MINUTES OF THE REGULAR MEETING OF THE
MICHIGAN CITY REDEVELOPMENT COMMISSION
JANUARY 15, 2019

The Michigan City Redevelopment Commission met in a regular meeting in the EOC Room, City Hall Building, 100 East Michigan Boulevard, Michigan City, Indiana, on Tuesday, January 15, 2019, at 5:00 p.m. local time; the date, hour, and place duly established for the holding of said meeting.

CALL TO ORDER
Being the first meeting of the year with election of officers yet to take place, the meeting was called to order by Attorney Sirinek at 5:05 p.m.

ROLL CALL
Commissioners present:
Don Babcock, Pat Kowalski, Mayor Ron Meer, Charles Oberlie, John Sheets, and non-voting Commissioner Theresa Edwards

Commissioners absent:
(No one)

Staff present:
Executive Director Craig Phillips, Attorney Alan Sirinek, Administrative Assistant Debbie Wilson

New Commissioners were welcomed – Pat Kowalski, Mayor Ron Meer, and John Sheets.

Attorney Sirinek noted for the record that an executive session was held prior to this meeting. No decisions were made, and nothing was discussed other than what is permitted by Open Door Law.

ELECTION OF OFFICERS
Attorney Sirinek opened nominations for President.

Commissioner Oberlie nominated Don Babcock – seconded by Commissioner Meer.

There were no other nominations. Nominations were closed. Commissioner Babcock accepted the position.

Motion by Commissioner Oberlie – seconded by Commissioner Meer with a unanimous voice vote approving the nomination of Don Babcock for President.
Attorney Sirinek turned the meeting over to President Don Babcock.

President Babcock opened nominations for Vice-President.

Commissioner Meer nominated Charles Oberlie – seconded by Commissioner Sheets.

There were no other nominations. Nominations were closed. Commissioner Oberlie accepted the position.

*Motion by Commissioner Meer – seconded by Commissioner Sheets with a unanimous voice vote approving the nomination of Charles Oberlie for Vice-President.*

President Babcock opened nominations for Secretary.

Commissioner Oberlie nominated John Sheets – seconded by Commissioner Meer.

There were no other nominations. Nominations were closed. Commissioner Sheets accepted the position.

*Motion by Commissioner Oberlie – seconded by Commissioner Meer with a unanimous voice vote approving the nomination of John Sheets for Secretary.*

It was noted that the Executive Director serves as Acting Secretary by statute. President Babcock asked for reaffirmation of Craig Phillips as Acting Secretary.

*Motion by Commissioner Oberlie – seconded by Commissioner Meer with a unanimous voice vote reaffirming Craig Phillips as Acting Secretary.*

President Babcock asked for reauthorization of Commission’s counsel, Alan Sirinek.

*Motion by Commissioner Meer – seconded by Commissioner Sheets to retain Alan Sirinek as Commission’s counsel.*

Attorney Sirinek explained that he is technically under contract with the Commission, so the Commission would be continuing to reaffirm the contract.

*With a motion and second on the floor, voice vote was unanimous to continue reaffirmation of the contract with Alan Sirinek.*

Officers for 2019 are: Don Babcock, President; Charles Oberlie, Vice-President; John Sheets, Secretary; Craig Phillips, Acting Secretary; and Alan Sirinek as legal counsel.
REDEVELOPMENT COMMISSION

JANUARY 15, 2019

APPROVAL OF MINUTES
The chair entertained a motion for approval of the minutes of the executive session of 12/10/18 and the regular meeting of 12/10/18.

Motion by Commissioner Oberlie – seconded by Commissioner Sheets approving the minutes of the executive session of 12/10/18 and the regular meeting of 12/10/18 as submitted. Voice vote was as follows: (Ayes) Don Babcock, Pat Kowalski, Mayor Ron Meer, Charles Oberlie, John Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

CLAIMS
Mr. Phillips reviewed the claims docket dated January 15, 2019 as submitted noting that payroll for December totaled $12,931.65. Mr. Phillips read aloud all claims listed. In summary, January claims totaled: (Operating) $3,468.95; (North TIF) $805,648.01; (South TIF) $818,334.02; (US Bank – Ohio Street) $385,674.57; (NE TIF) $.00; (Wabash Street) $104,723.75.

