

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
DECEMBER 14 , 2022

AMENDED NOTICE TO INCLUDE NOTIFICATION OF ELECTRONIC PARTICIPATION AND TO ALLOW THE PUBLIC TO ATTEND ELECTRONICALLY PURSUANT TO STATE EXECUTIVE ORDER.

if any member of the public wishes to attend the meeting electronically, the meeting will be available on Zoom, which can be accessed for free on the internet at <https://zoom.us/> and then click the "Join a Meeting" tab followed by the meeting ID 94612378195, Passcode 528228. You can also download the free Zoom app to your smartphone and join the meeting via the app.

The La Porte County Redevelopment Commission in-person and Zoom meeting was held on Wednesday, December 14, 2022 at 4 P.M. (CDT), in Room #3, County Complex.

CALL TO ORDER

Meeting called to order by President Randy Novak, at 4:00 P.M.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

ROLL CALL

Randy Novak – Present
Joe Coar – Present
Rich Mrozinski – Present
Terry Larson – Present
Scott Cooley – Present
Connie Gramarossa – Absent
Michael Rosenbaum – Present
Jan Ribordy, Ex-Officio – Absent

Others Present: Attorney Shaw Friedman; Friedman & Associates, Tony Rodriguez; Director; Office of Community and Economic Development, Bailey McGrath; Office of Community and Economic Development, Matt Reardon; MCR Partners, Mitch Bishop; County Planner, John Smith; USI Engineering, and MjThomas & Associates.

APPROVAL OF THE AGENDA

Michael Rosenbaum motioned to remove Agenda items F-I from the presented agenda and approve the amended agenda. Joe Coar seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

Joe Haney, La Porte County Commissioner, suggested the Redevelopment Commission hold a monthly organizational meeting earlier in the month.

COMMUNICATIONS

- Auditor Request for Treasurer Report
- H-D re: claims and allowances publication
- D & M pay request #8/CO #9
- USi Eng re: Pay request #7 review and signature request

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- Picked up POs for RDC President signature from Auditor's office
- Prep/submitted D & M Pay Request #7 to US Bank
- Auditor's office to prepare December automated POs
- MCR re: use of funds for 421 utility projects/194/35 invoices
- RDC Attorney Waste Mgt. agreement
- Chief Deputy Auditor US Bank statements, 421 TIF bond payment source, appropriation 3 for 35 TIF ARP funding
- Cender 421 TIF Bond Amortization schedule/mailed to Deputy Auditor
- MCR, Cender, MjThomas & Assoc., Friedman service agreements
- Bishop re: 2023 RDC transfer to Planner payroll
- RDC Attorney review draft Resolutions
- Barnes & Thornburg 35/94 TIF bond invoice
- Mail OCED picked up sorted/filed
- Rail Summit 2023 save the date announcement

APPROVAL OF MINUTES

Joe Coar motioned to approve the November 16, 2022, meeting minutes as presented. Scott Cooley seconded the motion. The motion carried unanimously.

TREASURER'S REPORT

KIDC TIF-\$50,795.00
 421/I-94 TIF-\$183,360.00
 421/I-94 TIF2-\$0.00
 39 N TIF-\$57,488.00

Joe Coar motioned to approve the Treasurer's Report as presented. Michael Mrozinski seconded the motion. The motion carried unanimously.

CLAIMS

<u>TIF</u>	<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTALS</u>
KI DC	MCR Partners	Dec '22 Professional Services	\$3,000.00	
	Thomas & Associates, LLC	Nov '22 Professional Services	\$640.25	
	Mitch Bishop	2022 Professional Services	\$3,333.33	
			Subtotal	\$6,973.58
US 421 #1	Thomas & Associates, LLC	Nov '22 Professional Services	\$640.25	
	MCR Partners	Dec '22 Professional Services	\$2,000.00	
	Weaver Consultant Group	Inv#49943 Acquire Easements	\$368.00	
	Weaver Consultant Group	Inv#50858 Acquire Easements	\$109.00	
	Weaver Consultant Group	Inv#62170 Easement Procurement	\$14,084.55	
	D & M Excavating, Inc	421 Utility Project Contract Pay#8	\$31,280.00	
	Mitch Bishop	2022 Professional Services	\$3,333.33	
			Subtotal	\$51,815.13
39N	MCR Partners	Dec '22 Professional Services	\$1,000.00	

