



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

**SOUTH BEND REDEVELOPMENT COMMISSION  
 SCHEDULED REGULAR MEETING**

February 23, 2023 – 9:30 am

[http://tiny.cc/ RDC2023](http://tiny.cc/RDC2023) or BPW 13th Floor

Presiding: Troy Warner, Vice-President

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

**1. ROLL CALL**

Members Present:	Troy Warner, Vice-President – IP Vivian Sallie, Secretary - IP Eli Wax, Commissioner - IP	IP = In Person V = Virtual
Members Absent:	Marcia Jones, President Dave Relos, Commissioner Leslie Wesley, Commissioner	
Legal Counsel:	Sandra Kennedy, Esq.	
Redevelopment Staff:	Mary Brazinsky, Board Secretary Joseph Molnar, RDC Staff	
Others Present:	Erik Glavich Laura Althoff Tim Corcoran Angela Rose Chaise Cope Leslie Biek Charlotte Brach Zach Hurst Matt Barrett	DCI - IP DCI – V DCI – IP DCI – V DCI – V Engineering – V Engineering – V Engineering – IP Resident

## 2. Approval of Minutes

- **Approval of Minutes of the Regular Meeting of Thursday, February 9, 2023**

Secretary Sallie stated there were a few errors in the minutes and listed those changes.

Upon a motion by Commissioner Wax, seconded by Vice-President Warner, the motion carried unanimously, with the amended changes per Secretary Sallie, the Commission approved the minutes of the regular meeting of Thursday, February 9, 2023.

## 3. Approval of Claims

- **Claim Submitted for February 15, 2023**

Upon a motion by Commissioner Wax, seconded by Secretary Sallie, the motion carried unanimously, the Commission approved the claim for February 15, 2023

## 4. Old Business

## 5. New Business

### A. Receipt of Bids

#### 1. **Property at LWW/Leland/Marion**

Mr. Molnar Presented the Property at LWW/Leland/Marion receipt of bids. No bids were received.

#### 2. **Property at Salvation Army Building**

Mr. Molnar Presented Property at Salvation Army Building receipt of bids. No bids were received.

#### 3. **Property at Masterbilt/18 Chestnut**

Mr. Molnar Presented Property at Masterbilt/18 Chestnut receipt of bids. No bids were received.

### B. South Side Development Area

#### 1. **Second Amendment to Development Agreement (Miami Hills)**

Mr. Hurst, Project Engineer, Presented Second Amendment to Development Agreement (Miami Hills). The main focus of this amendment is a correction of a scrivener's error in the funding amount. The funding amount was listed incorrectly in the First Amendment and should be \$1,654,305 which reflects the total dollar amounts contributed by both the City of South Bend and Miami Hills ownership. The funding amount should also reflect the contracts that we will execute through the Board of Public Works namely, \$70,000 architects' contract and a contract that is set to be approved through the Board of Public Works in the amount of

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\$1,584,305 with H&H Renovations to perform siding installation and window repair at Miami Hills project site. The Second Amendment corrects the above stated errors and acknowledges that Miami Hills has wired the city the \$654,000 to move forward with the contract. Commission approval is requested.

Mr. Molnar added that staff received the progress report from Miami Hills dated December 31, 2022, showing an investment from ownership at a little over \$3.6M and that they are well on their way to completing the agreement.

Upon a motion by Commissioner Wax, seconded by Secretary Sallie, the motion carried unanimously, the Commission approved Second Amendment to Development Agreement (Miami Hills) submitted on Thursday, February 23, 2023.

### **C. Administrative**

#### **1. Estoppel Agreement (RDC and MarMain)**

Mr. Glavich, Director Growth & Opportunity Presented Estoppel Agreement (RDC and MarMain). MarMain is seeking additional financing for their project. The Redevelopment Commission approved their Development Agreement in October 2022.

Sandra Kennedy, Corporation Counsel explained that MarMain is refinancing, and they are turning their construction loan into a mortgage loan. The lender has asked for a document that confirms they are not in violation of their Development Agreement with the City of South Bend. If there is an act of non-compliance/default, we would notify the lender and the lender would have an opportunity to cure the default. They are doing the same with the Housing Authority. Their agreement states they are to have 48 units that are Section 8. If they become in default, the lender would like the opportunity to cure and make sure they have Section 8 housing requirements.

Secretary Sallie asked if they are still on schedule to complete the project in 2024.

Mr. Glavich stated that they are. They have 18 apartments that are on track to refurbish and rehab. They are inline with the contractual agreement.

Mr. Hurst noted that we have Slate lined up so it is likely that the roof will be replaced no later than Labor Day of 2023.

Secretary Sallie asked if someone from the City of South Bend visits the site to check on progress.

Mr. Hurst stated that he was there six to eight weeks ago during a pre-bid meeting for the roof. There were a few contractors and there was obviously construction activity, and they were moving ahead with the project.

Vice-President Warner stated that we have been discussing periodic reporting.

Mr. Glavich noted that we do not have a written report, but he will follow up after the meeting with them to get that.

Matt Barrett, resident asked for the periodic reports to be added to the agenda and packet for public record in the future. He also asked for the Commission to review the portion of the agreement regarding attorney's fees and ask that the defaulting party should pay those fees.

Upon a motion by Commissioner Wax, seconded by Secretary Sallie, the motion carried unanimously, the Commission approved Estoppel Agreement (RDC and MarMain) submitted on Thursday, February 23, 2023.

## **6. Progress Reports**

A. Tax Abatement

B. Common Council

C. Other

1. Mr. Molnar noted that at the next meeting he will be bringing proposals to the Commission regarding Scattered Sites in which the Commission sent out requests for in 2022. Staff is currently reviewing all of the proposals to be sure all of the requirements necessary have been met. Staff is encouraged by what we have seen thus far. These are only proposals at this time, not agreements.
2. Commissioner Wax asked if we have seen improvement on progress report compliance?

Mr. Glavich and Joe have been working on a new system to turn the process into an online reporting system where staff can send reminders and keep track of each process. We want to make sure that we have a paper report not a verbal report.

Secretary Sallie asked how many we are tracking.

Mr. Molnar stated approximately 11 at this time. Not all of them report at the same time or with the same information, depending on their individual agreements. We are working to streamline this process.

3. Mr. Barrett, resident, asked for an update on 300 E LaSalle and RDA findings.

Ms. Kennedy stated that would need to be brought forth to the Commission in an Executive Session as it relates to legal strategy. Mr. Matthews has retained a member of Clint Bayliss firm and they have filed for an extension that was awarded to the date of March 27, 2023.

Secretary Sallie asked if we should schedule that meeting.

Board Secretary Brazinsky stated that she would contact members of the Commission to schedule the meeting in conjunction with the next Redevelopment Commission meeting.

**7. Next Commission Meeting:**

Thursday, March 9, 2023

**8. Adjournment**

Thursday, February 23, 2023, 9:53 a.m.

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Vivian Sallie, Secretary

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Troy Warner, Vice-President