

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES

JANUARY 29, 2020

The La Porte County Redevelopment Commission meeting was held on Wednesday, January 29, 2020 at 4:00 P.M. (CDT) in the Assembly Room #3 of the La Porte County Government Complex, 809 State Street, La Porte, IN 46350.

CALL TO ORDER

Meeting called to order by President Randy Novak, at 4:05 P.M.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Michael Mollenhauer.

ROLL CALL

Randy Novak – Present

Joe Coar – Present

Dr. Vidya Kora – Absent

Terry Larson – Present

Scott Cooley – Present

Michael Mollenhauer – Present

Michael Rosenbaum – Present

Jan Ribordy, Ex-Officio – Present

Others Present: Attorney Shaw Friedman, Matt Reardon, Tony Rodriguez and Mary Jane Thomas

APPROVAL OF THE AGENDA

President Novak announced that Resolution 2020-1 be added to the agenda as Item C and Friedman & Associates 2020 contract as Item D under New Business. Joe Coar motioned to approve the agenda as amended. Michael Rosenbaum seconded the motion. The motion carried unanimously.

ELECTION OF OFFICERS

Michael Mollenhauer motioned to nominate and re-elect by unanimous slate President – Randy Novak, Vice President – Joe Coar, Secretary – Michael Rosenbaum and Treasurer – Joie Winski. Scott Cooley seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

None

COMMUNICATIONS

- Sabrina La Porte Community School Corporation re: Ex-Officio RDC member appointment
- Emailed 2020 RDC/CRPC meeting schedules to Media and IT
- Mtg. with MCR/Thomas & Associates re: EDA application for 39 N Water Tower

- RDC Counsel email on executed MOU NIPSCO/ Inovateus
- Herald Argus newspaper ad describing 2020 La Porte County tax abatements
- Radtke Engineering 2020 letter
- Responded to Auditor invoice advertisement documentation

APPROVAL OF MINUTES

Joe Coar motioned to approve the December 11, 2019 meeting minutes as presented. Michael Mollenhauer seconded the motion. The motion carried unanimously.

TREASURER'S REPORT

The January 1, 2020 balances were read as follows:

KIDC TIF - \$169,509.40
 US 421/194 TIF - \$210,133.26
 US 421 #2 TIF - \$244,500.00
 39 North TIF - \$69,998.48

Michael Rosenbaum motioned to approve the Treasurer's Report as presented. Michael Mollenhauer seconded the motion. The motion carried unanimously.

CLAIMS

<u>TIF</u>	<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTALS</u>
KIDC	Thomas & Associates	December '19 Professional Services	\$689.00	
	MCR Partners	January '20 Professional Serv	\$3,000.00	
	Friedman & Associates	January '20 Legal Services	\$1,500.00	
	Herald Argus	Legal Notice Publication, Nov'19	\$5.16	
	Barnes & Thornburg	September '19 Legal Services	\$262.50	
			October'19 Legal Services	\$5,565.00
Subtotal				\$11,021.66
US421#1	Thomas & Associates	December '19 Professional Services	\$689.00	
	MCR Partners	January '20 Professional Serv	\$2,000.00	
	Antero Group	Deercroft Development Phase	\$875.00	
Subtotal				\$3,564.00
39 North	MCR Partners	January '20 Professional Serv	\$1,000.00	
Subtotal				<u>\$1,000.00</u>
TOTAL OF CLAIMS				<u><u>\$15,585.66</u></u>

President Novak read the claims as presented for payment for the Kingsbury Industrial Park TIF area from the Claim Docket. Joe Coar motioned to approve the Kingsbury Industrial Park TIF area

claims in the amount of \$11,021.66. Terry Larson seconded the motion. The motion carried unanimously.

President Novak read the claims as presented for payment for the US 421 #1 TIF area from the Claim Docket. Terry Larson motioned to approve the US 421 #1 TIF area claims in the amount of \$3,564.00. Michael Rosenbaum seconded the motion. The motion carried unanimously.

President Novak read the claims as presented for payment for the 39 North TIF area from the Claim Docket. Joe Coar motioned to approve the 39 North TIF area claims in the amount of \$1,000.00. Scott Cooley seconded the motion. The motion carried unanimously.

OLD BUSINESS

A. Construction Rail Planning Committee Update; Matt Reardon; MCR Partners

Matt Reardon, MCR Partners, stated the Construction Rail Planning Committee met prior to this meeting, recommended the approval of the IEDC Grant Agreement and the Aldon Company Agreement for temporary access to the LPCRDC Kingsbury Industrial Park rail. He added appraisals for CN right of way are under legal review and an offer will be drafted for Commission review. Following the Commission review, Mr. Reardon stated the offer will be forwarded to the property owner.

B. 421/I94 TIF Project Update – Matt Reardon; MCR Partners

Mr. Reardon provided an update to the proposed development located at U.S. Highway 421/I94. He stated TransCanada Pipeline and the property developer, 421 Partners, LLC, are at a standstill regarding the pipeline location on the property. Mr. Reardon strongly suggested that Love's Travel Center continue with their construction plans with possible modifications to the parking lot. He also recommended the La Porte County Engineer review the water and sewer plans to obtain cost estimates. President Novak noted the City of Michigan Water Works and Sanitary District should be contacted to confirm the current utility agreement. Joe Coar motioned to proceed with quotes for the water and sewer extension, reaffirming support for the project and confirming the current utility agreement with the City of Michigan Water Works and Sanitary District. Michael Rosenbaum seconded the motion. The motion carried unanimously.

