

August 16, 2021, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION

President Carla Houck called the August 16, 2021, regular meeting of the Redevelopment Commission (RDC) to order at 8:33 a.m. The meeting was held in the City Council Chambers at City Hall, and also via Zoom with the public issued a dial-in number to allow listening and participation capabilities. The Pledge of Allegiance was recited. Members present: Carla Houck, Shawn Kelly, Marsha Plesac (*via Zoom*), Matthew Claussen, and Judy Dunlap (*arrived via Zoom during New Business*). Members absent: Pam Broadway. Also present: Beth Jacobson, Director of Development; Deborah Longer, Clerk-Treasurer (*via Zoom*); Anthony DeBonis, RDC Attorney (*arrived via Zoom during Treasurer's Report*); Heather McCarthy, City Attorney (*via Zoom*); Phil Gralik, City Engineer; Brian Snedecor, Mayor; Greg Lorig, American Structurepoint (*via Zoom*); Brandon Towle, Butler Fairman & Seufert (BF&S); and Dawn Hostetler, RDC Recording Secretary.

Under **Approval of Agenda**, a motion was made by Mr. Claussen to approve the agenda as presented; seconded by Mr. Kelly. Roll call vote taken: All ayes; motion carried. (4-0)

Regarding the **Minutes of July 19, 2021, Regular Meeting**, a motion was made by Mr. Claussen to approve the July 19, 2021, Regular Meeting minutes as presented; seconded by Mr. Kelly. Roll call vote taken: All ayes; motion carried. (4-0)

Regarding the **Treasurer's Report**, the July investment statements for Fund 406 and Fund 410, plus the most current fund & appropriation reports for Fund 406, Fund 410, and Fund 250 were distributed in the RDC meeting packet. There were no questions or comments.

Under **Old Business**, a motion was made by Mr. Claussen to remove the **Approval of Education & Workforce Training Grant Report (#2-2021 Building Trades) – Merrillville Community School Corporation** from the table; seconded by Mr. Kelly. Roll call vote taken: All ayes; motion carried. (4-0) Ms. Hostetler reminded the RDC that she had requested a revised report with more detailed information. They have indicated in the revised report that the students completed construction of two full-scale miniature homes on schedule. The curriculum was taught to a total of 40 students in which 12 students participated in person and 28 students participated virtually. Photographs of students working on the miniature homes were included in the report. A motion was made by Mr. Claussen to approve the Education & Workforce Training Grant Report (#2-2021 Building Trades) from the MCSC; seconded by Mr. Kelly. Roll call vote taken: All ayes; motion carried. (4-0)

Under **New Business**, the first item was the **TRAX Project – Status Report (American Structurepoint)**. Mr. Lorig stated that the field work was completed last month by geotechnical subcontractor Terracon and the final geotech report is expected to be received this week. Right-of-way plans, plats, and legal descriptions were submitted to INDOT on July 28th and American Structurepoint is awaiting review comments from INDOT so the required right-of-way appraisals can begin. He said that American Structurepoint will be following up with INDOT this week to see if they have any comments. Draft E4 environmental documents will be submitted later this week, and the next formal submittal to INDOT will be stage 3 designs on March 18, 2022. He stated that American Structurepoint will be working on right-of-way and environmental approvals between now and then. Ms. Houck noted that the summary sheet that was included in

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the meeting packet lists a public hearing to be held on September 20th, and asked if this will be held in conjunction with the RDC's regular meeting on the same date. Mr. Lorig indicated that if a public hearing is needed, it will likely be held at a later date. Ms. Houck asked if a large turnout is anticipated at this public meeting. She noted that the last public hearing of the RDC was well-attended and she wants to ensure that the proper consultants are available at this meeting to address any concerns. Mr. Gralik stated that he does not expect a large turnout. Mr. Lorig stated that his understanding from talking to the environmental group is that there is a 30-day advertisement period for a public hearing and if no responses are received, a public hearing is not required through the INDOT process. He said if a public hearing is needed, it would likely be held in November.

