

**Burns Harbor Redevelopment Commission
Minutes of February 10, 2021**

The Redevelopment Commission of the Town of Burns Harbor, Porter County, Indiana met in a regular session on Wednesday, February 10, 2021 in a Zoom Virtual Meeting. The meeting was called to order by Redevelopment Commission President, Eric Hull at 6:00 p.m.

The Pledge of Allegiance to the American Flag was recited.

Roll Call:

Commissioner Biancardi (Toni).....	Present
Commissioner Bozak (Roseann).....	Present
Commissioner Enslin (Brad)	Present
Commissioner Hull (Eric)	Present
Commissioner Loving (Nick)	Present
Commissioner Schnabel (Tom) (non-voting member) ..	Present

Additional Officials Present

Attorney-Clay Patton
Burns Harbor Clerk-Treasurer-Jane Jordan
SEH of Indiana-Glenn Peterson
Recording Secretary-Marge Falbo

Approval of Minutes

Commissioner Loving makes a motion to the approve the January 13, 2021 meeting minutes. Commissioner Bozak seconded the motion. Commissioner Biancardi–Aye, Commissioner Enslin–Aye, Commissioner Loving–Aye, Commissioner Hull–Aye. Motion passed.

Reports

Commissioners

None

Clerk-Treasurer

None

RDC Attorney

None

RDC Engineers

Commissioner Hull says we did get an email from Global Engineering and they had nothing to report.

RDC Consultant-Karnerblue

Commissioner Hull says Rongers submitted her report to us and everyone should have had a chance to review it. She is unable to attend tonight because of a previous obligation.

Duneland School Board Representative

None

Correspondence

None

Old Business

Marquette Greenway Trail Update

Glenn Peterson of SEH says I sent Commissioner Hull a detailed status report today. Just a quick update on things.

The INDOT funded section of CMAC, Phase 1A. We finally got hold of INDOT Environmental Services to talk through the transition of what was going to be required to change the format from the National Park Service document over to the INDOT format due to National Park Services decision to make a change. We have our orders now and we do anticipate by the end of the month

having that document submitted which will let us move forward into the right-of-way phase for the Trail. As far as the design on those plans, we sent the 90% plans over to BP to look at to make sure that we didn't have to have any other requirements based on their review process. I would anticipate that in the next week or so I will get something back from BP on that project as well.

The RTP funded section is in the same environmental document as the CMAC funded section. We believe by the end of this month we'll have that document submitted. We sent in a preliminary final set of plans to the DNR for review. There were a few minor comments we need to address, and we think we can get that taken care of pretty quickly. We need to confirm some things with Westport development along with BP on that project just to make sure we check all the boxes.

Phase III--the construction portion. Benches, trash receptacles and bike racks are all ready for delivery. I am working with Clerk-Treasurer Jordan to get some things sorted out as far as getting those items unloaded there.

The change order that you pre-emptively approved at the last meeting not to exceed \$25,000 for the additional safety measures. We discussed that we would run the pedestrian fence on the North-South to create a true fence barrier rather than the East-West parallel to the Trail because we thought you could still drive around it. No matter what we do people will find a way to potentially drive on the Trail. We think it would look good if we ran it North-South perpendicular to the Trail alongside the parking lot and then over towards the fence where you go down to the Fisherman's access point. It's about 120 feet of fence so the total amount of the change order right now is \$17,750 which is less than the not to exceed amount that was approved at the last meeting of \$25,000.

The other thing we might want to add here (and that is why I haven't finalized the change order with Gariup) is that Clerk-Treasurer Jordan had mentioned last meeting that maybe we want to add those "watch for emergency vehicles" signs in front of Town Hall as well as next to the Fire Station. A sign is about \$280.00 so not a super expensive fix there. I will leave that up to you as far as what your thoughts are on adding those extra signs. The Board decided to add the additional signs.

The work that's left on the site for the Next Level Trails is the landscaping, pavement markings and signs. All those things will be done in the Spring for the project.

The other thing is the construction inspection contract. The original budget on that for SEH was an hourly contract not to exceed \$208,000. With the delayed start because of the wetlands, permitting issues and things like that Gariup actually condensed the schedule and really only worked for about two and a half months out there instead of the five or six months we were anticipating. We have invoiced \$48,000 in order to wrap it up and we're thinking it's about \$20,000 more, so there's going to be a pretty significant cost savings on that contract side of things as we move forward to Spring and wrap that project up.

