

**SOUTH BEND REDEVELOPMENT COMMISSION  
REGULAR MEETING**

May 14, 2015

9:30 a.m.

Presiding: Marcia Jones, President

227 West Jefferson Boulevard

South Bend, Indiana

The meeting was called to order at 9:33 a.m.

**1. ROLL CALL**

Members Present:	Marcia Jones, President David Varner, Vice President Greg Downes
Members Absent:	Don Inks, Secretary Gavin Ferlic John Anella
Legal Counsel:	Benjamin Dougherty, Esq.
Redevelopment Staff:	David Relos, Associate II Debrah Jennings, Associate I Tracy Oehler, Recording Secretary
Others Present:	Chris Fielding, Assistant Executive Director Brock Zeeb, Director Aaron Kobb, Associate III Jacob Alexander, Associate John March, Associate I Conrad Damian Mo Miller Paul Phair Thomas Coley Media Representative, WSBT

**2. APPROVAL OF MINUTES**

**A. Approval of Minutes of the Regular Meeting of Thursday, April 30, 2015.**

Upon a motion by Commissioner Downes, seconded by Vice President Varner the motion carried 3-0 (Secretary Inks and Commissioner Ferlic absent), the Commission approved the Minutes of the Regular Meeting of Thursday, April 30, 2015.

**B. Approval of Minutes of the Special Joint Meeting of Thursday, May 7, 2015.**

Upon a motion by Commissioner Downes, seconded by Vice President Varner the motion carried 3-0 (Secretary Inks and Commissioner Ferlic absent), the Commission approved the Minutes of the Special Joint Meeting of Thursday, May 7, 2015.

**3. APPROVAL OF CLAIMS**

**324 Fund River West Development Area**

Tri County News	78.49	Notice to Bidders
MGLM Architects, LTD	18,625.85	Southeast Neighborhood Master Plan
Shaffner Heaney Associates Inc.	18,485.10	Building Façade ACM Panels for Ignition
NIPSCO	8,279.00	Vacate Gas Facilities from Kemble Avenue
AT&T	11,759.91	to Scott N/O Indiana S/O RR
Meridian Title Corporation	300.00	Relocate AT&T Facilities at Indiana Ave,
		Kemble, Norfolk S RR/Scott St.
Plew Shadley Racher & Braun LLP	8,446.50	Search & Exam Fee Vacant Lot/115
Barnes & Thornburg LLP	1,110.00	Lafayette/Hall of Fame
Investigative Support Unit, Inc.	789.55	Legal Services
Tri County News	242.70	Legal Services
DHA	2,275.00	Hall of Fame
Kolata Enterprises, LLC	2,610.00	Notice of Intended Disposition of Property
South Bend Tribune	418.98	Minor Subdivision Repair
IDEM	310.99	Environmental & Brownfields Consulting
Interstate Environmental Services, Inc.	176,160.33	Notice to Bidders
Hull & Associates	15,241.75	Oliver Plow
		Removal of Lead Based Paint at Ivy Tower
		Assessment and Remediation at Ignition
		Park/Oliver Industrial Park/Consulting

**429 Fund River East Development Area**

Tri County News	44.86	Notice to Bidders
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**436 River East Residential Area**

US Bank	1,000.00	RA Lease RNTL Rev Bonds 2008 Eddy St.
		Commons

\$266,179.01

Upon a motion by Commissioner Downes, seconded by Vice President Varner the motion carried 3-0 (Secretary Inks and Commissioner Ferlic absent), the Commission approved the Claims submitted May 14, 2015.

**4. COMMUNICATIONS**

None.

**5. OLD BUSINESS**

None.

## **6. NEW BUSINESS**

### **A. Receipt of Bids**

#### **(1) Receipt and Opening of Bids in Connection with Lot 2 of the Coveleski Park Minors Subdivision in the River West Development Area**

There were no bids received for Lot 2 of the Coveleski Park Minors Subdivision in the River West Development Area.

#### **(2) Receipt and Opening of Bids in Connection with Lot 3 of the Coveleski Park Minors Subdivision in the River West Development Area**

There were no bids received for Lot 3 of the Coveleski Park Minors Subdivision in the River West Development Area.

#### **(3) Receipt and Opening of Bids in Connection with Lot 4 of the Coveleski Park Minors Subdivision in the River West Development Area**

There were no bids received for Lot 4 of the Coveleski Park Minors Subdivision in the River West Development Area.