Regarding the **69th Avenue Improvement Project – Status Report**, Mr. Towle stated that construction crews were on site last week, but they were mostly limited to removing the existing pavement due to the wet weather conditions. He said they were not able to work last Friday because it was too wet and there was no more pavement to remove, but they are expected to be back out there this week to move dirt and fill in the southwest corner of the intersection. Mr. Claussen asked if the road is currently closed. Mr. Towle confirmed that the road is now closed for the duration of construction.

Ms. Houck said she noticed that new signage has been installed on 61st Avenue just west of Liverpool Road to alert eastbound motorists that the right lane is ending. However, she believes there are still substantial road hazards in this corridor due to increased traffic because of the Colorado Street closure. She said drivers are still not obeying the "right turn only" lane into the Merrillville Heights subdivision. Additionally, the lack of a "No Turn on Red" sign for southbound motorists at the intersection of 61st Avenue and Liverpool Road poses the potential for an accident to occur. She noted that these were some of the concerns expressed by the 61st Avenue residents at the public hearing in April. Mayor Snedecor suggested that some sort of physical separation, such as concrete traffic barriers or plastic reflective posts, could be installed eastbound on 61st Avenue between the straight lane and the right-turn lane at Liverpool Road to prevent motorists from passing on the right side. Mr. Gralik stated that a roundabout will eventually be built at that intersection, but improvements can be made with signage in the meantime. Ms. Houck asked if arrows could be painted on the pavement to alert drivers of the right-turn only lane. Mr. Gralik indicated that City staff can look into updating the pavement markings. Ms. Houck said she thinks it would ease the residents' concerns knowing that the City is making a good faith effort to remedy the situation.

The next item of business was the **Approval of Pay Estimate #9 (G.E. Marshall) 69th Avenue Improvement Project (A – Road)**. Mr. Towle stated that this pay estimate is primarily for the cost of the limestone for the roundabout, which was cut and is now on site. The total amount for pay estimate #9 after retainage deduction is \$108,608.23. A motion was made by Mr. Claussen to approve pay estimate #9 in the amount of \$108,608.23; seconded by Ms. Plesac. Roll call vote taken: All ayes; motion carried. (4-0)

Regarding the **Approval of Change Order #9 – 69th Avenue Improvement Project (A - Road)**, Mr. Towle stated that a design revision was made to the roundabout at Colorado Street

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and 69th Avenue in which the roundabout was widened and an additional right-turn lane was added in order to tie into the TRAX project. Consequently, the contractor had to correct the GPS files and update the layout files for site and utility work. He said change order #9 is for the costs associated with this work. Additionally, Mr. Towle explained that when 69th Avenue east of Colorado Street was milled and resurfaced, the control point was removed and therefore needed to be reset. Change order #9 includes the cost for this work as well, so the total amount of the change order is \$7,169.00. Mr. Kelly said the cost of this work seems excessive and asked if a cost breakdown was provided by the contractor. Mr. Towle stated that the cost of resetting the control point was approximately \$1,500.00, and the remaining cost was related to the file updates. Mr. Kelly said it would be helpful to see a cost breakdown on future change orders, especially those that include multiple tasks. A motion was made by Mr. Claussen to approve change order #9 in the amount of \$7,169.00; seconded by Ms. Plesac. Roll call vote taken: All ayes; motion carried. (4-0)

The next item of business was the **Approval of Change Orders #16, #17, #18, and #19 – 3rd Street Streetscape**. Mr. Towle stated that these change orders are primarily related to closing out the contract. He explained that the cost of the pavement and subgrade treatment on 3rd and Center Street was initially projected to be paid for by the City, which is the way the contract was built into INDOT's Site Manager system. He said prior to invoicing the City for this project, INDOT and the MPO secured funding to cover the cost of the pavement, but BF&S was not aware of this change to the contract. Consequently, BF&S continued to invoice the project as entered into the Site Manager system, so the City was paying for these items at 100% (non-participating) instead of 20% (participating). Mr. Towle stated that change orders #16 and #18 show an amount of \$0, but they are actually a credit to the City because they are converting non-participating items into participating items. He stated that the contract did not include participating items for the joint adhesives, so change order #16 is to add these items to the contract. He indicated that the bulk of the asphalt items were already participating items, so change order #18 is to convert the non-participating asphalt items into participating items.

