

March 20, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION

President Carla Houck called the March 20, 2023, regular meeting of the Redevelopment Commission (RDC) to order at 8:30 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, Matthew Claussen, Pam Broadaway, and Stuart Schultz. Members absent: Marsha Plesac. Also present: Beth Jacobson, Director of Development; Ryan Cook, RDC Attorney; Heather McCarthy, City Attorney; Deborah Longer, Clerk-Treasurer; Phil Gralik, City Engineer; Alex Olesker, Deputy City Engineer; Bob Fulton, Assistant to the Mayor; Jocelyn Hinshaw, American Structurepoint (*via Zoom*); Jake Dammarell, Butler Fairman & Seufert (BF&S); Brandon Towle, BF&S; and Dawn Hostetler, RDC Recording Secretary.

Under **Approval of Agenda**, a motion was made by Ms. Broadaway to approve the agenda as presented; seconded by Mr. Claussen. All ayes; motion carried. (4-0)

Regarding the **Minutes of February 21, 2023, Regular Meeting**, a motion was made by Mr. Claussen to approve the February 21, 2023, Regular Meeting minutes as presented; seconded by Mr. Kelly. All ayes; motion carried. (4-0)

Regarding the **Treasurer's Report**, the February investment statements for Fund 4445 and Fund 4450, plus the most current fund & appropriation reports for Fund 4445, Fund 4450, Fund 4455, and Fund 2527 were distributed in the RDC meeting packet. Ms. Longer stated that the RDC annual report was uploaded to the Gateway system last Friday. She reported that the 2022 audit is currently underway. There were no questions about the reports.

There was no **Old Business**.

Under **New Business**, the first item was the **Landscape/Hardscape Projects – Status Report (American Structurepoint)**. Ms. Hinshaw stated that she submitted draft AutoCAD drawings to Ms. Jacobson and Ms. Hostetler for preliminary review, and an official draft will be submitted to City staff next week. She reported that Eric Wolverton is scheduled to conduct the roundabout evaluation early next week. Ms. Jacobson requested feedback from the Commission regarding the flag pole design options that were included in the meeting packet. Ms. Houck said she prefers the downlit flag poles. She noted that there were many different lens and diameter options, but she trusts staff to pick the best option. Ms. Broadaway concurred with Ms. Houck's preference of the downlit poles.

The next item of business was the **Supplemental Agreement No. 1 for 69th Avenue Reconstruction - BF&S**. Mr. Dammarell stated that this supplemental agreement is primarily for inspection of additional stormwater improvement work that was not included in the original design, but was added at the conclusion of this project. A motion was made by Mr. Claussen to approve Supplemental Agreement No. 1 for the 69th Avenue Reconstruction project in the amount of \$12,000.00; seconded by Ms. Broadaway. All ayes; motion carried. (4-0)

Regarding the **Supplemental Agreement No. 2 for 3rd Street Streetscape Construction Inspection - BF&S**, Mr. Dammarell stated that the 3rd Street Streetscape project has been completed for quite some time; however, there was a dispute with INDOT's purchase order (PO)

March 20, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION

records. He explained that INDOT claimed that the City owed more money for this project, but there was actually an error in their accounting. He said this supplemental agreement is for BF&S' efforts to resolve this conflict and to close out the contract with INDOT. A motion was made by Mr. Claussen to approve Supplemental Agreement No. 2 for the 3rd Street Streetscape Inspection in the amount \$5,000.00; seconded by Ms. Broadway. All ayes; motion carried. (4-0)

The next item of business was the **Lakefront Park Refuse Enclosure Project – Status Report (Alex Olesker)**. Mr. Olesker stated that all the project documents have been submitted and approved. He reported that there has been a delay in receiving the bricks needed for the refuse enclosure, but they are anticipated to be received mid-April. Additionally, Grimmer plans to begin construction the second week of April. Ms. Jacobson stated that staff met on site to compare the brick sample to the existing enclosures, and they were a very close match. Ms. Houck asked what the anticipated completion date is. Mr. Olesker indicated that the project should be completed sometime in May, or June at the latest.