The chair entertained a motion.

Motion by Commissioner Kowalski – seconded by Commissioner Meer approving the claims docket dated January 15, 2019 as submitted. Voice vote was as follows: (Ayes) Don Babcock, Pat Kowalski, Mayor Ron Meer, Charles Oberlie, John Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

2019 SALARY ORDER
Commissioner Babcock talked about the tremendous things happening in the city because of good leadership in many places, not only in the Mayor’s Office, but with Mr. Phillips as well. He talked about the countless hours he puts in, his experience, and the fact that he is the Planner for the City as well as the Executive Director for the Redevelopment Commission. He pointed out that 2% raises were given to all City employees, so these adjustments for Redevelopment staff are in line with that.

Mr. Phillips explained that the CDBG Director is the person on City staff who manages the funds received from HUD in the form of Community Development Block Grant funds. The Redevelopment Commission acts as the pass-through agency for the collection and administration of those funds and they are reimbursed for those funds paid out through drawdowns received from HUD. Mr. Phillips stated that this salary order reflects the current employees that are employed fully or partially by the Redevelopment Commission and the 2% raise compared to last years’ wages.

Commissioner Babcock pointed out that Mayor Meer is not paid as a Commissioner.

The chair entertained a motion.
Motion by Commissioner Sheets – seconded by Commissioner Kowalski approving the 2019 Salary Order as submitted. Voice vote was as follows: (Ayes) Don Babcock, Pat Kowalski, Mayor Ron Meer, Charles Oberlie, John Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

FINANCIAL REPORT
Mr. Phillips reviewed the financial report dated November 30, 2018 summarizing the cash balances as follows: Operating Account $64,946.49; South Side TIF Account $13,419,763.21; South Side TIF Debt Reserve Account $336,308.50; South Side TIF Capital Account $17,804.35; North End TIF Account $4,847,464.05; Wabash Street Streetscape Construction $122,344.25; Wabash Street Streetscape Debt Reserve $216,072.49; Northeast TIF Account $226,961.34; for total cash of $19,251,664.68. Loans Receivable include a loan to the Eastside TIF from the Operating Account in the amount of $21,028.49, and the County Business Loan Fund in the amount of $133,333.00, for a total of $154,361.49, bringing total assets to $19,406,026.17.

For the benefit of new members Mr. Phillips clarified that these TIF Districts have several accounts associated with them. The debt reserve and capital accounts are for bonding purposes and required to be held as a part of the bond. The debt reserve is required as a portion of the payment of the project and the capital account is a specific element of the bond that is required to be set aside in a separate account. Once the Ohio Street project is closed out those balances will go away because the debt reserve will be applied to the first payments for the bond. He said the same would go for the Wabash Street project which will be closed out soon. Mr. Phillips stated that the loan to the Eastside TIF from the Operating Account is costs associated in establishing the Eastside TIF that was borrowed from the Operating Account. As soon as disbursements are received to the Eastside TIF that will be repaid back to the Operating Account. The County Business Loan Fund is a County Business Revolving Loan Fund that is available to businesses in the County, and the Redevelopment Commission is a participant and partner in that project.

The chair entertained a motion.

Motion by Commissioner Oberlie – seconded by Commissioner Meer approving the financial report dated November 30, 2018 as presented. Voice vote was as follows: (Ayes) Don Babcock, Pat Kowalski, Mayor Ron Meer, Charles Oberlie, John Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

OHIO STREET PROJECT
Rich Deel (American Structurepoint - project manager on construction site) gave an update of project activities stating that the contractor has not been on site since mid-December. NIPSCO is removing old poles, installing new poles, and hanging lights.
CenturyLink was on site removing a fiber optic conflict in Striebel Arm Ditch. Mr. Deel presented Change Order 3 from Rieth-Riley for $6,307 to pour headwalls to finish the box culvert in Striebel Arm Ditch. He explained that this is being requested to cover the winter service charge on concrete and additional labor to cover the concrete for protection. Once the box culvert is completed they can begin restoration.