Mnoke Prairie wetland mitigation work. National Park Service is still working through finalizing the compliance for the Town to be able to do this work. At this point it's not likely it's going to be done this Winter. We initiated a conversation with Army Corps and IDEM and they're saying we have to delay this because of National Park Service and their compliance concerns. I am working to see if National Parks has any other options or alternative ways that we can work this out with them for the construction. The key thing there is we extended the Next Level Trails grant to pick up a portion of the wetland mitigation project. We've been dealing with National Parks for at least six months on trying to get this solidified for Mnoke Prairie. It was a year ago that we started the wetland delineation and we been waiting on them for about six months to finalize this and move forward and we still don't have that finalized.

Norfolk Southern. SEH is going to be issuing a budget modification to the Town and that reduction for the reduced scope for Phase 1A is \$46,118. With that being said because of the changes on the National Park side of things and changing that environmental document, our subconsultants are going to have some additional costs with updating that document. They submitted a price. I thought it was a little bit high and was able to work with them to negotiate that number down. That number is \$13,000 of extra costs. I haven't finalized this reduction yet. I will get that to you shortly but at this point the Town's net reduction on the SEH contract is \$33,118.

I would like to set up something with National Parks and the Town and go through some of the additional costs that have been incurred. I don't expect the National Parks to be cutting the Town a check any time soon, but I do want to make them aware of some of these additional costs that their changes and their delays the Town has incurred because of that. We had a discussion with National Parks about the additional costs that Norfolk Southern has cost the Town. National Parks

also pushed some costs to the Town and whoever is going to take up the next portion of the Trail. When the next project comes in coordination with National Parks, we want them to be aware that we need to get this right on the front end so they're not causing issues making these Towns spend more money than they have to.

Westport PUD Update

Commissioner Hull says the only movement the team has had is we drafted a letter to BP basically outlining our stance of where we currently are and a request for relief or more information. We basically told them that the option they provided us was not something we could do. We sent that letter last Friday, February 5, 2021 and we haven't received a response as of today.

New Business

TIF Pledge Resolution-Community Center

Commissioner Hull reads

Resolution of The Town of Burns Harbor Redevelopment Commission
Irrevocably Pledging Tax Increment from the Burns Harbor Allocation Area
to the payment of the Town Of Burns Harbor, Indiana
Taxable Economic Development Revenue Bonds
(Community Center Project)

WHEREAS, the Town of Burns Harbor Redevelopment Commission (the "Commission") has previously created the Burns Harbor Economic Development Area (the "Area") and the Burns Harbor Allocation Area that is coterminous with the Area (the "Allocation Area"), and adopted an economic development plan (the "Plan") for the Area, pursuant to Indiana Code 36-7-14, as amended (the "Act"); and

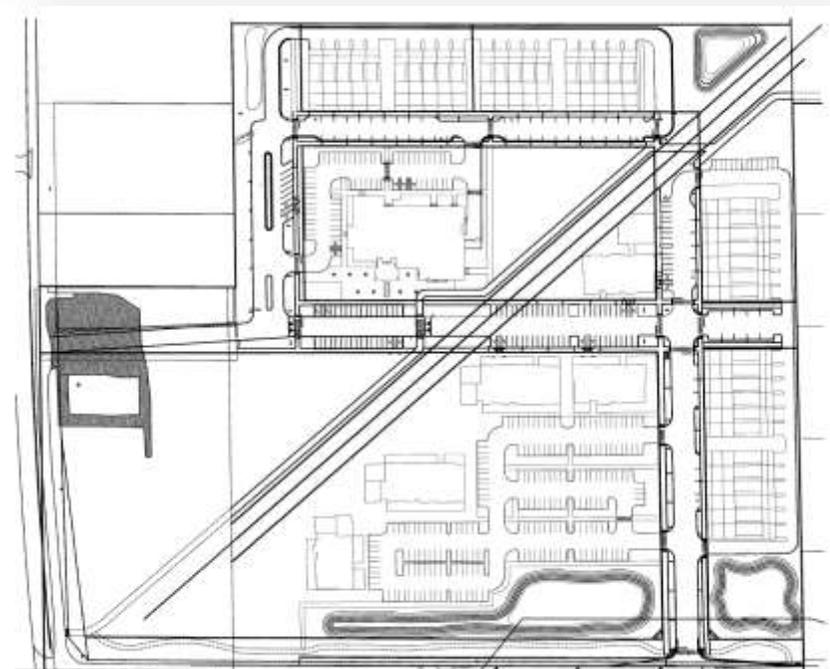
WHEREAS, the Town of Burns Harbor, Indiana (the "Town") is considering the issuance of its Taxable Economic Development Revenue Bonds (Community Center Project) (with a series designation based on calendar year of issuance) (the "Bonds") in an aggregate principal amount not to exceed Five Million Nine Hundred Thousand Dollars (\$5,900,000), a portion of the net proceeds of which will be provided to Holladay Properties Service Midwest, Inc. (or an affiliate thereof) (the "Company") to be applied to the costs of the acquisition, construction, installation and equipping of all or a portion of a new community center within the Town (the "Project"), to be located within or serving the Allocation Area; and the proceeds to be applied to a portion of the Project will be provided to the Company pursuant to a Financing Agreement between the Company and the Town; ...

