

July 10, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION

President Carla Houck called the July 10, 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, Marsha Plesac, Matthew Claussen, Pam Broadway, and Stuart Schultz. Also present: Beth Jacobson, Director of Development; Ryan Cook, RDC Attorney; Heather McCarthy, City Attorney; Deborah Longer, Clerk-Treasurer; Brian Snedecor, Mayor; Phil Gralik, City Engineer; Brandon Towle, Butler Fairman & Seufert (BF&S); Addie Kinsey, 220 Main Street; and Dawn Hostetler, RDC Recording Secretary.

Under **Approval of Agenda**, a motion was made by Ms. Plesac to approve the agenda as presented; seconded by Ms. Broadway. All ayes; motion carried. (5-0)

Regarding the **Minutes of June 20, 2023, Regular Meeting**, a motion was made by Ms. Plesac to approve the June 20, 2023, Regular Meeting minutes as presented; seconded by Ms. Broadway. All ayes; motion carried. (5-0)

Regarding the **Treasurer's Report**, the June 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. There were no questions or comments.

There was no **Old Business**.

Under **New Business**, the first item was the **61st Avenue Roundabout Study Update – Eric Wolverton**. Ms. Jacobson stated that Mr. Wolverton of American Structurepoint was unable to attend today's meeting; however, he provided an update via email to staff. She reported that Structurepoint has gathered all the available traffic data, reviewed the accident data that staff provided from the police chief, and came up with some possible traffic calming options. She indicated that all of this information will be outlined in the final report. Ms. Jacobson stated that Structurepoint is also in the process of scheduling the calming options to be put into schematics. She said Mr. Wolverton indicated that he anticipates that the report will be ready to present to the RDC ahead of the next meeting. She reminded the Commission that the contract addendum with American Structurepoint includes four virtual meetings including one with their roundabout expert, Mike McBride. She said Mr. Wolverton has requested to be informed as to when the RDC would like to hear from Mr. McBride. Ms. Houck indicated that she just wants to ensure that Structurepoint is working on ways to improve this roundabout and not trying to find reasons to leave it the way it is. She noted that she does not believe the original design was a mistake; however, she believes it is not functioning effectively. Ms. Jacobson stated that per the contract addendum, Structurepoint will be taking a comprehensive look at all options including the removal of the retaining wall, lowering the retaining wall, and leveling the soil and landscaping around the wall.

The next item of business was the **Request for Signage Grant Payment – 220 Main Street, Addie Kinsey**. Ms. Hostetler stated that the applicant has submitted all the necessary paperwork including the grant request form, proof of payment, and final waiver of lien. A motion was made

July 10, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION

by Mr. Kelly to approve the signage grant payment in the amount of \$562.80 for 220 Main Street (Picky Pet); seconded by Mr. Claussen. All ayes; motion carried. (5-0)

Regarding the **Infrastructure Project Updates – Phil Gralik**, Mr. Gralik gave an update on the US 30 and Colorado Street federal safety project. He reported that the project has been delayed by Frontier. He said there was utility coordination with INDOT through the federal aid process, in which Frontier was purportedly out of the way. However, the contractor pulled off the job because the ground water was more than they could handle. He stated that Frontier claimed that they thought the work was done, but it was not. Mr. Gralik explained that there is a fiber optic line in a duct bank that is in the way and Frontier is currently in the process of redesigning, which will take about a month to complete. He said there now will be a full closure on the north side of US 30 because this conflict is on the south side. He indicated that once the road work on the north side is complete, Frontier should be out of the way. Then, there would be a full closure on the south side so road construction can begin on that section. He said the full road closures will negatively impact some businesses because there will not be any one-way traffic going by. He stated that everyone has access off US 30 with the exception of three houses on the north side. Mr. Gralik said the contractor has agreed to maintain access for those residents when the full closure goes into effect. He said INDOT reminded him that federal dollars cannot be used to for utility conflicts, so any additional expenses related to this are the City's responsibility. He stated that depending on how much extra money this conflict will cost the City, the only option may be to contact the Indiana Utility Regulatory Commission (IURC) to file a claim against Frontier. Mr. Claussen asked if that is the only way to hold Frontier accountable. Mr. Gralik stated that the process would start with the IURC because that is the Commission that regulates the utilities for the state. He noted that the City contacted the IURC regarding issues with Frontier on the 3rd Street project. However, the second bid on that project came in lower, so there were no actual damages to go after, only a delay. He said there will probably be dollars involved with this project because half of the road south of US 30 has already been removed and the City will need to pay to temporarily repave until the work on the north side is complete. Mr. Claussen said that somebody needs to be accountable for the loss of dollars to the City as well as the businesses. Ms. Houck said she highly recommends that the City report this to the IURC. Ms. Broadway asked if the businesses could also file claims against Frontier for loss of business. Mr. Gralik said that is a possibility. Ms. Broadway said she hopes that everyone that is affected will file claims. Mr. Gralik said he will discuss this with Attorney McCarthy to come up with a game plan. He said INDOT's projects are affected by Frontier as well. Ms. Broadway suggested filing collectively with INDOT, the City, and the businesses that are affected.