### **B. River East Development Area**

None.

### **C. River West Development Area**

#### **(1) Real Estate Donation Agreement for Enyart and Sinco Properties (Ivy Tech Community College of Indiana)**

Mr. Relos stated in 2009 and 2010, the Commission approved certain properties along East Sample Street to be added to the acquisition List. These properties were added because Ivy Tech has experienced record growth and remains in need of additional classroom, office, and parking areas to accommodate its students.

Four properties were acquired: the old Habitat ReStore, Discount Rental, Enyart Electric, and Sinco Pool. To date, the Habitat ReStore and Discount Rental properties have been transferred to Ivy Tech with today's Donation Agreement transferring the Enyart and Sinco properties. By transferring the last two properties, Ivy Tech agrees to: pay all closing costs; use the property for purposes benefitting the public; maintain the properties; within three years demolish the structures on the property and turn them into attractive green spaces and/or parking spaces; and conditions subsequent include revesting the properties or the payment of 150% of their appraised values when acquired.

It was noted in Section 4, paragraph 2 of the Donation Agreement that the reference to the Audit and Administrative Policies Committee of the Foundation recommendation was struck and the Donee signatory was changed to John Murphy, President.

Upon a motion by Commissioner Downes, seconded by Vice President Varner the motion carried 3-0 (Secretary Inks and Commissioner Ferlic absent), the Commission approved the Real Estate Donation Agreement for the Enyart and Sinco Properties to Ivy Tech Community College of Indiana.

**(2) Resolution No. 3293 Accepting the Transfer of Real Property from the Board of Public Works of the City of South Bend (Olive Road and Old Studebaker Museum Block) and Resolution No. 3294 Accepting the Transfer of Real Property from South Bend Redevelopment Authority (Old Studebaker Museum Block)**

Mr. Relos stated in an ongoing effort to correctly title City-owned properties in the name of the correct City entity, staff has identified certain parcels that should be in the Commission's name.

Resolution No. 3293 accepts four parcels from the Board of Public Works (BPW). Two parcels are near the corner of Olive and Cleveland Roads and abut other property owned by the Commission. The other two parcels are in the old Studebaker Museum block near the Cove.

Resolution No. 3294 accepts four parcels from the Redevelopment Authority. These four parcels are in the old Studebaker Museum block and along with the two BPW owned parcels mentioned above, make up roughly three quarters of the downtown block.

Upon a motion by Vice President Varner, seconded by Commissioner Downes the motion carried 3-0 (Secretary Inks and Commissioner Ferlic absent), the Commission approved Resolution No. 3293 Accepting the Transfer of Real Property from the Board of Public Works of the City of South Bend (Olive Road and Old Studebaker Museum Block) and Resolution No. 3294 Accepting the Transfer of Real Property from South Bend Redevelopment Authority (Old Studebaker Museum Block).

**(3) License Agreement for Temporary Use of Redevelopment Commission Property Located at the Top Level of the Wayne Street Parking Garage (AIDS Ministries)**

AIDS Ministries has requested the use of the top level of the Wayne Street parking garage for Friday, June 19 and Friday, August 14.

Upon a motion by Commissioner Downes, seconded by Vice President Varner the motion carried 3-0 (Secretary Inks and Commissioner Ferlic absent), the Commission approved License Agreement for Temporary Use of the Redevelopment Commission property located at the top level of the Wayne Street Parking Garage with AIDS Ministries.

**(4) Amendment to the Environmental Services Contract for the Ivy Tower Renovation Project (Weaver Consultants Group, LLC)**

Mr. Zeeb stated the additional scope of work is attributed to the complexities of remediating the lead based paint, PCB removal and reporting to the IDEM and EPA. The original contract was set at \$267,720 and with the requested increase of \$48,000, the new contract amount is \$315,720, which is within the approved budget.

Upon a motion by Commissioner Downes, seconded by Vice President Varner the motion carried 3-0 (Secretary Inks and Commissioner Ferlic absent), the Commission approved the Amendment to the Environmental Services Contract for the Ivy Tower Renovation Project with Weaver Consultant Group, LLC in the amount of \$48,000.

