



South Bend  
**Redevelopment Commission**  
 227 West Jefferson Boulevard, Room 1308, South Bend, IN

**SOUTH BEND REDEVELOPMENT COMMISSION  
 RE-SCHEDULED REGULAR MEETING**

June 23, 2022 – 9:30 am

<https://tinyurl.com/RDC62322> or BPW Conference Room, 13<sup>th</sup> Floor

Presiding: Marcia Jones, President

The meeting was called to order at 9:43 a.m.

**1. ROLL CALL**

Members Present:	Marcia Jones, President – In Person Don Inks, Vice-President - Virtual Eli Wax – In Person Vivian Sallie – In Person	IP = In Person V = Virtual
Members Absent:	Troy Warner, Secretary Leslie Wesley, Commissioner	
Legal Counsel:	Sandra Kennedy, Esq. Danielle Campbell-Weiss, Esq.	
Redevelopment Staff:	Mary Brazinsky, Board Secretary Joseph Molnar, Property Manager	
Others Present:	Caleb Bauer Andrew Netter Tim Corcoran Laura Althoff Kara Boyles Anne Kennedy Ella Jaravsi Joey M. Matt Barrett	DCI – IP DCI – IP DCI – V DCI – V Engineering – IP Legal – IP Legal – IP DCI – IP Resident - IP

## 2. Approval of Minutes

- **Approval of Minutes of the Regular Meeting of Thursday, June 9, 2022**

Upon a motion by Commissioner Wax, seconded by Commissioner Sallie, the motion carried unanimously, the Commission approved the minutes with the changes suggested by Secretary Warner from the regular meeting of Thursday, June 9, 2022.

## 3. Approval of Claims

- **Claims Submitted for June 7 and June 14, 2022**

Upon a motion by Vice-President Inks, seconded by Commissioner Wax, the motion carried unanimously, the Commission approved the claims June 7 and June 14, 2022, submitted on Thursday, June 23, 2022.

## 4. Old Business

## 5. New Business

### A. Administrative

#### 1. **Resolution No. 3554 (Authorizing DCI Staff for Administrative Acts)**

Mr. Molnar Presented Resolution No. 3554 (Authorizing DCI Staff for Administrative Acts). This resolution authorizes DCI staff to make administrative decisions that include such acts as disposition of property, closing of transactions, replating and other tasks as outlined. The resolution has been updated to include current DCI staff including Caleb Bauer, Tim Corcoran, Andrew Netter and Joseph Molnar. Commission approval is requested.

Commissioner Wax asked if this resolution is the same as the other with name and date changes.

Mr. Molnar stated that it was.

Commissioner Wax asked if this resolution was indefinite.

Mr. Molnar stated that it is indefinite; this is to update the document with the proper names.

Mr. Barrett, resident asked if this gives staff the ability to amend redevelopment agreements?

Mr. Molnar stated no, it does not.

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Upon a motion by Commissioner Wax, seconded by Commissioner Sallie, the motion carried unanimously, the Commission approved Resolution No. 3554 (Authorizing DCI Staff for Administrative Acts) submitted on Thursday, June 23, 2022.

2. **Resolution No. 3555 (DCI Staff Procedures for Property Related Services)**  
Mr. Molnar Presented Resolution No. 3555 (DCI Staff Procedures for Property Related Services). This resolution updates staff who can authorize contracts on behalf of the Commission. These contracts are title searches, appraisals for both commercial and residential property, land surveys and environmental surveys as outlined in the document. When staff buys or sells property, we get an environmental assessment to understand exactly what is being bought/sold. Maximum fees are listed in this resolution, all are the same except for the title search which increased. This resolution updates the document from 5 years ago. Commission approval is requested.

Mr. Barrett, resident suggested all resolutions be on the Redevelopment Commission website for ease of access.

Board Secretary Brazinsky stated that all resolutions are on the city website under Redevelopment Commission.

Upon a motion by Commissioner Sallie, seconded by Commissioner Wax, the motion carried unanimously, the Commission approved Resolution No. 3555 (DCI Staff Procedures for Property Related Services) submitted on Thursday, June 23, 2022.

### **B. South Side Development Area**

1. **Budget Request (South Main Street Parking Lane Improvements)**  
Ms. Boyles Presented Budget Request (South Main Street Parking Lane Improvements). This budget request in the amount of \$300k is for construction of parking improvements along south main street from dean street to sherwood street. This entails a bump out and some on street parking that would be better configured for current concerns in the area (12 locations). Separate accidents have happened along this block in the last five years.

This concern came from Councilwoman Niezgodski and residents. Vehicles crashing into parked cars continue to happen. As part of the solution, a reconfiguration of the roadway diet will adjust the curb line. Measures will be taken to make the area more visible with paint and delineators. This will change the geometry. We will bid the project this year but due to contractor shortages, it will not happen until next year. Commission Approval is requested.

Commissioner Wax asked based on other bump outs, do you think we would get close to that number?