The next item of business was the **HSD – 37th Avenue Property Discussion**. Ms. Jacobson called attention to a flyer that was included in the meeting packet and noted that it is outdated, but shows a good overview of the property. She said staff has had some internal conversations about the best approach for developing this property, which involved some discussion about the possibility of the Hobart Sanitary District (HSD) transferring ownership to RDC to allow more flexibility in regard to the marketing and sale of the property. She noted that there are certain actions that should happen prior to transference. She stated that the police shooting range is located within this parcel and it would make sense to subdivide the property so that it is not included in an appraisal or the parcel that is for sale. Additionally, there needs to be public access to the property from SR 51. Mr. Gralik indicated that there is a 25-foot wide strip of land on this property that extends to SR 51. He said the width of this strip of property basically constitutes half a road. Mr. Fulton stated that there are also three curb cuts along 37th Avenue to accommodate future access roads to the property. He said HSD has undertaken a project with the City to construct a sewer main. He explained that there is an 8-inch New Chicago water main that bisects the parcel, but an easement was never installed over it. He said this water main serves all of New Chicago and Knob Hill, but is inadequate for future development. Mr. Fulton stated that a topographic survey of the entire site has been done with the intention of selling it. However, the HSD is bound by state regulations, which stipulate that it cannot except less than the average of two appraisals. He said the RDC has more flexibility with regard to negotiating the sale of property. He indicated that HSD had previously issued a couple of Requests for Proposals (RFP) for the property, but received very little interest from potential developers. He said he also engaged a realtor to help market and sell the property; however, the City would give up any control of what develops on the property if it were to be sold outright, which is not the desire of City leadership. Mr. Fulton stated that the 37th Avenue corridor is in dire need of reinvigoration, which is one of the reasons HSD is requesting participation from the RDC. He said the HSD will do the heavy lifting in terms of subdividing the property and whatever else is needed to prepare it for sale. He noted that the police shooting range needs to be retained by the City. Additionally, there is an active National Pollutant Discharge Elimination System (NPDES) permit for the property, which was required when the HSD acquired the parcel in anticipation of constructing a wastewater treatment plant. Mr. Fulton explained that the City needs to maintain

March 20, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION

enough of the property to build that plant, which would be less than 5 acres of the 90-acre site. He said HSD needs the RDC's help with negotiations of the sale.

Attorney McCarthy stated that because of the size and location of the property, she thinks that the determination of the best use and marketing strategy rests with the RDC. She said the HSD discussed the possibility of relocating the police shooting range so this acreage could be included in the sale of the property; however, the consensus now is to retain this portion of the property and not to include it in the sale. She said HSD is willing to enter into a written agreement with the RDC; however, she cannot draft anything until discussions begin in regard to allocating payment for different items once the property is transferred. She stated that she thinks a survey should be done now to remove the gun range. Mr. Fulton said the survey is done, but what is needed are the milestones to move forward with subdivision approval to subdivide the parcel. He noted that the property is currently zoned R-1 residential, but City leadership does not believe that is the most appropriate use of the property.

Ms. Houck asked when and how the City came about owning this property. Mr. Fulton stated that the HSD purchased the property approximately 24 years ago from the Isakson family in anticipation of building a wastewater treatment plant if needed in the future. However, City staff was aware that the size of the property is larger than the City was ever going to need. Ms. Houck asked Mr. Fulton what type of development the City would like to see occur on this property. Mr. Fulton said everybody has a different idea of what should develop on this site. Ms. Houck indicated that there should be a consensus as to what type of development the City would like to occur on this property before it is put on the market to sell. Attorney McCarthy said that the purpose of starting this conversation with the RDC is so the Commission can help determine what development is best suited for the City. Ms. Houck noted that it is important to also consider what is best for the community. Mr. Fulton stated that if the HSD were to sell the property outright, the City would be at the mercy of the buyers and whatever vision they have for the site, which may not be consistent with the vision of the RDC and City leadership. He said transferring the property to the RDC would give the City the opportunity to influence the type of development that occurs on the site. Mr. Claussen noted that the City would have some control through the Plan Commission and BZA approval processes regardless of the sale process. Ms. Jacobson stated that the Planning Department is currently working with the Lakota Group to revise the future land use map and comprehensive plan. She said they are in the process of scheduling a public workshop in April to gather input from stakeholders. Mr. Claussen asked if Lakota Group's recommendation would possibly be available in the next two to four weeks. Ms. Jacobson said she is not sure how long after the public meeting the comprehensive plan would be available. Attorney McCarthy said the Plan Commission would take action once input is received and a decision is made. Mr. Fulton stated that it is important to keep in mind that the Plan Commission's ability to influence zoning only goes as far as the recorded land use map. He said any zoning changes that are made have to be in agreement with the land use plan. Ms. Broadaway asked Mr. Fulton what the HSD's plans are for this property. Mr. Fulton indicated that there are two obligations that the HSD needs to uphold on the parcel. He explained that there is a lease between HSD and the City of Hobart for the land that the police shooting range is on, which is why this acreage will not be included in the sale. Additionally, HSD has an NPDES permit, which identifies specific latitude and longitude coordinates where the wastewater plant is supposed to discharge. He said other than retaining land to build a wastewater treatment plant