The next item of business was the **Landscape/Hardscape Project Discussion**. Ms. Jacobson stated that no bids were received for this project; therefore, she spoke to Mr. Gralik, Attorney Cook, and Ms. Hinshaw about some options going forward. She said Mr. Gralik suggested that Milestone Contractors could complete the concrete work since they are already under contract with the City. Then, the Commission could seek three quotes for the landscaping portion. She noted that if everything works out, this may be the most feasible option. She asked Mr. Gralik if he has heard back from Milestone. Mr. Gralik said he has not yet heard back from them. He explained that he had called several contractors, including Milestone, when the project went out for bid. At that time, Milestone indicated that they would not bid the project because it involved

July 10, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION

too much landscaping. He said if Milestone were to complete the concrete work for this project under the current paving contract with the Board of Works, some change orders would be needed for items such as the colored concrete because the contract only includes regular concrete. He indicated that the landscaping and flag poles would need to be handled separately at a later date. Ms. Broadway noted that it is really difficult to get contractors to bid on projects right now because everyone is so busy. Mr. Gralik said that most of the concrete companies that he called said they could bid it for next year, but they are booked until the end of this year.

Ms. Jacobson stated that another option is to wait until the roundabout design is complete and bid all the components of the project at one time. Ms. Houck said she is ok with delaying the project if the areas can be well-maintained in the meantime. Mr. Gralik stated that the concrete work would not be a complicated project for Milestone to complete, but the City would need to figure out traffic control measures with them. He said there is a good chance that the hardscape elements could be done this year. Mr. Claussen suggested deferring construction of the entire project until next year. He indicated that some landscapers may be willing to bid on the project for next year. Then, the City would just need to maintain these corridors and make them look as presentable as possible for the rest of the year. Ms. Jacobson said she will update the RDC on what transpires with Milestone.

Regarding the **82nd Avenue Extension Project - Status Report (Alex Olesker)**, Ms. Jacobson stated that Mr. Olesker was not able to attend today's meeting, but he provided a status report via email to staff. She said he indicated that the asphalt is paved on 82nd Avenue and crews are now in the process of striping the road. Additionally, a progress meeting is scheduled for July 11th to prepare the final punch list.

Ms. Jacobson stated that Mr. Olesker also provided a status report for the Lakefront Park Refuse Enclosure project. She reported that the remaining punch list items for this project have been completed, so an invoice for the full retainage amount of \$3,000 has been submitted for the RDC's approval on the register of claims.

The next item of business was the **Approval of Education & Workforce Training Grant Report (#2-2023) – Merrillville Community School Corporation**. Ms. Hostetler stated that this is the second quarter grant report from the Merrillville Community School Corporation (MCSC) for their 2023 grant (*Engineering through Carbon Fiber 3D Printing*). They have indicated in this report that the Makerbot METHOD X Carbon Fiber 3D printer is being used to print gear sprockets for use by students in the Industrial Robotics class. Additionally, all expenditures are complete and a reimbursement request has been submitted. A motion was made by Ms. Plesac to approve the Education & Workforce Training Grant Report (#2-2023) from MCSC; seconded by Ms. Broadway. All ayes; motion carried. (5-0)

