic maintenance component for the base bid is \$16,000 out of the \$112,000, so that would be cut in half \$8,000 in the fall and \$8,000 in the spring, bringing the \$112,000 to about \$104,000.

***Motion by Commissioner Behrendt – seconded by Commissioner Deutch approving only the base bid with Rieth Riley Construction Co. in the amount of \$145,719 for paving the road at the front of Millennium Business Park going 200' past the railroad tracks, placing two lifts of asphalt on it yet this fall with a top lift surface course on it in the spring. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Chatfield, Dennis, Deutch, Hendricks – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.***

### **STATION BLOCK**

Mr. York reported that we do not have a contract from PR's Lawn Care tonight for the station block site. He gave a project update stating that he met with Flaherty & Collins; they are completing the Redevelopment Agreement and will be finalizing it for the mixed-use project; they have successfully received a Certificate of Appropriateness through the Historic Preservation Commission; there is an agreement in place for the station and garage which will be folded into the overall agreement for the entire station block; they are finalizing questions and issues. He said he will be bringing something back to the Commission shortly and possibly the Council as well.

### **YOU ARE BEAUTIFUL SITE**

Mr. York reported on the hotel/condominium project, stating that contractors are doing the geotechnical work on site testing compaction and soils; they are moving rapidly; the Developer has provided a calendar, but it will need to be updated.

### **1215 E. SECOND STREET**

Mr. York reported on the Burn Em' Brewing project, stating that they are very close to the finish line, although he requested another continuance until the first of the year. He was told they will be ready to close within the next three weeks. There were a couple of setbacks with the environmental and appraisal expiring and having to be redone as required by the SBA.

***Motion by Commissioner Deutch – seconded by Commissioner Behrendt approving an extension until the end of the year (12/31/2022) for the Burn Em' Brewing project. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Chatfield, Dennis, Deutch, Hendricks – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.***

**ENVIRONMENTAL PROPOSAL FOR NORTH END PARCEL**

Mr. York recalled at the last Commission meeting they gave him approval to seek a quote for a Phase I Environmental Site Assessment for a property located at 204 Willard Avenue. He provided Commissioners with a proposal from Aegis Environmental, Inc. in the amount of \$2,250.

Attorney Sirinek advised that he reviewed the proposal and found nothing objectionable.

***Motion by Commissioner Hendricks – seconded by Commissioner Deutch approving a proposal in the amount of \$2,250.00 from Aegis Environmental, Inc. for a Phase I Environmental Site Assessment of property located at 204 Willard Avenue. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Chatfield, Dennis, Deutch, Hendricks – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.***

**SALARY ORDER 2023**

Mr. York presented the 2023 Salary Order which sets salaries for employees of the Department of Redevelopment. He said the only change is a 2% increase for the hourly Administrative Assistant position.

***Motion by Commissioner Behrendt – seconded by Commissioner Deutch approving the 2023 Salary Order Setting Salaries for Employees of the Department of Redevelopment. The roll was called, and the vote taken: (Ayes) Commissioners Behrendt, Chatfield, Dennis, Deutch, Hendricks – 5; (Nays) None – 0. With a vote of 5 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.

**REPORT BY DIRECTOR**

Mr. York commented that it is exciting to think about the train station and progress made; he said he can see it taking shape now. He added that there are a lot of things being done Downtown.

**PUBLIC COMMENTS**

None.

**COMMISSIONER COMMENTS**

Commissioner Dombkowski thanked Commissioner Deutch and Mr. York for attending the Air Academy presentation. He said it was visited by more businesses in Michigan City than before. There was talk about giving the students time to work at the factory so when they get out of school, they are ready to go.

Commissioner Dennis said it is exciting to see movement of the projects the Commission started a while ago and some of the new things, in particular the Lafayette/Barker storm sewer which will alleviate some of the flooding on the roads.

Commissioner Deutch echoed everything said, adding that it was good to see Ivy Tech and PNW at the Compressed Air Academy, and to know that Michigan City is the regional leader in that industry. Dr. Barbara Eason Watkins not only shared technically, but on the business side as well. Commissioner Deutch said that she has talked to some of the unions and as the Commission moves into some of these construction projects, they can utilize the pre-apprenticeship program with the Indiana Plan. There is also the opportunity for students to go right from high school directly to projects in Michigan City and not travel outside of LaPorte County. She said it is a start and that there should be work for people for the next several years.

Commissioner Chatfield said it is good to hear about the Commissioners attending these events. He mentioned that he knows Ed Burrow who is the Senior Industry Advisor at Purdue Northwest, stating that he works with Clarence Hulse and the businesses, and the fact that he has been up here more in the last 12-18 months talking to the local employers who are clamoring for people to be in the trades. Commissioner Chatfield talked about looking east at Franklin and 11<sup>th</sup> Street and that it is an expanse that he thought he would never see. He said in the next 18-24 months Michigan City will have a wonderful thoroughfare that will help catapult the city into the future. He said he is excited and proud of that, and to have partners like Purdue, IU, and Ivy Tech, the City, and the Redevelopment Commission. He said it is a very exciting time for the people of Michigan City and that we are heading in the right direction.

**NEXT MEETING DATE**

The next regular meeting is scheduled for November 14, 2022.

**ADJOURNMENT**

The chair called for a motion to adjourn.

Motion to adjourn by Commissioner Behrendt. The chair declared the meeting adjourned at approximately 6:30 p.m.

  
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Angie Nelson Deutch, Secretary