

**TOWN OF MUNSTER
MINUTES OF A MEETING OF THE REDEVELOPMENT COMMISSION
AUGUST 25, 2014**

A regular meeting of the Munster Redevelopment Commission convened at 8:00 p.m. on Monday, August 25, 2014, at the Munster Town Hall. Commissioners John W. Edington, Andy Koultourides, David B. Nellans, Joseph A. Simonetto, John P. Reed and School Town of Munster Representative Judy Florczak were present. Mr. Reed presided. Also present were Treasurer and Executive Secretary David F. Shafer, Executive Director Thomas F. DeGiulio, Assistant Town Manager Clay T. Johnson, Town Attorney Eugene M. Feingold, and Interim Fire Chief Dave Pelc. The news media were not represented.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on August 11, 2014
Approval of the minutes of the special meeting held on August 19, 2014

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #R14-8G dated 08/08/14 totaling \$4,722.78
Confirmation of Voucher Register #R14-8H dated 08/14/14 totaling \$178,581.40
Approval of Voucher Register #R14-8I dated 08/19/14 totaling \$519,330.65
Approval of Voucher Register #R14-8J dated 08/25/14 totaling \$5,380.75

ACCEPTANCE OF LEASE: ENGINEERED WALL SYSTEMS

Staff presented a twenty-six month lease with the owner of Engineered Wall Systems Midwest for 9364 Calumet Avenue. The lease term would be August 25, 2014, through September 30, 2016. Rent payments of \$703.50/month will begin September 1, 2014 with October 2014 and September 2015 free. The total value of the lease is \$16,884.00. The property will be used for a commercial contractor specializing in enclosure systems.

LEASE AMENDMENT: MANN MADE PLUMBING, INC

An amendment has been executed with Mann Made Plumbing, Inc. for the property at 9476 Calumet Avenue and adding the property at 9478 Calumet Avenue. The amendment extends the term of the lease effective September 1, 2014 through November 30, 2017. The lease payment will be \$1,088.86/month for the period of September 1, 2014 through September 30, 2015. The lease payment will be \$1,121.53/month for the period of October 1, 2015 through October 30, 2016. The lease payment will be \$1,155.17/month for the period of November 1, 2016 through November 30, 2017.

There will be three months of reduced rent for the property at 9476 Calumet Avenue and an additional security deposit is required. All terms of the original lease apply.

Commissioner Simonetto moved, with a second by Commissioner Koultourides, to suspend the rules, waive the readings, and adopt the Consent Agenda as presented. Commissioners Edington, Koultourides, Nellans, Simonetto, and Reed voted in favor; none voted against. The motion carried and the Consent Agenda was adopted as amended.

GENERAL ORDERS

ASSIGNMENT AND ASSUMPTION OF LEASE: MUNSTER STEEL

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT – CENTENNIAL VILLAGE, LLC

These were two separate matters on the agenda but are closely related. The Commission considered them in tandem.

This matter was discussed at the August 11, 2014 Redevelopment Commission meeting. At question is how best to convey title to the Munster Steel property to the Developer and for the Town to convey title to the Park property to the Developer as called for in the Development Agreement. The Developer wants to delay acceptance of the Park property and receive title to Munster Steel only at this time. The advantage to the Developer is a delay in property taxes and the advantage to the Town is extended use of the land for public purposes.

Mr. Feingold explained that there are several important pieces that need to be reviewed before the assignment and assumption of the lease should take place.

Commissioner Simonetto moved, with a second by Commissioner Edington, to continue consideration of the assignment and assumption of the lease and the First Amendment to the Development Agreement – Centennial Village, LLC to the meeting of September 8, 2014. Motion carried *viva voce*.

NEW BUSINESS

LAKE BUSINESS CENTER – PEPSI INGRESS/EGRESS

This matter was an item of discussion at the August 11, 2014 Redevelopment Commission meeting. Staff reported that discussions with Pepsi and Lake Business Center have been concluded. The plan is a compromise among all the parties. The proposal eliminates mixing passenger vehicles and truck traffic. Pepsi will move their security area west and construct the road west and all of their private property improvements. Lake Business Center will continue using the existing frontage road until the out lots are developed. At that time, the y will be responsible for the permanent road to the west that will provide auto access to Pepsi and the Fran-Lin traffic signal. The two parties will have a cross easement for the road.

Staff proposes the Town participate in the project by providing improvements to Calumet Avenue. Specifically, a deceleration lane is called for to access the new entrance. This improvement will help alleviate backups on Calumet Avenue when truck traffic is entering the facility. Hasse Construction has been selected by Pepsi for their portion of the work and Hasse has provided a quote for the deceleration land and removal of the existing concrete apron and bike trail extension as needed. The quote totals \$101,500.00.

It is proposed that the payment be made from the 2011 Economic Development Commission Bond Issue. Staff stated there is a balance of \$225,594.00 available in the Public Improvements/Land Acquisition section of the bond proceeds. SEH Engineering is preparing an estimate design work. Robinson Engineering will review the design.

Discussion ensued.

Commissioner Simonetto questioned the need to get bids. Mr. Feingold stated the opportunity had to be presented to others in accordance with statute. Given the estimated cost, three quotes are required. Mr. DeGiulio stated the statute allows for special circumstances which would eliminate the need for securing quotes.

Commissioner Simonetto moved, with a second by Commissioner Nellans, to participate in the project and award the contract to Hasse Construction Co., Inc. pending legal review for special circumstances. Motion carried *viva voce*.

REPORTS

MUNSTER BUSINESS COMPLEX TENANT RELOCATIONS

Staff provided a status report on the tenants at the Munster Business complex. Discussion ensued with no action taken.

DECLARATORY JUDGMENT ACTION: **REDEVELOPMENT COMMISSION V INDIANA STATE BOARD OF ACCOUNTS**

A declaratory judgment was received in the case against the Indiana State Board of Accounts. The judgment was in favor of the State Board of Accounts. Mr. Feingold has offered options for proceeding which included filing an appeal.

Commissioner Simonetto moved, with a second by Commissioner Koultourides, to authorize moving ahead with an appeal of the declaratory judgment. Motion carried *viva voce*.

ADJOURNMENT

There being no further business to come before the Commission, and upon a motion by Commissioner Edington, seconded by Commissioner Nellans, the meeting adjourned at 8:53 p.m.

John P. Reed, President

ATTEST:

David F. Shafer, Executive Secretary