March 20, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION

and to uphold the lease for the shooting range, the HSD has no plans and no use for the remainder of the property. Ms. Broadway asked why the property flyer shows 42 acres that are not for sale. Mr. Fulton explained that at one point, someone had suggested moving Public Works to this location. Ms. Jacobson reminded the Commission that the flyer is outdated. Ms. Broadway asked if the property will be rezoned before selling. Mr. Fulton said HSD will help with the rezoning based on what stakeholders think it should be zoned. Ms. Jacobson stated that if the RDC were to issue an RFP, it would be helpful to have a clearly identified, subdivided, and rezoned property, so there is a clear plan as to the type of development the City wants to attract to the site. She said her understanding from the last internal meeting is that there was a consensus that at least a portion of the frontage property should remain commercial. However, the latest draft of the comprehensive plan and future land use map identifies this frontage as residential. Ms. Jacobson stated that if the frontage property is designated as commercial, it may take a little longer to develop. Regarding the back portion of the property, she said she thinks it is important to come to a consensus and have a clear vision to present to potential developers. She indicated that the concept does not need to be extremely specific, but a decision should be made regarding the type of zoning. She noted that a light industrial zoning district would be fairly comprehensive. She said if a decision is made to zone the property residential, a determination should be made as to the density and whether it should be R-2 or R-3, then present it as such. Mr. Claussen asked if the frontage property would include retail development if it were to be zoned commercial. Ms. Jacobson said it could include retail, office space, medical facility, or other commercial use. Mr. Claussen said he does not believe strictly retail development would work in this corridor because retail stores in this area have struggled over the years. Ms. Jacobson agreed, and said that is why there needs to be a broader conversation. She indicated that with the research going into the new comprehensive plan and future land use map, she believes these tools will help guide the best use of the property. She said the City should work collectively in that process. Mr. Claussen said he would like to be part of those discussions when they occur. Ms. Broadway stated that she thinks all the RDC members would like to be a part of those conversations. Attorney McCarthy noted that the HSD suggested getting a shared group together with representation from both the RDC and HSD. She said she thinks it would be beneficial to form a small subcommittee. She indicated that City Planner Ross Pietrzak should be involved in those conversations as well. Ms. Houck said she would like to know if there will be a financial aspect to the RDC's participation, and if so, where the funds would come from. She indicated that financial support would not necessarily prevent the RDC's participation, but she thinks the RDC needs to be responsible for all aspects of involvement. She said her understanding is that the profits from the sale of the property would go back to the HSD. Mr. Fulton confirmed that is correct. Attorney McCarthy said she can write up an agreement, but she thinks it is premature to start putting pen to paper until the RDC and HSD meet to discuss options and negotiations. Ms. Jacobson suggested a collaborative meeting should be held with the Lakota Group, City Planner Ross Pietrzak, the Plan Commission, RDC, and HSD. She indicated that all these entities need to be involved in the same conversation.

Ms. Jacobson stated that her understanding is that the property needs have road access from SR 51. She asked how the City would go about obtaining this access. Mr. Fulton said that is a question for Mr. Pietrzak, who is not present to address. He indicated that there is an easement on the Midwest Service Center (MSC) property that abuts the 25-foot wide strip of land owned by HSD, which is currently the road being used to access the police shooting range. He said he

**March 20, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION**

believes MSC made a commitment, in an agreement with the Plan Commission, to dedicate that portion of their property to the City once the development of their parking lot was finished. However, this easement has not yet been dedicated to the City. He stated that Mr. Pietrzak has examined the documents and determined that the City’s 25-foot strip of land together with MSC’s dedicated property makes up a full road. Ms. Jacobson asked if Mr. Pietrzak was able to find the agreement to dedicate this easement in writing. Mr. Fulton said yes, he found the written agreement. He indicated that the language in the agreement suggests that the existing road leading to the HSD property should have the status of a right-of-way as opposed to an access easement. Ms. Jacobson asked if the combined width of the City’s easement and MSC’s dedicated easement would form a road wide enough to accommodate different types of development that might occur on the property. Mr. Gralik stated that the standards are normally more than what is there, but it is enough to build a full road. Ms. Jacobson asked what would happen if MSC is not willing to dedicate the easement. Mr. Fulton indicated that they would have to comply since they agreed to this requirement when they submitted their plans. Mr. Claussen said it would make sense for them to cooperate because the City would then be responsible for maintaining the road.