Mr. Phillips commended Mr. Deel on making sure the street was open and operational in time for the hospital transition as well as working with the property owners during the project. Mr. Phillips recommended approval of the change order as it is a necessary and unforeseen cost associated with the increase cost of pouring concrete in the winter.

Motion by Commissioner Meer – seconded by Commissioner Kowalski approving Change Order 3 to Rieth-Riley Construction Co., Inc. in the amount of $6,307.00 for extra work associated with concrete installation during the winter. Voice vote was as follows: (Ayes) Don Babcock, Pat Kowalski, Mayor Ron Meer, Charles Oberlie, John Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

Commissioner Meer said he noticed water on the sidewalk toward the southern end of the project near the apartment complex. He asked if it has been determined what that is.

Mr. Deel replied that he would be working with the Sanitary District in the spring to determine the cause. He said they did no underground work there and wasn’t sure if there is a natural spring because there was a ditch there. Mr. Deel said he believes it is groundwater.

Mr. Phillips gave an update stating that the City team met with the consultants and financial advisors regarding the leftover funds from the Ohio Street bond which is anticipated to be used for additional stormwater improvement projects in that area of Village Road and those side streets off Ohio Street. Official approvals from the Redevelopment Commission will be forthcoming. Those projects will be bid by the Sanitary District but funded by the Redevelopment Commission. The Ohio Street project will not be able to be closed out until those projects are complete.

John Gorczyca from the Sanitary District provided Commissioners with a handout detailing background information about Village Road, Southwind Drive, and Crestwood Drive drainage areas.

Commissioner Babcock acknowledged that this area has been a problematic issue for the City for some time. He recalled the Commission funding a $1 million project last year on Larkspur Lane.
Mr. Phillips added that with the remainder of the bond funds this project would include .5 million plus of construction, specifically related to stormwater improvements that would help ease stormwater issues that exist in the Southgate Neighborhood. In addition, there would be reconstruction, repaving, and limited stormwater improvements on Village Road itself.

**US 12 BRIDGE OVER TRAIL CREEK**

Chris Murphy (American Structurepoint, Indianapolis IN) recalled at the August 2018 Redevelopment Commission meeting they approved a typical cross-section for the replacement bridge deck which has been provided to INDOT. The section approved calls for a 11’ wide multi-use path space on the south side of the bridge which would allow for both pedestrians and bicycles to travel from the west side of the city and the casino complex. That 11’ wide space is provided for by removing an existing raised median. That space will be separated from vehicular traffic by a concrete barrier approximately 18-24” high and a 12-15” steel tube railing above that. The steel tubes will allow vehicular traffic a view of the city and Lake Michigan. On the north side of the bridge there is space for a regular 5’ sidewalk and there will also be the same separation barrier between vehicular traffic as on the south side. On the outside edge of the multi-use path portion and the sidewalk there will be a 3’-6” pedestrian steel rail (black wrought iron appearance).

Mr. Murphy discussed lighting for the bridge explaining that the current bridge maintains four (two on each side) standard INDOT highway lights 40’ tall. An aesthetic component that the Commission asked Structurepoint to investigate was to change out the standard INDOT lights for a decorative light consistent with lights the Redevelopment Commission uses in their other projects. He explained that options include providing decorative lighting consistent with the demands of pedestrian use on the pedestrian spaces provided on the bridge which would require a total of ten decorative lights (five on each side) to replace the INDOT standard lights which are traffic only street lights. The cost per light is approximately $3,400/per light for a total of $34,000. INDOT will ask the City to cover the cost of the lighting upgrade (as well as all the “better value” elements; i.e. see through steel rail, decorative pedestrian railing etc.) which were requested by the Redevelopment Commission. Mr. Murphy explained that those lights will be located and included as a part of the concrete barrier rail which separates the pedestrian and vehicle traffic. The lights will be mounted on concrete pedestals which will be cast in place with the concrete rail.