Change order #17 is for escalation costs associated with keeping the contract open so a portion of the work could be completed in conjunction with the 3rd Street bridge project. The total cost for change order #17 is \$61,870.53, and includes increased labor costs, trucking & rental equipment, and remobilization to the jobsite; however, the contractor did not charge any additional expenses for increased cost of material. Mr. Towle stated that the cost adjustment is a non-participating contract item. He pointed out that since the time extension, there has been about \$465,00.00 worth of work completed, in which the RDC's 20% portion would have been approximately \$93,000.00. He said he believes the time extension of the contract was worth it in the long run.

Regarding change order #19, Mr. Towle stated that there are typically overrun and underrun change orders upon completion of municipal projects in order to zero out the items in the contract. However, INDOT's policy is to only include items that exceed \$20,000.00 (plus or minus). He said the three items in the contract that exceeded this threshold were pavement removal, subgrade treatment IC, and irrigation system. He explained that the irrigation system planned for the Lake George gateway was removed after consulting Parks Director Kelly

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Goodpaster, who indicated that she preferred it not be installed. He indicated that the overrun items have already been paid, so change order #19 is simply to zero them out.

A motion was made by Mr. Claussen to approve change order #16; seconded by Ms. Plesac. Roll call vote taken: All ayes; motion carried. (4-0)

A motion was made by Mr. Claussen to approve change order #17; seconded by Ms. Plesac. Roll call vote taken: All ayes; motion carried. (4-0)

A motion was made by Mr. Claussen to approve change order #18; seconded by Ms. Plesac. Roll call vote taken: All ayes; motion carried. (4-0)

A motion was made by Mr. Claussen to approve change order #19; seconded by Ms. Plesac. Roll call vote taken: All ayes; motion carried. (4-0)

Regarding the **Downtown Public Parking Signage**, Ms. Hostetler gave a presentation of the proposed downtown parking signage locations. She said staff is in the process of gathering information for this project before soliciting quotes. She called attention to a map showing the location of the downtown public parking lots and noted that there is an existing sign at the 2nd and Center Street lot. There are currently eight public parking lots downtown that are lacking signage. These locations include one at City Hall, one behind the Hobart Historical Society, two at the Police Court Complex (one near senior center and one near entrance to Brickie Bowl), one at 3rd and East Street (former NAPA lot), one behind the post office, one at Lakefront Park near the clocktower, and one next to the Librarium Café. Ms. Hostetler presented a photograph of the existing sign at the 2nd and Center Street lot along with examples of other similar signage. She asked for input from the Commission regarding the design and composition of the proposed signage. The RDC expressed that the design should be consistent with the existing sign to maintain a uniform appearance downtown. Mayor Snedecor agreed with the consistency of the design; however, he suggested the incorporation of outside posts to provide more stability and less wear and tear over time. The Commission concurred with the Mayor's recommendation. Ms. Hostetler said she will work with staff to identify any lots that may be reserved for overnight parking for downtown residents and determine the wording needed for each sign based on its location.