Regarding the **Request for Reimbursement (MCSC) – 2023 Education & Workforce Training Grant**, Ms. Hostetler stated that MCSC has submitted a request for reimbursement in the amount of \$7,794.51, which is the total amount awarded for their 2023 grant. She said their actual expenditure amount was a penny more than the granted amount. She explained that the total budgeted amount of \$30,000 for the 2023 Education & Workforce Training Grant has been allotted between MCSC and the School City of Hobart (SCOH); therefore, the reimbursement

July 10, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION

amount cannot exceed the granted amount. A motion was made by Ms. Plesac to approve grant payment to MCSC in the amount of \$7,794.51; seconded by Ms. Broadaway. All ayes; motion carried. (5-0)

The next item of business was **Resolution 2023-06: A Resolution Authorizing the Partial Repayment of a Temporary Loan from the State Road 130 & Downtown Economic Development Area Allocation Fund to the US 30 & 69th Avenue Economic Development Area Allocation Fund**. Ms. Jacobson reminded the Commission that \$393,000 was transferred from Fund 4445 (SR 130/Downtown TIF) to Fund 4455 (US 30/69th Avenue TIF) as a temporary loan to cover expenses for the US 30 & Colorado Street Federal Safety project. She reported that sufficient funds were recently received from this TIF area to be able to repay a portion of the loan. She stated that this resolution specifies that \$196,500, which is half of the total amount borrowed, will be transferred from Fund 4455 to Fund 4445 at this time. She indicated that splitting the payments allows for a balance of about \$176,000 to remain in Fund 4455 to cover various expenses that may be needed. Ms. Jacobson said the hope is that sufficient funds will be received in the fall distribution to be able to repay the remaining balance at that time. However, in the event that sufficient funds are not received or they are received belatedly, the plan is to preemptively prepare resolutions requesting an extension of the loan to submit to the Council for approval in December. She indicated that the resolutions may be pulled from the Council agenda if sufficient TIF funds are received prior to the meeting. She said Ms. Longer has indicated that she can do an internal transfer, then the Commission can adopt a resolution after the fact. A motion was made by Ms. Broadaway to approve Resolution 2023-06; seconded by Ms. Plesac. All ayes; motion carried. (5-0)

The next item of business was the **Acknowledgement of Pre-paid Register of Claims**, which is needed for documentation purposes in rare instances when the Clerk-Treasurer's office must pay invoices that are due prior to an RDC meeting. Ms. Jacobson stated that the prepaid register of claims includes a payment to the Chicago Tribune (Post-Tribune) in the amount of \$147.30, which is related to the bid advertisement for the Landscape/Hardscape Project. A motion was made by Ms. Broadaway to approve the pre-paid register of claims in the amount of \$147.30; seconded by Ms. Plesac. All ayes; motion carried. (5-0)

Ms. Jacobson reviewed the invoices on the **Register of Claims**. She stated that the invoice from Barnes & Thornburg is for a discussion she had with Randy Rompola regarding the Town of Merrillville's 69th Avenue and Mississippi Street intersection project. She reminded the RDC that the City had agreed to contribute to this project since it overlaps into Hobart. She noted that two of the parcels needed for right-of-way acquisition are within the US 30 & 69th Avenue TIF district; therefore, she asked Mr. Rompola whether or not the RDC could pay for the acquisition of those parcels from the 61st Avenue & SR 51 TIF district since it has more funds available. Ms. Jacobson stated that she also inquired as to whether or not the EDA Plan would need to be amended to include those parcels. She said Mr. Rompola indicated that the EDA Plan does not need to be amended, and the RDC may pay for the acquisition of the parcels in question because the project is serving the 61st Avenue TIF district regardless of the existence of the US 30 & 69th Avenue TIF district. She said she requested this legal opinion in writing and is awaiting a memo from Mr. Rompola.

**July 10, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION**

Ms. Jacobson stated that the INDOT invoice in the amount of \$8,355.53 is the final closeout payment for the 3rd Street Streetscape project. Mr. Towle indicated that he was aware of an outstanding invoice in the amount of \$5,800, which came within a penny of the final contract amount; however, INDOT did not resend this invoice. He said since the contract has not yet been audited by the LaPorte district office and the Central office, INDOT has indicated that they would like to have additional funds available to cover any expenses if necessary based on audit findings to avoid the need to send another invoice and cause further delays. He stated that although he understands the reasoning for holding the additional funds, he is not pleased about the City having to overpay. He noted the funds would eventually be returned to the City once the audit is complete. Ms. Broadway asked how long it would take to be reimbursed. Mr. Towle said that INDOT has indicated that it typically takes about 3-4 years. Ms. Broadway asked if INDOT will notify the City once an audit is complete. Ms. Longer said yes, they will send a notice that the project has been audited.