Mr. Phillips reiterated that the cross-section previously agreed upon by the Commission and accepted by INDOT is essentially a sidewalk on the north side, two drive lanes on each side (two westbound and two eastbound), the see-thru rail (separating the pedestrians from the drive surface) with lighting built into that, a multi-purpose pathway on the south side, and decorative railing.
Mr. Murphy also pointed out that there currently are about a half dozen INDOT standard highway lights installed along the approaches on either side of the existing bridge. The Commission asked Structurepoint to provide a cost to replace those lights with the same decorative lights to match what is on the bridge. He said there would be up to twenty-nine additional lights in addition to the ten on the bridge. The cost for those lights would be $3,450/each for total cost of $134,000.

Mr. Murphy told the Commission the most important element for them to consider this evening are the lights on the bridge. The lighting on the approaches can be defined at a future meeting. Mr. Murphy said that would be his preference because they don’t have all the transition details from INDOT yet on how they will widen the pavement and that is needed to determine where the lights will be placed.

Mr. Murphy pointed out another aspect the Commission asked for at the August meeting was maintenance of traffic during construction which would always provide for keeping one lane of travel in each direction open. He said INDOT has agreed to that request and will pursue construction with the phasing of traffic. Although, Mr. Murphy pointed out that it does provide for a longer construction period because the contractor essentially must build the improvement twice – doing the first half then moving the traffic over and building the second half. The work is estimated to take the better part of a full construction season. INDOT originally planned to put the project out for bid this March-April, but the design will not be completed in time, so they are pushing the letting off until after July of this year. Mr. Murphy said that would mean starting construction in the middle of the construction season which would take the project through the winter of 2019/2020 and completed during the construction season of 2020. Mr. Murphy felt that would not be the best scenario and asked the Commission’s permission to approach INDOT to include in their specs the delay of the start of construction until later in the year 2019, so construction happens in one full construction season in 2020 for less disruption as opposed to disruption over two construction seasons.

Mr. Phillips recommended support so construction would not affect two summer seasons.

Commissioner Babcock asked about using 2700 Kelvin on the lights versus the 3000.

Mr. Phillips agreed that they should strive for the 2700 Kelvin.

Mr. Murphy stated that they have asked the lighting manufacturer to provide decorative lighting consistent with the decorative lighting the City already uses. He said he will ask for the 2700 Kelvin from the lighting manufacturer.

Commissioner Babcock asked if the Commission will get a credit from INDOT for their existing lights as if they were going to rebuild them.
Mr. Murphy replied that he did not know the answer to that but said from his experience he would tend to say that it would be not much credit. He said he discussed with Structurepoints’ bridge engineer about approaching INDOT for the total cost of the concrete barrier railing, including the decorative form work and tubular railing, then the Commission would pay the total cost for the lights. He pointed out that the railing is beyond the INDOT standard railing, but it is an approved crash tested railing according to INDOT standards.

The chair entertained a motion.

Motion by Commissioner Sheets – seconded by Commissioner Kowalski in support of moving the construction schedule back to allow construction to take place during the 2020 construction season. Voice vote was as follows: (Ayes) Don Babcock, Pat Kowalski, Mayor Ron Meer, Charles Oberlie, John Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

Motion by Commissioner Oberlie – seconded by Commissioner Meer approving the ten (10) bridge lights (exact same lighting as used in the Downtown area projects) at $3,388/each for a total cost of $33,880. Voice vote was as follows: (Ayes) Don Babcock, Pat Kowalski, Mayor Ron Meer, Charles Oberlie, John Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.

Commissioner Oberlie suggested that the Commission should just go ahead and authorize up to the 29 additional lights because they will be included in the project anyway.

Mr. Phillips agreed and recommended approval of up to the 29 additional lights. He added that the reason for the standard pedestrian sidewalk on the north side and multi-purpose path on the south side is that ultimately the goal is to connect Singing Sands Trail Phase 2 at the point of Michigan Boulevard/US 12, heading east across the bridge, across the Blue Chip property, and ultimately connecting up to the former Peanut Bridge and South Shore Rail extension which went through that area up to Michigan Boulevard. The idea being to create a loop that connects back to the Singing Sands Trail Phase 2 further east. To do it in the future would cost more. In addition, Mr. Phillips said it is a great idea to better connect Hungry Hollow in Washington Park and the Sheridan Beach neighborhoods to the Downtown area.