Ms. Jacobson reviewed the invoices on the **Register of Claims**. Pay Estimate #9 from G.E. Marshall will be submitted to the RDA for reimbursement. A motion was made by Mr. Claussen to approve the register of claims in the amount of \$110,458.23; seconded by Mr. Kelly. Roll call vote taken: All ayes; motion carried. (4-0)

<u>Invoice Date</u>	<u>Invoice Number</u>	<u>Claimant</u>	<u>Amount</u>
8/4/2021	2868	Anthony DeBonis, Jr. & Assoc.	\$1,100.00
8/4/2021	2869	Anthony DeBonis, Jr. & Assoc.	\$500.00
7/13/2021	2872	Anthony DeBonis, Jr. & Assoc.	\$150.00
7/13/2021	2873	Anthony DeBonis, Jr. & Assoc.	\$100.00
8/7/2021	Pay Est. #9	G.E. Marshall	\$108,608.23

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Total:

\$110,458.23

Regarding the **Approval of 2020 Bond Register of Claims**, Requisition No. 23 includes a payment to BF&S (Invoice 93563) in the amount of \$22,741.92 for engineering related to 61st Avenue and Marcella Boulevard improvements, another payment to BF&S (Invoice 93570) in the amount of \$17,572.30 for inspection related to the 69th Avenue project, and a payment to RDC Attorney DeBonis (Invoice 2867) in the amount of \$150.00 for legal services related to 61st Avenue and Marcella Boulevard improvements. A motion was made by Mr. Claussen to approve Requisition No. 23 in the amount of \$40,464.22; seconded by Mr. Kelly. Roll call vote taken: All ayes; motion carried. (4-0)

Staff Report – Ms. Hostetler reported that \$1,024.82 (Claim #21) was received into Fund 406 from INDOT as 80% reimbursement for construction inspection invoices related to the downtown streetscape project.

Ms. Hostetler stated that she has been working on the 2022 Education & Workforce Training Grant application, which will be presented to the Commission at the September 20th meeting. She said a grant committee will be appointed at this same meeting and asked the RDC members to consider whether or not they would like to serve on this committee.

Ms. Jacobson called attention to a comparison of estimated and actual spring 2021 tax increment received, which was prepared by Baker Tilly. She noted that Fund 410 (61st Avenue/SR 51 TIF) received \$201,553.00 more than estimated, and Fund 406 (Downtown/SR 130 TIF) received \$65,317.00 more than estimated. Regarding Fund 412 (US 30/69th Avenue TIF), she said that Baker Tilly is working with the Lake County Auditor's office to figure out why the June tax increment was not received and to try to rectify the disparity. She said she will update the RDC as soon as information becomes available.

Ms. Jacobson invited the Commission to attend the 2021 Board and Commission Ethics Training and Dinner hosted by the Shared Ethics Advisory Commission, which will be held at Avalon Manor on Monday, August 30th at 6:15 p.m. She said that any member interested in attending must register online by August 20th.

Ms. Jacobson reported that \$18,854.08 was received from the federal government as interest credit related to the 2010 Recovery Zone bond.

Ms. Jacobson reported that staff has been communicating with Jon Derwinski of NIPSCO regarding the 3-phase electric needed to service Project MC. Mr. Gralik stated that Mr. Derwinski has indicated that he is in the process of designing the 3-phase electric pole line to run along 69th Avenue, then north along the Liverpool Road alignment. He said Mr. Derwinski also indicated that the transmission lines cannot be installed on the north side of 69th Avenue due to landscaping berms that are being installed along the Project MC site in accordance with City ordinance. He explained that if the landscaping is too close to the transmission lines, there would not be enough vertical clearance for the higher voltage wires. Therefore, the transmission lines must be installed on the south side of 69th Avenue. Mr. Gralik stated that staff requested,

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but has not yet received, a cost estimate to install the transmission lines along the railroad tracks. He said to his knowledge, NIPSCO is still planning on installing the compromised route along 69th Avenue.