Ms. Boyle states that most of the work because we will be taking out tree lawns and adding parking lanes to the west.

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Commissioner Wax asked if this would affect traffic flow.

Ms. Boyles answered no.

Commissioner Wax asked if the residents there are on board with the adjustment?

Ms. Boyles stated yes there have been numerous public meetings that included Councilwoman Niezgodski and residents.

Upon a motion by Vice-President Inks, seconded by Commissioner Wax, the motion carried unanimously, the Commission approved Budget Request (South Main Street Parking Lane Improvements) submitted on Thursday, June 23, 2022.

### 6. Progress Reports

#### A. Tax Abatement

1. Mr. Bauer and Commissioner Wax noted that a confirming resolution from GLC Spec 5 warehouse on Portage Prairie was approved by council.
2. There is a waiver of non-compliance and a proposed amendment to an existing designating resolution for Toyo, Seiko North America as they failed to file appropriate documentation with the auditor's office, therefore are not able to take advantage of the benefit of an abatement. Toyo, Seiko North America is trying to correct this, and they have a personal property abatement for new equipment. Due to supply chain and shipping cost, they are having unforeseen issues.

#### B. Common Council

#### C. Other

1. Mr. Bauer gave a brief update stating after the last commission meeting, he was in contact with Marcel Lebbin, the Council for Matthews, LLC. They shared that the Regional Development Authority approved an extension to their development agreement for the 300 E LaSalle building setting a new expiration date of December 31, 2022. That is also the new completion date for the grocery store and pharmacy. That is a separate agreement from the Redevelopment Commission agreement. That agreement is referenced in the existing development agreement approved by the Redevelopment Commission. It is relevant to know the change from the regional development authority's expiration date. The update on the project notes that there is partial occupancy on several the floors. Four floors do not have occupancy to date. Improvements have been made to each of those floors. There are partial occupancy permits but not full.

Commissioner Wax asked if there is a development on the grocery store.

Mr. Bauer states that the developer shared they are working on the grocery store and feel good about a specific partner not mentioned. We will continue to have conversations with the developer, and we will continue to provide status updates.

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2. Commissioner Sallie stated she would like to encourage the Commission to investigate changing the meeting time to make it more convenient for the public and suggested lunchtime or an alternative time.

President Jones, noted, for the sake of history, that the Commission has tried two different times.

Board Secretary Brazinsky stated the Commission had tried two different times per resident recommendations including a late in the day meeting that last over 6 months and saw less attendance and it did not work for many of our commissioner's. The Commission therefore approved switching back to the 9:30 am meetings.

Mr. Barrett, resident states at the last RDC meeting one person attended virtually, had a comment, and was never recognized. Mr. Barrett noted three issues. One regarding RDA extension. He noted original RDA extension expired April 30 last year, therefore, a default of 13 months happened. He does not think that is an acceptable extension for the city. He suggested the commission call Mr. Matthews to show cause for the extension. He would also like to hear about the grocery store partner. He noted he tried to obtain records from the RDA. According to Mr. Barrett, there is a signed lease agreement to release money from the RDA. He thinks the city should have a copy of the written lease commitment.

Mr. Barrett states he would like to see the RDC pursue serial violators and states there are violations on at least eight different properties and there continues to be a problem with litter. Mr. Barrett states he would like us to look into the unpaid water bill.

Mr. Barrett asked about the status of 228 Sycamore project. He would like the city to pursue and remedy the unpaved parking lot.

Mr. Bauer notes on the litter and vegetation concerns that citations have been issued. There was outreach from the building department regarding 228 Sycamore elevator shaft. They are looking into the parking lot. The city does not allow for gravel parking lots within city limits.

Mr. Barrett states this was a redevelopment agreement and was undeveloped. A substantial portion of the site is a gravel parking lot, and the same property has been added to the redevelopment list before the ten year list expired. This property is being held in speculation in violation of the agreement.

Mr. Bauer notes that the fine balance to that property has escalated significantly. There is a request for the developer to provide an update to the commission about there 300 E LaSalle project and other projects if that is the commission's interest. Mr. Bauer noted if the commission prefers, we can cover all the different properties that are involved in the LLC or focus specifically on a certain development.

Mr. Bauer stated regarding the utility information an APRA request can be filed with the legal department. City staff would need to complete that step if we were looking into a utility record.

Commissioners discussed and asked if this is something that we have done in the past.

Board Secretary Brazinsky stated historically this is not something this commission has done in the past.

Mr. Barrett states that he would argue as a special circumstance, this project is thirteen months past due and the clause in the contract states the developer is to pay all cost.

Ms. Kennedy, Esq. states that the commission will take this under advisement and speak with legal counsel in what is required of them.

**7. Next Commission Meeting:**

Thursday, July 14, 2022

**8. Adjournment**

Thursday, June 23, 2022, 10:23 a.m.

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Troy Warner, Secretary

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Marcia Jones, President