



South Bend

# Redevelopment Commission

227 West Jefferson Boulevard, Room 1308, South Bend, Indiana

## SOUTH BEND REDEVELOPMENT COMMISSION REGULAR MEETING

September 15, 2016

9:30 a.m.

Presiding: Marcia Jones, President

227 West Jefferson Boulevard

South Bend, Indiana

The meeting was called to order at 9:30 a.m.

### 1. ROLL CALL

Members Present:

Marcia Jones, President  
Dave Varner, Vice President  
Don Inks, Secretary  
Gavin Ferlic, Commissioner

Members Absent:

Greg Downes, Commissioner  
John Anella, Commissioner

Legal Counsel:

Benjamin Dougherty, Esq.

Redevelopment Staff:

David Relos, Associate  
Mary Brazinsky, Recording Secretary

Others Present:

Brian Pawlowski  
Aaron Kobb  
Beth Leonard Inks  
Sarah Heintzelman  
Ann Kolata  
Chris Dressel  
Jitin Kain  
Mark Seaman  
Conrad Damain  
Danielle Kennedy  
WSBT-TV

## 2. APPROVAL OF MINUTES

### A. Approval of Minutes of the Regular Meeting of Thursday, August 25, 2016

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried 4-0, the Commission approved the minutes of the regular meeting of Thursday, August 25, 2016.

## 3. APPROVAL OF CLAIMS

### A. Claims Submitted September 15, 2016

	Claims submitted	Explanation of Project	Items added after Agenda Distributed
REDEVELOPMENT COMMISSION Redevelopment Commission Claims September 15, 2016 for approval			
<u>324 RIVER WEST DEVELOPMENT AREA</u>			
KIL	4,257.50	Structural & Architectural Assessment of the 500 Block of S Michigan St.	
Kolata Enterprise LLC	3,352.50	Professional Services	
Donohue	20,355.00	Fellows & Duball Neighborhood Improvements	
Troyer Group	16,923.44	Harrison Ct: City	
Michael C. Machlan, PE	350.00	Chet Waggoner Ct.	
ARC Document Solutions, LLC	75.14	Marriott Hotel Site Dev / Chet Waggoner Ct.	
GLC Portage Prairie LLC	97,845.10	Master lease related to landlord's development of spec commercial/bulk	
Faegre Baker Daniels LLP	5,075.77	Legal Services	
Botkin & Hall LLP	301.14	Ignition Park	
Truck Center, Inc.	108,854.00	Equipment Nello	
Majority Builders	176,432.13	Marriott Hotel Site Development at Hall of Fame	
Majority Builders	65,472.68	Ignition Pk Infrastructure Ph. I.C, Division B	
Hull & Associates, Inc.	4,050.99	GW Assessment & Remedy Evaluation at Ignition Pk	
<u>429 FUND RIVER EAST DEVELOPMENT TIF</u>			
Walsh & Kelly Inc.	364,116.93	East Bank Sewer	
ARC Document Solutions, LLC	27.88	East Bank Sewer Separation Ph. 5	
VS Engineering, Inc.	5,155.00	Road Way Design for Perley Primary Safe Route to School	
<u>430 FUND SOUTH SIDE TIF AREA #1</u>			
Lawson-Fisher Associates P.C.	7,302.01	Roundabout Intersection Improve. Chippewa Ave at Michigan & Main St.	
Relth Riley Construction Co., Inc.	559,713.64	So. Bend One Way to Two Way St. Conversion Division A	
Sandra J. Case		Relocation Entitlement	672.00
<u>435 FUND DOUGLAS ROAD DEVELOPMENT AREA TIF</u>			
City of South Bend		Major Moves Fund 412 Fund Interfund Loan to Douglas Road 435	201,188.00
<u>436 TIF NORTHEAST RESIDENTIAL</u>			
City of South Bend		Major Moves Fund 412 Fund Interfund Loan to Triangle Develop	60,371.00
City of South Bend		Major Moves Fund 412 Fund Interfund Loan to Eddy St. Common	386,218.00
	1,439,660.85		648,449.00
Total Of Both Columns			2,088,109.85

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic, the motion carried 4-0, the Commission approved the Claims submitted September 15, 2016.

## 4. Old Business

None

**5. New Business**

**A. River West Development Area**

**(1) Environmental Restrictive Covenant – Former Studebaker Museum Facility Identification (FID) 24951**

Ann Kolata presented the Environmental Restrictive Covenant. Ann states where the old Studebaker Museum was located in the 500 block of S. Lafayette, there was an underground storage tank that was removed and determined to be leaking when the building was torn down. There was a petroleum release on the site, which has since been remediated. However, there are still some chemicals of concern in the ground water and soil. According to IDEM the chemicals of concern are at an acceptable level. IDEM has requested that an environmental restrictive covenant be recorded, so when the property transfers, this covenant will run with the land and show up in title reports. The only restriction is to not use the ground water.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic the motion carried 4-0, the Commission approved Environmental Restrictive Covenant – Former Studebaker Museum Facility Identification (FID) 24951 submitted September 15, 2016.

**(2) First Amendment to Development Agreement – JMS Development LLC**

Aaron Kobb presented the First Amendment to Development – JMS Development LLC. On December 10, 2015 the Redevelopment Commission approved a Development Agreement with JMS that called for a \$7.6 million private investment towards the renovation of the downtown JMS Building. The First Amendment details the local public improvements being procured. The improvements include the annex roofing, the store front facade and exterior emergency exit tower on the outside of the building.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic the motion carried 4-0, the Commission approved the First Amendment to Development Agreement – JMS Development LLC submitted September 15, 2016.