Ms. Jacobson reviewed the invoices on the **Register of Claims**. A motion was made by Ms. Broadway to approve the register of claims in the amount of \$1,200.00; seconded by Mr. Claussen. All ayes; motion carried. (4-0)

<u>Invoice Date</u>	<u>Invoice Number</u>	<u>Claimant</u>	<u>Amount</u>
2/28/2023	16345M-10	Eichhorn & Eichhorn	\$120.00
2/28/2023	16342M-4	Eichhorn & Eichhorn	\$1,080.00
Total:			\$1,200.00

Regarding the **Approval of 2020 Bond Register of Claims**, Requisition No. 42 includes a reimbursement to the Board of Works for a payment in the amount of \$34,970.14 to BF&S for engineering services related to the 61st Avenue & Marcella Boulevard project, and a payment to Eichhorn & Eichhorn (Invoice 16346M-9) in the amount of \$100.00 for legal expenses related to the Local Trax project. A motion was made by Ms. Broadway to approve Requisition No. 42 in the amount of \$35,070.14; seconded by Mr. Kelly. All ayes; motion carried. (4-0)

The next item of business was the **Approval of Economic Development Revenue Bond, Series 2022 Register of Claims**, which is the 82nd Avenue construction fund for the Albanese bond. Requisition No. 9 includes a payment to Eichhorn & Eichhorn (Invoice 16699M-6) in the amount of \$20.00, and reimbursement to the Board of Works for three payments in the amounts of \$195,506.21, \$199,652.11, and \$360,696.23 to G.E. Marshall for construction services, and a payment in the amount of \$17,977.50 to NIES Engineering for engineering work related to this project. A motion was made by Ms. Broadway to approve Requisition No. 9 in the amount of \$773,872.05; seconded by Mr. Kelly. All ayes; motion carried. (4-0)

Staff Report – Mr. Olesker reported that construction of the 82nd Avenue extension project is just over halfway complete. He stated that the main sewer line has been installed, along with the

**March 20, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION**

alternate line from 82nd Avenue to 83rd Avenue along Grand Boulevard. He indicated that the actual road will be installed once the weather breaks. He said the project is expected to be completed in May.

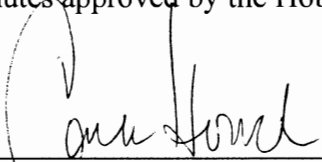
Ms. Jacobson stated that Greg Lorig of American Structurepoint provided a brief update on the TRAX project via email to staff. She reported that the letting date is still set for May 10th. She said Mr. Lorig indicated that all Final Tracing deliverables have been submitted to INDOT, and the INDOT Contracts Group is finalizing the contract information book. Additionally, Notice to Contractors should be published on April 12th. Mr. Claussen asked when Colorado Street is expected to be closed for construction. Mr. Gralik said the process for INDOT to bid the project, award it, and execute a contract will take about six weeks, so he believes the road closure should begin sometime in July. Mr. Towle noted that road restrictions at Colorado Street and US 30 will be in place before July due to the federal safety project at this intersection. Ms. Broadway asked how long Colorado Street will be closed for the TRAX project. Mr. Gralik stated that it will probably be closed until next spring since it is a nine-month construction project. He said much of the bridge work can be completed throughout the winter, but the paving will probably not occur until next spring.

Ms. Houck noted that the light posts along 61st Avenue have now been installed. She thanked Ms. Longer for her follow up emails regarding these posts. Additionally, she said she received several phone calls from residents in the area thanking the City for taking action.

Adjournment - The meeting was adjourned at 9:17 a.m.

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

Minutes approved by the Hobart Redevelopment Commission on APRIL 17, 2023.



Carla Houck, President



Attest: MARSHA PLESAC, SECRETARY