Ms. Jacobson stated that staff continues to have ongoing discussion regarding the priority of improvement projects needed along 61st Avenue and Colorado Street and hopes to have an update in the near future. She said Mr. Gralik has been working with BF&S to advocate for the 2-lane roundabout option at 61st Avenue and Marcella Boulevard. Mr. Gralik reminded the Commission that the City received a grant from NIRPC to convert this intersection into a multi-lane roundabout as outlined in the need statement of the City's grant application. INDOT has since advised that they believe it should instead be a wider signalized intersection based on a statewide study that found that multi-lane roundabouts increase the total number of accidents by 40% over signalized intersections. He said INDOT has not taken into consideration that all of these accidents were minor fender benders and there were no serious accidents with injuries or fatalities. He indicated that the City does not support the option for a signalized intersection and has stressed to INDOT that if this option was to be built to accommodate future traffic needs, the City would need to acquire two businesses on either the north side (Arby's and Family Express) or the south side (Wendy's and the proposed Dunkin' Donuts) of 61st Avenue resulting in a loss of revenue. Conversely, a 2-lane roundabout could be built at this intersection without impacting any of the adjacent businesses. Mr. Gralik said he spoke to Director of Engineering Mike Jabo regarding his experience with the multi-lane roundabouts in Valparaiso. He said Mr. Jabo indicated that there has been an increase in the total number of accidents due to sideswipes and fender benders, but there have been no serious accidents at the intersections where roundabouts have been installed. Ms. Houck asked if the new roundabout at the intersection of Silhavy Road and Laporte Avenue in Valparaiso is similar to what the City is proposing at 61st Avenue and Marcella Boulevard. Mr. Gralik stated that it is nearly identical to the one proposed at Marcella Boulevard. He stated that most of the complaints that Mr. Jabo receives about the roundabout at Silhavy Road and Laporte Avenue are from pedestrians. He explained that this intersection is so busy that it is hard for pedestrians to find a gap between vehicles to be able to cross the road. He said this roundabout moves an immense amount of traffic, as will the one proposed at Marcella Boulevard.

Ms. Jacobson stated that she recently responded to an RFI for a major project that unfortunately chose to locate elsewhere due to workforce concerns. She said this would have had a huge impact on the RDC's decision-making process regarding improvement projects. She explained that had the company selected the bond purchase incentive option offered by the City, it would have provided funds to make improvements in the area. Ms. Jacobson stated that since this project is off the table, the outcome of the 61st Avenue and Marcella Boulevard intersection design is now the biggest factor in the RDC's budgeting decisions. She reminded the RDC that the bond funds need to be spent by February 2023, and the letting date for the Marcella Boulevard project would be close to this deadline. Mr. Gralik said that the City's federal funds for Marcella Boulevard are in the State's fiscal year 2023, which is fall 2022 and spring 2023. He said INDOT will not allow a local government to bid a project after March (or April at the latest) because if there are any issues with the bidding process, the federal funds could disappear at the end of the fiscal year. Therefore, the Marcella Boulevard intersection project needs to be let no later than April 2023. Mr. Claussen asked if there is any indication as to when INDOT

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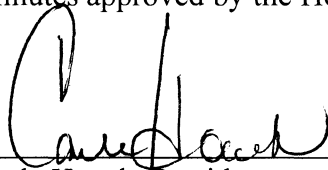
may make a decision regarding the design of the 61st Avenue and Marcella Boulevard intersection. Mr. Gralik said he is aggressively advocating for the 2-lane roundabout option, and he hopes to have a decision before the next RDC meeting. Ms. Jacobson said she also hopes to have some updates regarding additional improvement project options to spend down the bond.

Mr. Claussen asked if any thought has been given to what might occur if Congress approves the federal infrastructure bill. Ms. Jacobson stated that she and Mr. Gralik are planning to have a conversation with Baker Tilly about the potential to widen Colorado Street with EDA funding. She said she will keep the Commission updated as information regarding funding options and eligibility becomes available.

Adjournment - The meeting was adjourned at 9:29 a.m.

Minutes were prepared by Dawn Hostetler, Clerical Assistant to the Director of Development.

Minutes approved by the Hobart Redevelopment Commission on SEPTEMBER 20, 2021



Carla Houck, President



Attest: MARSHA PLESAC, SECRETARY