**(3) First Amendment to Development Agreement – Great Lakes Capital Ignition Park**

Jitin Kain presented the First Amendment to the Development Agreement – Great Lakes Capital Ignition Park. Last year a budget was set aside for Phase II at Ignition Park. As part of the completion, we are moving a pile of dirt that can be utilized as foundations for future buildings in the park. We are moving the dirt pile from the corner of Sample and Franklin to the west side of the new Ignition Park Drive. The dirt pile was temporarily placed on the east side to assist with the two multi-tenant buildings, however, it's also become an obstruction to their current operations. The amendment states that we are moving this dirt pile to facilitate better visibility for Great Lakes Capital, however, when they need dirt

for their future projects, we will not move it for them; they will be in charge of moving it and any cost involved.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic the motion carried 4-0, the Commission approved the First Amendment to Development Agreement – Great Lakes Capital Ignition Park submitted September 15, 2016.

**(4) Resolution No. 3361 – Wayne St. Garage Transfer to BPW and Leighton & Wayne Street Garages Associated Leases Transfer to Board of Public Works.**

David Relos presented Resolution No. 3361, which transfers the Wayne Street Garage and Leighton and Wayne Street Garages Associated Leases from the Redevelopment Commission to the Board of Public Works. Last year we hired Rich and Associates to conduct a downtown parking study, and one of their recommendations is to have all parking facilities be considered one overall system. State statute provides that the Board of Public Works has control over parking facilities, so it is relevant to have the parking garages in their name. This Resolution will allow us to have all of the leases and garages in the name of the Board of Public Works. Revenues will still fall under the parking garage fund. There are currently funds set aside for maintenance and repairs on the garages.

Ben Dougherty added that this will streamline the agreements with the City and outside providers. The day to day operations will remain with the Department of Community Investment.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks the motion carried 4-0, the Commission approved Resolution No. 3361 – Wayne St. Garage Transfer to BPW and Leighton & Wayne Street Garages Associated Leases Transfer to Board of Public Works submitted September 15, 2016.

**(5) Resolution No. 3346 – Disposition Offering Price 331-335 S. Main Street**

David Relos presented Resolution No. 3346 for the Disposition of 331 – 335 S. Main Street. This will set the offering price of the property at the corner of Main and Western. The offering price is the average of the two appraisals.

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic the motion carried 4-0, the Commission approved Resolution No. 3346 – Disposition Offering Price 331-335 Main Street submitted September 15, 2016.

**(6) Approval of Bid Specifications and Design Considerations – 331-335 S. Main Street**

David Relos presented the Bid Specifications and Design Considerations of 331 – 335 S. Main Street. The Bid Specifications outline the uses and development requirements that will be considered for this site.

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic the motion carried 4-0, the Commission approved Approval of Bid Specifications and Design Considerations – 331-335 Main Street submitted September 15, 2016.

**(7) Request to Advertise – 331-335 S. Main Street**

David Relos presented the Request to Advertise 331 – 335 S. Main Street. This disposition property will be advertised in both the South Bend Tribune and the Tri-County News on September 23 and September 30, 2016.

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic the motion carried 4-0, the Commission approved the Request to Advertise – 331-335 Main Street submitted September 15, 2016.

**(8) Staff Update**

Sarah Heintzelman presented a staff update for an agreement that will be brought back to the Commission at their next meeting. Funding in an amount not to exceed \$250,000, for infrastructure work, parking lot, sidewalk and right of way is expected to be requested. The developer will be investing approximately \$6,000,000 to bring a downtown building to Class A office space.

**B. Other**

**(1) Resolution 3347 – Setting Public Hearing on TIF for 2017**

Beth Leonard Inks presented Resolution 3347 to set a public hearing date on TIF for 2017. This Resolution will set the public hearing for October 13, 2016 and allow for publishing the hearing date.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic the motion carried 4-0, the Commission approved Resolution No. 3347 Setting Public Hearing on TIF for 2017 submitted September 15, 2016.

**(2) Resolution No. 3360 – Setting Public Hearing on Appropriation for Fund 425 Redevelopment Retail up to \$40k 2016**

Beth Leonard Inks presented Resolution No. 3360. This is an additional 2016 appropriation for Fund 425 Redevelopment Retail, up to \$40,000. This Resolution will set the public hearing for October 13, 2016 and allow for publishing the hearing date.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks the motion carried 4-0, the Commission approved Resolution No. 3360 submitted September 15, 2016.

**6. Progress Reports**

**A. Tax Abatement**

- a. Industrial Metal Fab. Six year tax abatement with a Personal/Real tax abatement. Their investment is \$520,000. Creating 10 new jobs with an annual income of \$332,000.
- b. Imagineering. Their investment is \$3.5 million with a Personal/Real tax abatement. This will create 25 jobs with an annual income of \$780,000.

**B. Common Council**  
None

**C. Other**

**7. Next Commission Meeting:**

Thursday, September 29, 2016, 9:30 a.m.

**8. Adjournment**

Thursday, September 15, 2016, 9:49 a.m.



Aaron Kobb, Director of Economic Resources



Marcia I. Jones, President