Everyone should have received this is your email from Falbo dated February 4, 2021.

Commissioner Loving makes a motion to the approve the TIF Pledge Resolution-Community Center. Commissioner Enslin seconded the motion. Commissioner Enslin-Aye, Commissioner Loving-Aye, Commissioner Bozak-Aye, Commissioner Biancardi-Aye, Commissioner Hull-Aye.
Motion passed.

Abonmarche-Westport Plan B Revisions

Commissioner Hull says this is Plan B from Abonmarche as a worst-case scenario. Basically, what Plan B consists of is not crossing the BP pipeline. We have the ability to do all of the construction without ever crossing the pipeline until we get to the final point which would be the road. What this does is split up that Northeast corner where the road would have gone through before and removes that intersection and takes the Trail across at that point. They do have a road crossing over the center part just past the Community Center and that's an East-West running road. The thought process is if they won't give us access to cross it three times, they would at least let us cross once. Or, in the event that it becomes very expensive to cross, the money savings from the two additional crossings that we eliminate—the infrastructure



and everything that goes along with this would cover that cost to get us over one time. That's where we're at. There is a road going across the middle of the lot to take us over to Westport Road. The infrastructure changes to Haglund, the additional intersection there and the widening would give us some significant cost savings through that as well. Then what we would end up doing is we would have to go back and revisit some of the platting. Possibly, if we decided that this was the case and we wanted to move the Community Center around or maybe restructure and move things just slightly. A complete redesign isn't necessary because of the way the infrastructure lays out. So, we have a very solid Plan B. Commissioner Biancardi says, I agree, I think this is a solid Plan B.

Approval of Claims Register

Commissioner Biancardi makes a motion to approve the Claims Register. Commissioner Bozak seconded the motion. Commissioner Biancardi–Aye, Commissioner Enslen–Aye, Commissioner Loving–Aye, Commissioner Bozak–Aye, Commissioner Hull–Aye. Motion passed.

Approval of Financial Report for the Month of January 2021

Commissioner Bozak makes a motion to approve the Financial Report for the Month of January 2021. Commissioner Loving seconded the motion. Commissioner Enslen–Aye, Commissioner Loving–Aye, Commissioner Bozak–Aye, Commissioner Biancardi–Aye, Commissioner Hull–Aye. Motion passed.

Good of the Order

None

Adjournment

Commissioner Biancardi makes a motion to adjourn. Commissioner Loving seconded the motion. Commissioner Bozak–Aye, Commissioner Biancardi–Aye, Commissioner Enslen–Aye, Commissioner Loving–Aye, Commissioner Hull–Aye. Motion passed.

The meeting concluded at 7:37 p.m.

Approved on March 10, 2021

REDEVELOPMENT COMMISSION
FOR THE TOWN OF BURNS HARBOR

Eric Hull, President

Brad Enslen, Vice President

Toni Biancardi, Secretary

Roseann Bozak

Nick Loving

ATTEST:

Marge Falbo, Recording Secretary