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Herald – Dispatch	Legal Publication claims	\$22.85
Friedman & Associates	Dec '22 Legal Services	\$1,500.00
Barnes & Thornburg	Inv#3028667 Professional Services	\$22,618.20
Cender Dalton Municipal Advisors	Inv#9359 Professional Services	\$343.23
Cender Dalton Municipal Advisors	Inv#9055 Professional Services	\$675.00
Cender Dalton Municipal Advisors	Inv#9292 Professional Services	\$1,013.61
Mitch Bishop	2022 Professional Services	\$3,333.34
	Subtotal	<u>\$30,506.23</u>
	TOTAL OF REGULAR CLAIMS	<u>\$89,294.94</u>

US 421 Project Claims

DESCRIPTION	AMOUNT	TOTALS
D&M Excavating, Inc – Pay Application #8 (funding source: County ARP Fund)	\$95,537.85	
TOTAL OF BOND PROCEED CLAIMS		<u>\$95,537.85</u>

President Novak read the claims as presented for payment for the Kingsbury Industrial Park TIF (KIDC) area from the Claim Docket. Rich Mrozinski motioned to approve the KIDC TIF area claims in the amount of \$6,973.58. Joe Coar 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. Rich Mrozinski motioned to approve the US 421 #1 TIF area claims in the amount of \$51,815.13. Joe Coar 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. Rich Mrozinski motioned to approve the 39 North TIF area claims in the amount of \$30,506.23. Joe Coar seconded the motion. The motion carried unanimously.

President Novak read the D & M claim as presented for payment from the docket. Joe Coar motioned to approve the D & M claim in the amount of \$95,537.85 to be paid from the ARP Fund. Michael Rosenbaum seconded the motion. The motion carried unanimously.

OLD BUSINESS

A. 421/194 TIF Project Update – Matt Reardon; MCR Partners

Matt Reardon requested that the Deercroft Landfill Sanitary Sewer Connection and Leachate Discharge be signed tonight so that he may request the \$150,000 be paid to the Redevelopment Commission for the 421-utility infrastructure project. He stated the developer’s contribution is expected prior to the end of the year. Mr. Reardon stated MCR is not opposed to approving the D & M Excavating Change Order #9 requesting a time extension on the 421-infrastructure project and reminded everyone there is a \$1,000 per day penalty for extending beyond the completion date. John Smith, USi Engineering, reported that D & M plans to be to 421 with the water main, the sewer is across 300, and they are heading down 421 and tied in with the crossing that goes across to the Speedway

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and Harley Davidson. Mr. Smith stated the only delay there may be in meeting the extended completion date is AT&T has not moved their utilities. Last month, AT&T is currently waiting on NIPSCO to move a utility pole so they may move their utilities. Mr. Reardon noted MCR Partners, John Smith (USi Engineering), Ryan Miller (D & M), and AT&T Government Affairs Steve Reynolds met recently to discuss the delay. Joe Coar asked how the project is doing on acquiring materials. Mr. Smith said the contractor is waiting on 2,600 ft of 20" water main. Ryan Miller, D & M, noted the supplier has conveyed that they will start producing ductile iron pipe the 1st week of January and hope to fulfil all orders.

Attorney Friedman reported that on November 10, 2022 at 12:45pm, John Smith, USi Engineering informed Ryan Miller, D & M Excavating, to stop using material/sand from his 400 West property on the 421/300 North project. Michael Rosenbaum motioned to recognize and confirm it was never the intent of the Redevelopment Commission to use the material/sand from this 400 West location for the 421-infrastructure project and for the record to include the John Smith, USi Engineering, December 8, 2022 related email into the official Redevelopment Commission records. Joe Coar seconded the motion. The motion carried unanimously.

B. KIP Update – Matt Reardon; MCR Partners

Matt Reardon: MCR Partners reported a meeting was held with various Kingsbury Industrial Park parties related to the continuation of the track between Mr. Lindborg's property, CN and the bridge. Mr. Reardon reported the design portion is ongoing and the related parties are working out their differences on their own and he reminded them that various county entities has assisted with funding the last few years to get the rail operating and it is the private sector's turn to step up at this point.

MCR reminded the Redevelopment Commission that next month they could request funding from the County Council to build the CSX switch. Mr. Reardon suggested a written agreement be in place between JBC Rail, Lindborg and the county to ensure that any county funds spent will be reimbursed by JBC Rail and Lindborg if the switch does not provide the county with enough tax revenue to cover such funds. He stated according to Barnes and Thornburg Attorney Phil Faccenda, the Build, Operate, Transfer (BOT) could be utilized to move the project forward, though CSX must be the contractor. President Novak suggested that CSX should provide funding instead of the county for the upfront cost and the rail track traffic revenue it produces can reimburse their cost, similarly.