Motion by Commissioner Oberlie – seconded by Commissioner Meer giving preliminary authorization of 29 additional lights on the approaches to the bridge at a cost not-to-exceed $99,915. Voice vote was as follows: (Ayes) Don Babcock, Pat Kowalski, Mayor Ron Meer, Charles Oberlie, John Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.
ENGINEER’S CASTLE PROJECT
Mr. Phillips had nothing to report but said he would reach out to KIL Architecture to get a project update and report back to the Commission in February.

CIVIC PLAZA
Mr. Phillips reported that preliminary design work continues. More information will be shared with the public over the next couple months. Staff is preparing a request to go before the City Council to approve bond funding for the project.

709 FRANKLIN STREET
Mr. Phillips reported that Amereco Engineering has provided estimates for the cost of demolition. A structural analysis was done, and it was determined that it was best to demolish rather than rehabilitate the structure. The Historic Review Board gave unanimous approval at their December meeting to demolish the structure. He noted that the top of the façade will be preserved to be incorporated into the overall plaza design to preserve the history of the structure. The process will begin to bid out the demolition, then work will take place late winter/early spring depending on weather.

WASHINGTON PARK ENTRY/TRAFFIC CIRCLE PROJECT
Jay Niec (S E H of Indiana, Michigan City IN) provided Commissioners with a written progress report and a weekly update on the west parking lot project. Regarding the west parking lot, Mr. Niec reported that the contractor has been working diligently over the past month to get as much work done as possible. All curb work has been completed, all perimeter sidewalks have been completed, the stone base of the asphalt parking lot should be completed this week, top soil will be placed around the perimeter to prepare the site for spring renovation, all electrical conduit has been run, all water lines run, all subsurface work is complete. He said they still need to install the erosion control blankets and cobblestone over two areas for the stormwater management system to prevent erosion over the winter months. After that Gariup Construction will shut down the project until spring, at which time the planting will be done.

Mr. Phillips gave background stating that the Redevelopment Commission is partnering with the Port Authority on the project in terms of funding – Redevelopment 2/3, Port Authority 1/3. There will be 106 parking spaces to handle overflow for events and the excursion boat.

Regarding replacing WPA walls, Commissioner Babcock asked if they would be using natural limestone rather than finished limestone.

Mr. Niec stated that they are looking into replacement/repair of the WPA wall on the north side of this parking lot. They will try to incorporate some of the stone with new stone similar in nature to the building on the beach.
Mr. Niec stated that the big picture of this project is not only the parking lot but also includes the area to the east of the circle which will all be rebuilt as well. It will include landscaping, trees, raingarden/bioswale elements, permeable pavers, etc. There will be a new traffic circle to help direct traffic as it comes into the park, the existing ticket area will be demolished and there will be new entrance ticket booths on the north side, the existing entrance road will be converted into an emergency entrance road, and there will be enhancements along Lake Shore Drive and within the green area east of the monument. Mr. Niec stated that they are moving into the design portion of the project with the intent to bid early spring/summer.

Mr. Phillips added that there will be a meeting soon with the Redevelopment Commission, Park Board, Port Authority, and City administration to discuss options in terms of financing for the project which will determine the scope of the project going forward.

Commissioner Babcock pointed out that the Redevelopment Commission is trying to balance a lot of big-ticket items, although he said he is glad to see progress in the park.

Commissioner Meer acknowledged that there will be discussions soon. There could be multiple funding sources besides the Redevelopment Commission. He pointed out that they also may have to phase the project due to commitments the Redevelopment Commission already has.

Mr. Niec stated that once they are done they will provide a complete set of plans and specifications for the big picture project which can be taken and broken down into phases.