**(5) Development Agreement for Ameriplex (CBK Land Development LLC and Chase Plastic Services, Inc.)**

Mr. Fielding stated in November of 2014, staff brought forth a proposal of terms negotiated with Chase Plastics and CBK Land Development to build a new distribution center. The facility, to be located in the Ameriplex at Interstate 80/90 project, will be approximately 125,000 square feet in size and located on 9.55 acres in South Bend's 1<sup>st</sup> District. The project will result in new private investment of approximately \$5.6 million and create 13 new jobs. A commitment of \$150,000 in TIF funding is to support the construction of the new facility.

Upon a motion by Vice President Varner, seconded by Commissioner Downes the motion carried 3-0 (Secretary Inks and Commissioner Ferlic absent), the Commission approved the Development Agreement for Ameriplex with CBK Land Development LLC and Chase Plastics Services, Inc.

**D. West Washington-Chapin Development**

None.

**E. South Side Development Area**

**(1) Resolution No. 3289 Approving and Authorizing the Execution of an Addendum to the Master Agency Agreement and Approval of Professional Services with Lawson-Fisher Associates P.C. (Main Lafayette Connector)**

Mr. Relos stated the Resolution and Addendum is for additional scope of work services and to finalize the Main Lafayette Connector project between Chippewa and Ireland. Lawson-Fisher provided engineering and design work for the new street and subcontracted with DLZ for right-of-way acquisition services. During the course of the project, two parcels caused additional work because of Federal liens, bankruptcy, and changes in banking relationships. These issues caused the acquisition process to be revised several times taking over three years to finalize.

The Addendum includes the preparation of parcel plats, legal descriptions, 25 temporary easement releases, and deed of dedication and the vacation of excess right-of-way.

Upon a motion by Vice President Varner, seconded by Commissioner Downes the motion carried 3-0 (Secretary Inks and Commissioner Ferlic absent), the Commission approved Resolution No. 3289 approving and authorizing the execution of an Addendum to the Master Agency Agreement and approved the Professional Services Agreement in the amount of \$37,075 with Lawson-Fisher Associates P.C. for the Main Lafayette Connector project.

**(2) Resolution No. 3291 Approving and Authorizing the Execution of an Addendum to the Master Agency Agreement and Approval of Amendment No. 3 to the Professional Services Agreement with Christopher B. Burke Engineering, LLC (High and Ireland Intersection Redesign)**

Mr. Relos stated the Resolution and Addendum is to finalize the intersection improvements for High Street and Ireland Road. Plans are to widen the intersection's turning radius so semi-trucks using this entrance into Erskine Plaza do not jump the curb, to relocate the plaza's sign from the middle of High Street, add sidewalk connectivity with a dedicated left turn onto High from westbound Ireland traffic.

Originally the plaza's sign was to be moved to the east side of High Street. The property owner where the sign was to be moved has since objected to it being located there. The property owner on the west side of High Street has agreed to allow the sign to be located on their property, which necessitates the intersection plans to be changed, in addition to the deletion of shifting Ireland to the south, thereby allowing less right-of-way, in any, being needed from the property owner on the east side of High Street.

Upon a motion by Vice President Varner, seconded by Commissioner Downes the motion carried 3-0 (Secretary Inks and Commissioner Ferlic absent), the Commission approved Resolution No. 3291 approving and authorizing the execution of an Addendum to the Master Agency Agreement and approved the Amendment No. 3 to the Professional Services Agreement with Christopher B. Burke Engineering, LLC in a not-to-exceed amount of \$50,000 for the High and Ireland Intersection Redesign.

**F. Douglas Road Development Area**

None.

**7. PROGRESS REPORTS**

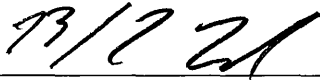
Mr. Zeeb reported a tax abate request from Kruk Electric LLC was received for the purchase of two new wire former machines to expand production capabilities. New project taxes will consist of \$15,012 with estimated taxes being abated during the five year abatement period in the amount of \$6,881, and total taxes to be paid on new and existing equipment over the next five year in the amount \$8,131.

**8. NEXT COMMISSION MEETING**

Thursday, May 28, 2015, at 9:30 a.m.

**9. ADJOURNMENT**

President Jones adjourned the meeting at 9:50 a.m.



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Brock Zeeb, Director of Economic Resources

  
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Marcia I. Jones, President