I80-94/US 421 Allocation Area #3 – Matt Reardon; MCR Partners

Mr. Reardon explained the potential buyer interested in constructing a truck sales and service center at the intersection of I80-94/US421 has decided the site is not within their budget. Mr. Reardon is assisting the buyer in locating a suitable site, possibly near the 39 North area. Mr. Reardon introduced Attorney Phil Faccenda, Barnes & Thornburg, which from time to time provides legal assistance to the La Porte County Redevelopment Commission. Mr. Faccenda explained that Barnes & Thornburg currently represents the Commission and the County in other matters and would represent Lower Great Lakes Kenworth, Inc. in negotiations with the Commission and County regarding the property at I-94 and 421 or elsewhere in the County and would serve as bond counsel if any bonds

were issued in connection with the transaction. Mr. Faccenda asked the Commission to consent to Barnes & Thornburg's representation of Lower Great Lakes Kenworth, Inc. as company counsel and bond counsel in the transaction while continuing to represent the Commission and the County in other, unrelated matters. Vice President Joe Coar motioned to approve the consent and waive any conflict of interest. The motion was seconded by Terry Larson seconded the motion. The motion carried unanimously.

President Novak asked Mr. Reardon for an update on the US 421/400 INDOT property. Mr. Reardon explained he has reached out to INDOT regarding the readiness to proceed with the transfer of the property. Mr. Reardon explained INDOT must have an Environmental Review done on the property prior to transfer of the property and there has been no further activity in the area. President Novak questioned if there is a clause in the TIF's that state massage parlors are not allowed. Mr. Reardon responded the Plan Commission would need to address the rezoning of the area. Attorney Friedman added the La Porte County Sheriff's Department and Health Department visited the business recently and found no evidence of illicit activity.

Mr. Reardon has completed some due diligence related to the creation of a new TIF area encompassing Hwy 35/Hwy 20 and recommended other options as the cost going forward seems high and would create a competing scenario between other TIF districts. Vice President Joe Coar stated he felt there is interest commercially in the area but suggest additional research be conducted, specifically, the availability of utilities and environmental reviews. President Novak suggested any needed water and sewer improvements for the area would be most likely funded through a TIF.

C. 39N Water Tower – Matt Reardon; MCR Partners

Mr. Matt Reardon deferred to Mary Jane Thomas, Thomas & Associates, LLC, for an update on the Economic Development Administration (EDA) Grant Application which would, if approved, provide financial assistance for the 39 N Water Tower Project. Ms. Thomas shared that along with meeting with Mr. Reardon, she has reviewed the threshold criteria and started the SAM.gov EDA Grant Application. Attorney Shaw Friedman added the 39 North Conservancy District along with their Government Affairs Consultant Matt Norris, Krieg DeVault LLP, had favorable discussions with Mr. Jim McGoff, Indiana Finance Authority (IFA) COO & Director of Environmental Programs, related to the application of IFA funding. Attorney Friedman recommended efforts to obtain both the IFA and EDA financing options would be ideal at this time.

NEW BUSINESS

A. Consideration of the proposed grant agreement with IEDC to permit installation of connection/switch between county rail spur at KIP and CSX mainline

Attorney Friedman provided a summary of the Indiana Economic Development Corporation grant agreement which provides funding for the installation of a connection/switch between the county rail spur at Kingsbury Industrial Park (KIP) and the CSX mainline. Vice President Coar commended the effort by all to leverage the grant.

Michael Rosenbaum motioned to approve the IEDC grant agreement. Terry Larson seconded the motion. The motion carried unanimously.

Mr. Reardon presented a Use of Facility Agreement to allow Aldon Company to test rail equipment on the county owned rail in the Kingsbury Industrial Park. Joe Coar motioned to approve the Aldon Company agreement for the use of the rail in testing a rail related product. Michael Mollenhauer seconded the motion. The motion carried unanimously.

B. Cender & Company 2020 Service Agreement

Attorney Friedman recommended the approval of the Cender & Company 2020 Service Agreement. Joe Coar motioned to approve the Cender & Company 2020 Service Agreement. Michael Mollenhauer seconded the motion. The motion carried unanimously.

C. Consideration of Resolution 2020-1 - Declaration of the La Porte County Redevelopment Commission Amending Prior Resolutions Establishing an Economic Development Area by Establishing a New Allocation Area for the Economic Development Area and Amending the Economic Development Plan for such Area and taking other action thereto

Mr. Reardon recommended Resolution 2020-1 be tabled until additional legal review can be made. Michael Rosenbaum motioned to table Resolution 2020-1. Scott Cooley seconded the motion. The motion carried unanimously.

D. Consideration of Friedman & Associates 2020 Retainer Agreement

Joe Coar motioned to approve the 2020 Retainer Agreement for Friedman & Associates. Michael Rosenbaum seconded the motion. The motion carried unanimously.

OTHER BUSINESS

None

ADJOURNMENT

Michael Rosenbaum motioned to adjourn the meeting at 4:49 P.M. Scott Cooley seconded the motion. The motion carried unanimously. The next meeting will be held on February 26, 2020.



Randy Novak
President

Attest:



Michael Rosenbaum
Secretary