

LA PORTE COUNTY REDEVELOPMENT COMMISSION
AUGUST 30, 2017 4:00PM

The La Porte County Redevelopment Commission meeting was held on Wednesday, August 30, 2017 at 4:00pm (CDT) in the Assembly Room #3 of the La Porte County Government Complex, 809 State Street, La Porte, IN 46350.

MINUTES

CALL TO ORDER

Meeting called to order by Joe Coar; President at 4:00 p.m.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Randy Novak.

ROLL CALL

Joe Coar – Present
Dr. Vidya Kora – Present
Terry Larson – Present
Jeff Johnson – Present
Terry Garner – Present
Randy Novak – Present
John Sullivan – Absent
Jim Arnold- Ex – Officio - Present

APPROVAL OF THE AGENDA

Dr. Vidya Kora motioned to amend the agenda by adding the consideration of appointing a new member(s) to the Construction Rail Committee. Randy Novak seconded the motion. The motion carried unanimously. Dr. Vidya Kora motioned to approve the amended agenda. Randy Novak seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

Mr. Mike Seitz, residing at 212 Lakeside, Fish Lake, Indiana, introduced himself and conveyed to the Redevelopment Commission that his past experience with Holladay Properties has been satisfactory and that he believes they would do a great job for La Porte County.

APPROVAL OF MINUTES

The July 5, 2017 minutes were reviewed. Dr. Vidya Kora motioned to approve the minutes as presented. Randy Novak seconded the motion. The motion carried unanimously.

TREASURER'S REPORT

Mary Jane Thomas read the treasurer's report as below:

- KIDC Project TIF Fund balance as of 8/30/17 - \$69,513.29
- US421/I94 TIF 2/29/2008 Fund balance as of 8/30/17 - \$321,741.61
- US421/I94 TIF 11/26/2008 Fund balance as of 8/30/17 - \$270,933.40
- 39 N TIF Fund balance as of 8/30/17 \$6,885.47

Dr. Vidya Kora motioned to approve the Treasurer's report, as presented. Randy Novak seconded the motion. The motion carried unanimously.

CLAIMS

- A. Consideration of payment for Barnes & Thornburg, LLP - \$5,677.50 for legal services-KIP TIF – Office of Economic Development:** Dr. Vidya Kora motioned to approve payment of \$5,677.50 from the KIP TIF to Barnes & Thornburg, LLP for legal services. Randy Novak seconded the motion. Randy Novak asked if the need for Barnes & Thornburg's services would decrease in the near future. Attorney Shaw Friedman responded that now that the majority transfer of property has occurred the need for their services should decrease although there will be periodical services needed for land transfers. President Coar asked if the services the Rail Committee incurs could be paid from the KIP TIF. Attorney Friedman stated that is correct. The motion carried unanimously.
- B. Consideration of payment for Beall & Beall - \$1,215.00, \$1,635.00 and \$1,080.00 for legal services- KIP TIF – Office of Economic Development:** Dr. Vidya Kora motioned to approve payment of \$1,215.00, \$1,630.00 and \$1,080.00 from the KIP TIF to Beall & Beall for legal services. Randy Novak seconded the motion. The motion carried unanimously.
- C. Consideration of payment for Friedman & Associates - \$2,013.00 (services through 7/17/17), \$187.50 (services through 8/14/17), \$1,500.00 (retainer for July 2017) and \$1,500.00 (retainer for August 2017) for legal services, KIP TIF – Office of Economic Development:** President Coar explained that beginning July 15, 2017, Attorney Friedman's services will be billed as a retainer at \$1,500.00 a month. This retainer includes normal services and that any additional litigation services would be billed in addition to this retainer. Dr. Vidya Kora motioned to approve payment of \$2,013.00, \$187.50, \$1,500.00 and \$1,500.00 from the KIP TIF to Friedman & Associates for legal services. Randy Novak seconded the motion. The motion carried unanimously.
- D. Consideration of payment for Cender & Company - \$3,759.58 and \$3,903.61 for financial advisory services, KIP TIF – Office of Economic Development:** Dr. Vidya Kora motioned to approve payment of \$3,759.58 and \$3,903.61 from the KIP TIF to Cender & Company for financial advisory services. Randy Novak seconded the motion. The motion carried unanimously.
- E. Consideration of payment for Dale Clingerman, P.E., \$222.00, Professional Engineering-KIP TIF – Office of Economic Development:** Dr. Vidya Kora motioned to approve payment of \$222.00 from the KIP TIF to Dale Clingerman, P.E. for professional engineering services. Randy Novak seconded the motion. The motion carried unanimously.
- F. Consideration of payment to Meridian Title, Corporation, \$250.00, Title Search KIP easement- KIP TIF – Office of Economic Development:** Dr. Vidya Kora motioned to

approve payment of \$250.00 from the KIP TIF to Meridian Title for a title search of a KIP easement. Randy Novak seconded the motion. The motion carried unanimously.