A motion was made by Mr. Kelly to approve the register of claims in the amount of \$99,620.88; seconded by Mr. Claussen. All ayes; motion carried. (5-0)

<u>Invoice Date</u>	<u>Invoice Number</u>	<u>Claimant</u>	<u>Amount</u>
2/8/2023	75608	INDOT	\$8,355.53
6/15/2023	N/A	MCSC	\$7,794.51
6/15/2023	3113288	Barnes & Thornburg	\$500.00
6/15/2023	Pay App. #2	Grimmer Construction	\$64,303.65
6/27/2023	16345M-14	Eichhorn & Eichhorn	\$40.00
6/27/2023	16340M-11	Eichhorn & Eichhorn	\$860.00
6/27/2023	16342M-9	Eichhorn & Eichhorn	\$20.00
6/26/2023	164516	American Structurepoint	\$14,184.39
7/10/2023	N/A	Addie Kinsey	\$562.80
7/6/2023	Pay App. #3	Grimmer Construction	\$3,000.00
Total:			\$99,620.88

Regarding the **Approval of 2020 Bond Register of Claims**, Requisition No. 46 includes two payments to Eichhorn & Eichhorn: Invoice 16533M-12 in the amount of \$60.00 for legal services related to the 69th Avenue project, and invoice 16346M-12 in the amount of \$60.00 for legal services related to the Local Trax project; and a payment to American Structurepoint (Invoice 164516) in the amount \$11,756.88 for engineering services related to the 69th Avenue project. A motion was made by Mr. Claussen to approve Requisition No. 46 in the amount of \$11,876.88; seconded by Mr. Kelly. All ayes; motion carried. (5-0)

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. 13 includes a payment to Eichhorn & Eichhorn (Invoice 16839M-3) in the amount of \$20.00 for legal services, and a reimbursement to the Board of Works for a payment in the amount of \$4,565.00 to Advanced Engineering Services (AES) for construction materials

**July 10, 2023, Regular Meeting Minutes
HOBART REDEVELOPMENT COMMISSION**

testing services related to this project. A motion was made by Ms. Plesac to approve Requisition No. 13 in the amount of \$4,585.00; seconded by Mr. Kelly. All ayes; motion carried. (5-0)

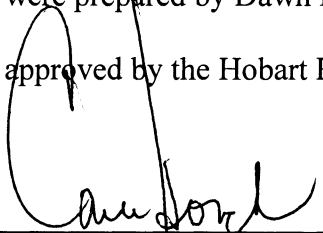
Staff Report – Ms. Jacobson called attention to information in the meeting packet related to the TIF funds received from the county in June. She reported that \$283,465.30 was received into Fund 4445 (Downtown/SR 130 TIF), \$2,015,064.07 was received into Fund 44450 (61st Avenue/SR 51 TIF), and \$358,578.39 was received into to Fund 4455 (US 30/69th Avenue TIF). She pointed out information from the Clerk-Treasurer that shows the transfers that were made to meet various debt obligations. Additionally, Baker Tilly provided an analysis of their estimates compared to the actual distribution, which shows that the Downtown/SR 130 TIF district received \$18,935 more than estimated and the 61st Avenue/SR 51 TIF district received \$325,244 more than estimated. Regarding the US 30/69th Avenue TIF district, allocation area #1 received \$26,868 less than estimated, and allocation area #2 received \$4 less than estimated.

Ms. Jacobson stated that she requested an update from Baker Tilly regarding the possible removal of parcels from the US 30 & 69th Avenue TIF district. She said they are still waiting for the data that they requested from the county and the state, but she hopes to have an update before the next meeting.

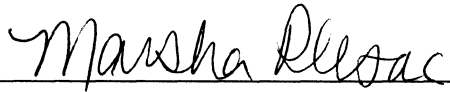
Adjournment - The meeting was adjourned at 9:07 a.m.

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

Minutes approved by the Hobart Redevelopment Commission on 8/21/23.



Carla Houck, President



Attest: **MARSHA PLESAC, SECRETARY**