**AMERIPLEX DRIVE**

Tom Weinmann (Haas & Associates, Michigan City IN), project manager for the Ameriplex Drive project provided an update reporting that the contractor has completed the 20" water main installation and the roadway intermediate asphalt course has been completed. The contractor has left the project in a safe condition for the winter months and removed the lane closure on Highway 20. The contractor will return in the spring as soon as weather permits to complete the asphalt surface course and subsequent items (pavement markings) as well as site restoration. Mr. Weinmann noted that pay application 3 will be ready for the February Redevelopment Commission meeting. He provided change order 1 for the extension of time (103 days). Mr. Weinmann explained that it is a $0 change order for the extension of the contract milestone schedule dates. The extension of time was necessitated by utility conflicts not resolved within project timeline prohibiting the contractor from meeting the milestone schedule. The projected milestone dates will allow the contractor to schedule and complete the asphalt surface and subsequent items under the correct weather conditions. Mr. Weinmann recommended approval.
Commissioner Babcock asked if the road is usable now.

Mr. Weinmann replied that it could be used but it is not open. As you turn into Ameriplex Drive there are two staggered barricades because there is a homeowner back there who needs access.

The chair entertained a motion.

_Motion by Commissioner Sheets – seconded by Commissioner Kowalski approving change order 1 for $0 and an extension of time (103 days). Voice vote was as follows: (Ayes) Don Babcock, Pat Kowalski, Mayor Ron Meer, Charles Oberlie, John Sheets – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED._

**PINE STREET LUXURY APARTMENTS**

Attorney Sirinek gave a project background for new Commissioners stating that this project is located on the old Memorial Hospital property. The project was delayed last year because of storm trap work. That has been resolved and the site is now a shovel ready parcel. The Redevelopment Commission has been working with the developers for over five years. If successful, the project will end up being four defined structures – possibly two mixed-use buildings and two apartment buildings depending upon demand. They will be managed as one project at a time.

Attorney Sirinek continued explaining that he has been working with Commissioner Babcock on getting dates ascertained and agreements ascertained regarding the developer and things they need to do. Mr. Sirinek explained that at this point they have all the necessary documents including a tentative schedule for projects 2, 3, and 4 and a definitive schedule for project 1 (just received schematic design). The next step is that the developer needs to get funding which is a 60-day process, the supplies are ordered, then construction begins, with the anticipation of rentals and people moving in late this fall. Mr. Sirinek pointed out that there are alternatives to the City spelled out in the agreements in the event funding does not occur, although every indication has been very positive that the developer will get funding and break ground in the spring. Mr. Sirinek stated that both parties have copies of the agreements. They are quasi-executed in the fact that they are enforceable on both sides but are enforceable only from the viewpoint if something goes wrong. Once the funding is committed, the agreements will be formally executed and closing on the property can proceed.

Commissioner Babcock added that the bank may have some minor modifications to the agreements.

Mr. Phillips added that the Commission has been working on this process for several years. There have been questions and confusion as to what is happening on the property and if the project will happen. He pointed out that all the work done on the site
in terms of utilities, site prep, stormwater related issues, etc. would have all had to happen regardless of when this project kicks off. There was a previous umbrella agreement over the project with sub agreements. There was also preliminary understanding of financing which must be re-established because there were delays in the project mostly because of stormwater issues. He stated that the project was never in jeopardy, it was just a matter of the moving parts coming together. The funding must be approved by a certain date and if not, the Commission could offer the project to a different entity for development, but he said they don’t anticipate that will happen.

Commissioner Babcock said it is set up in such a way that the City does not have any liability associated with this developer. He said the other assurance is that the project is broken down into four phases and the City can approve or disapprove phase by phase.

Mr. Phillips pointed out that all the work done is owned by the City.

Commissioner Meer added that the infrastructure that is in place will be utilized regardless.

**ANTERO GROUP WASTE INC WORK PLAN**

Mr. Phillips reported that he will have a fee adjustment associated with additional work specific to working with the EPA on the agreements to adjust the re-use plan for the property. This would take the property from a closure in terms of not being available to the public whatsoever to a limited amount of availability to the public in the form of Singing Sands Trail and some other light uses on the site.

As background Mr. Phillips stated that this property was the former landfill site on US 12 near the Vanair facility. Work is ongoing in terms of finalizing the adjustment of the use agreement with the EPA, IDEM, consultants, and the primary responsible party group for maintaining the cap on top of the landfill. A part of Singing Sands Trail Phase 2 is anticipated to cross this property as well.