C. 39 N Update – Matt Reardon; MCR Partners

MCR Partners reported the recent 100-acre commercial real estate deal fell through, evidently related to the lack of the area's water infrastructure and the developers found a better site. Attorney Friedman added 39 North's lobbying efforts continue and the search for funding for the water tower. President Novak added the senior living facility discussions continue and seems promising for the economic development it will bring La Porte County.

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Mr. Reardon: The Michigan City City Council sanitary process will include La Porte County signing a waiver that it will not fight volunteer annexation in the future for the 2 area projects. He provided an update on the projects. HWC Engineering is working with the Michigan City Municipal Airport Board on another local project hoping to accomplish both by tying certain aspects together. Mr. Reardon announced a 40-million-dollar new medical facility project, creating 120 jobs at \$26-\$30 per hour, is in the design phase and plans are progressing.

NEW BUSINESS

A. D & M Change Order #9

Mitch Bishop presented D & M Change Order #9 which extends the substantial and final completion date by 200 days for the 421 utility infrastructure projects. Joe Coar motioned to approve D & M Change Order #9 as presented. Terry Larson seconded the motion. The motion carried unanimously.

B. Consideration of Deercroft Landfill Sanitary Sewer Connection and Leachate Discharge Agreement

Matt Reardon, MCR Partners, presented the Deercroft Landfill Sanitary Sewer Connection and Leachate Discharge Agreement for consideration. Terry Larson motioned to approve the agreement. Joe Coar seconded the motion. The motion carried unanimously.

C. Consideration of Resolution #7 Authorizing the County Auditor to Transfer TIF Funds to 2023 Planner Payroll Fund

The Commission reviewed Resolution #7 Authorizing the County Auditor to Transfer TIF Funds to the 2023 Planner Payroll Fund. This transfer of funds represents the Commission's portion of Mitch Bishop's 2023 payroll of \$10,000.00. Rich Mrosinski motioned to approve Resolution #7 as presented. Terry Larson seconded the motion. The motion carried unanimously.

D. Consideration of Resolution #8 Authorizing I-94 US 35 Economic Development Area Related Claims to be Expended from the 39 North TIF Fund, Said Amounts to be Reimbursed for Such Claims from the I-94 US 35 Economic Development Area

The Commission reviewed Resolution #8 Authorizing I-94 US 35 Economic Development Area Related Claims to be Expended from the 39 North TIF Fund, Said Amounts to be Reimbursed for Such Claims from the I-94 US 35 Economic Development Area. Joe Coar motioned to approve Resolution #8 as presented. Rich Mrosinski seconded the motion. The motion carried unanimously.

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E. Consideration of the La Porte County Redevelopment Commission 2023 Meeting Schedule

Joe Coar motioned to approve the 2023 Meeting Schedule as presented. Terry Larson seconded the motion. The motion carried unanimously.

OTHER BUSINESS

Matt Reardon, MCR Partners, announced a workshop will be held prior to the next Redevelopment Commission to provide new members the opportunity to familiarize themselves on current Commission business.


Joe Coar thanked La Porte County for the opportunity to serve on the Redevelopment Commission for the last six (6) years and he will always support the county.

President Novak thanked everyone for all their hard work this year, for the many accomplishments in La Porte County including the Kingsbury area, 421 projects, expanding and getting other important matters completed.


ADJOURNMENT

Michael Rosenbaum motioned to adjourn the meeting at 4:36PM. Joe Coar seconded the motion. The motion carried unanimously. The next meeting will be held January 25, 2023.

Attest:



Michael Rosenbaum
Secretary



~~Randy Novak~~ JOE HANEY
President

I verbally told them right before our progress meeting.

Sent from my iPhone

On Dec 8, 2022, at 6:44 PM, Randall Veatch <rveatch@securallproducts.com> wrote:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Can I get a copy of what was sent to D&M excavating having him stop?

Sent from my iPhone

On Dec 8, 2022, at 6:10 PM, John Smith <jsmith@usiconsultants.com> wrote:

Mr. Veatch,

My name is John Smith and I am a project manager for USI Consultants out of our LaPorte office. USI was hired by the LaPorte Redevelopment Commission to oversee the 300 N water/sewer extension. On November 10th 2022 at 12:45 PM I informed D&M Excavating (Ryan Miller) to stop using the material from his 400 West property on the 300 N project.

Thanks,

John Smith | Construction Project Manager

USI Consultants, Inc.