OLD BUSINESS

Randy Novak asked if there was an update on acquiring road easements along KIP. Attorney Friedman stated that the County Attorney's office has an Attorney working on the matter. He also stated that a couple of consents have been acquired and it is an ongoing process. Commission member Jeff Johnson mentioned that he has not been contacted regarding his own easement consent of his property. Attorney Friedman suggested that Mr. Johnson call Mr. Adamski's office which is handling the matter of acquiring all easement consents. Mr. Johnson asked if Mr. Adamski could provide an update to the Commission at the next meeting. President Coar suggested Mr. Adamski could attend the next Redevelopment Commission meeting to provide an update. Attorney Friedman stated he would ask Mr. Adamski to attend the next meeting.

NEW BUSINESS

A. Consideration of a proposal for Holladay Properties for KIP – Mike Micka

Mr. Mike Micka explained that Holladay Properties provides pre-development services to prepare properties to be shovel ready for lease or sale. He also explained that the monthly service contract will provide consulting services related to planning, economic development, land acquisition and general services at \$6,000 per month for the Kingsbury Industrial Park. Discussion ensued. President Coar mentioned the charges may be paid from the KIP TIF and asked if Mr. Micka would be able to attend meetings, if needed, to which Mr. Micka answered yes. Dr. Kora motioned to approve the contract with Holladay Properties for consultant services at \$6,000.00 per month for Kingsbury Industrial Park. Randy Novak seconded the motion. The motion carried unanimously.

B. Resolution No. 03-2017 – Consideration of a Resolution of the La Porte County Redevelopment Commission Further Amending Prior Resolutions of the Commission Pledging Certain Tax Increment Revenues to Reimburse La Porte County, Indiana for Expenditures for Local Public Improvements and All Matters Related Thereto -Kingsbury Industrial Park Economic Area

Attorney Friedman and Mr. Carl Cender of Cender & Company explained that Resolution No. 03-2017 and the related "Amended and Restated Reimbursement Agreement" revises the prior pledge amount of Tax Increment Revenues to reimburse the La Porte County Major Moves Construction Fund for certain local public improvements in the Kingsbury Park Economic Area. This revised pledge resolution provides the Commission with certain Tax Increment Revenues to promote the redevelopment and economic development of the County and the Economic Development Area. Discussion ensued. Dr. Kora motioned to adopt Resolution No. 03-2017 as presented. Terry Larson seconded the motion. The motion carried unanimously. The original resolution will be filed in the Redevelopment Commission Resolution file.

C. Resolution No. 02-2017 – Consideration of a Resolution of the La Porte County Redevelopment Commission Pledging Certain Tax Increment Revenues to Reimburse La

Porte County, Indiana for Expenditures for Local Public Improvements and All Matter Related Thereto- I-94/ U.S. 421 Economic Development Area

Attorney Friedman and Mr. Carl Cender stated that Resolution No. 02-2017 and the related "Amended and Restated Reimbursement Agreement" restructures the repayment terms to reimburse the La Porte County Major Moves Construction Fund for certain local public improvements in the I94/U.S. 421 Economic Development Area. Discussion ensued. Dr. Kora motioned to adopt Resolution 02-2017 as presented. Terry Larson seconded the motion. The motion carried unanimously. The original resolution will be filed in the Redevelopment Commission Resolution file.

D. Consideration of an Amended and Restated Reimbursement Agreement for 421 TIF

Dr. Kora motioned to approve the Amended and Restated Reimbursement Agreement for 421 TIF, as presented. Terry Larson seconded the motion. The motion carried unanimously.

E. Consideration of an Amended and Restated Reimbursement Agreement for KIP TIF

Dr. Kora motioned to approve the Amended and Restated Reimbursement Agreement for KIP TIF, as presented. Jeff Johnson seconded the motion. The motion carried unanimously.

F. Consideration for a Monthly Retainer Contract Proposal for Legal Counsel from Friedman and Associates

Dr. Kora motioned to approve the monthly retainer contract proposal for legal counsel from Friedman and Associates at \$1,500.00 per month. Jeff Johnson seconded the motion. The motion carried unanimously.

G. Consideration of Providing General Negotiating Authority to the President of the Redevelopment Commission

Dr. Kora motioned to approve general negotiating authority to the President of the Commission providing the entire Commission approves such decisions at the next available Commission meeting. Randy Novak seconded the motion. The motion carried unanimously.

H. Consideration to affirm Jeff Johnson's appointment to the Construction and Rail Planning Committee

Dr. Kora motioned to appoint Jeff Johnson to the Construction and Rail Planning Committee. Randy Novak seconded the motion. The motion carried unanimously.

OTHER BUSINESS

Dr. Kora motioned to affirm the following appointments to the Construction Rail Planning Committee: Tom Dermody, Mark Yagelski and Jim Thompson. Randy Novak seconded the motion. The motion carried unanimously.

President Coar asked how the Commission would pay for expenses incurred outside of the TIF areas. Mr. Cender explained that the Commission could request the County Council appropriate additional funds to the Redevelopment Commission for those types of expenditures. Randy Novak also asked would the Commission have any redevelopment or economic development authority outside of the TIF districts. Mr. Cender explained the commission would have authority outside of the TIF districts. Mr. Jim Arnold added that in his experience while seated on the County Council the idea of appropriating funds that would enhance the county and give a return on the county's investment was well received.

ADJOURNMENT

Dr. Kora motioned to adjourn the meeting at 4:55p.m. Randy Novak seconded the motion. The motion carried unanimously.