**REPORT BY LEGAL COUNSEL**

Attorney Sirinek recalled that at the November meeting he asked for permission to get a proposal from Tom Stevenson for potential unexplained contamination close to the railroad tracks near the Trail Creek litigation site. He reported that Mr. Stevenson looked at the area and determined it was already cleaned up, so there will be no follow-up or proposal.

In another matter, Attorney Sirinek referred to the claims list, specifically South TIF claims and the Ameriplex-Marquette invoice, explaining that the option payment of $14,373.33 is for part of the agreement where they have not met rental projections, and the Commission guaranteed a certain amount of money to ensure they had payments for their loan. He went on to explain that the Commission also hired Holladay as the Commission’s construction manager for that project in an amount of six installments of
$60,000. He continued stating that currently there is one tenant renting 8,000 square feet of that building. A lease has been signed with a second tenant to rent 16,000 square feet with occupancy sometime in April. In addition, they have a showing later this month for a possible third tenant to rent 16,000 square feet. If that space is rented it would be 2/3 full (40,000 square feet out of 60,000 square feet). Mr. Sirinek pointed out that the option payment decreases year to year. The more tenants they have, the less the Commissions’ obligation becomes.

Commissioner Babcock clarified that as part of the agreement the Commission is subsidizing part of the rent for the first four years in a decreasing amount.

Regarding the Blue Chip expansion project, Attorney Sirinek explained that the Commission originally agreed to a commitment of $761,000 to assist with the project, but ultimately increased the total to $976,683 for additional work being done to make sure it meets conformity with the City building codes. Mr. Sirinek stated that looking at it from a viewpoint of four different parts of the project which the Commission will be paying for, this is the next step in terms of their actual construction. They have requested that the Commission hold a special meeting next week on 1/22/19 to receive approval from the Commission for their notice to bidders. If the Commission approves that, the bids would then be let out, there would be a mandatory pre-bid meeting on January 30th, the bids would be due on February 7th, and a bid would be recommended for award of contract on February 11th.

Commissioner Babcock asked counsel if the Commission needs to approve their bids even though they were within the Commission’s budget.

Attorney Sirinek replied affirmatively. He explained that normally everything the Commission does, they do it as the owner. In this case the Commission is doing a merger of a private/public project, but they are not even the owner which makes it more difficult. He assured it is completely permitted by law, but it is more difficult to get it to conform to what needs to be done.

All agreed to a special meeting on January 22, 2019 at 5:00 p.m.

In another matter, Attorney Sirinek acknowledged that the Commission previously approved acquisition of property on Highway 20 which is part of the overall Ameriplex Drive project. As part of that project it was always envisioned that the Commission would acquire property to extend Meijer Road and make this a more accessible place for future development that occurs. An agreement was negotiated and entered into and approved last month. Next, the Commission needs to authorize payment of the $176,354. He pointed out that the price is lower than the appraised price. He suggested adding this item to the agenda for the special meeting on January 22nd. All agreed to add this item to the 1/22/19 special meeting agenda.
DIRECTOR'S REPORT
Mr. Phillips had to leave to attend another meeting, so Commissioner Babcock reported that Main Street has requested use of the Commission's property at 7th and Franklin for the Shelf Ice Brewfest. They have filled out the paperwork and will go before the Board of Works with their request.

PUBLIC COMMENTS
(None)

COMMISSIONER COMMENTS
Commissioner Sheets commented that he is happy to be on the Commission and hopes he can help with moving the city forward more than has already been done.

Commissioner Meer welcomed the new Commissioners and said he looks forward to working with them.

Commissioner Babcock specifically called out and thanked the previous Commissioners (Damon Carnes, Larry Silvestri, and Kathy Dennis) for their hard work and contribution to the city. He said they were a great team and he looks forward to working with the new Commissioners.

NEXT MEETING DATE
A special meeting is scheduled for January 22, 2019; the next regular meeting is scheduled for February 11, 2019.

ADJOURNMENT
The chair entertained a motion to adjourn.

Motion to adjourn by Commissioner Oberlie and unanimously approved. The chair declared the meeting adjourned at approximately 6:35 p.m.

John Sheets, Secretary