

REDEVELOPMENT COMMISSION MEETING
MARCH 21, 2012
6:00 PM

The meeting was called to order by President Niksch at 6:00 PM. The Pledge of Allegiance was recited. Roll Call was taken. Members answering the roll call were Doug Niksch, Craig Earley, and Tony Muscari. Absent were Phil Kuiper and Jim Langen. Also present were School Board President Doug Ward, Attorney Greg Sobkowski, Matt Reardon Consultant SEH and Recording Secretary Chris Marbach. Also present were 2 media.

Approval of Minutes:

Mr. Earley made a motion to approve the February 21, 2012 meeting minutes, seconded by Mr. Muscari and carried by voice vote.

Old Business:

1. Update of HSA Medical Office Project (Franciscan Alliance). Matt Reardon explained HSA is awaiting review of the loan agreement and trust indenture. Mr. Reardon submitted the loan agreement and trust indenture documents that would go to the Town Council for review. Once the Town Council has time to review these documents, it will go to the Economic Development Commission for review and the public hearing will follow. Attorney Sobkowski explained that these documents are standard agreements for a transaction of this nature. The loan agreement relates to getting the proceeds of the bonds to the "Borrower" to be used for the purposes of the project. It sets forth representations by the "Borrower" and has some requirements that the "Borrower" must comply with while the bonds are outstanding. The trust indenture is an agreement between the "Trustee" and the "Town". It talks about how once the bonds are sold, the money gets to the "Trustee" and how the money would be allocated among the various funds, details the date for the payment of debt payment service so once the bond payments are due how are the bonds going to be redeemed and whether they can be paid off early. The next formal step would be for the Developer to appear before the Economic Development Commission to have the Economic Development Commission do an inducement resolution then hold a public hearing on the project and make a recommendation to the Town Council on the actual issuance of bonds. The Town Council will then approve a Bond Ordinance, which would authorize the issuance of the bonds, which would get signed at the closing. The Redevelopment Commission has played its formal roll in the process by adopting a Resolution pledging TIF generated by this project to repayment of the bonds. All the rest of the proceedings will occur with the Economical Development Commission and the Town Council. President Niksch stated he wanted the progress of this project reported to this commission. Attorney Sobkowski stated it can be a standing agenda item and he could give the commission an update as to where they are in the process.

2. Review Suggestion List from 2/21/2012 Redevelopment meeting. President Niksch explained at the last meeting there were building owners and merchants present to discuss the downtown area and what could be done to revitalize the downtown area. There were 24 suggestions, which are going to be addressed at this meeting.

1. Parking issues; 2 hour parking, eliminate parking permits, Police should enforce 2 hr parking limit on Commercial Ave., and put meters in the parking lots. Mr. Earley stated there were parking meters downtown and they were removed, which led to tenants parking on the street. His opinion was to have the Police enforce the 2-hour parking limit on Commercial Ave and eliminate the fee for a parking permit but continue to issue the permits. President Niksch suggested sending a recommendation to the Town Council regarding the parking issues and Mr. Earley will research the reason for the restriction of over night parking.

2. Snow removal by Street Department. The merchants are asking for the snow to be removed from the sidewalks by the Street Department. Mr. Earley stated the State plows Commercial Ave in the occurrence of heavy snow and at time the Town does plow Commercial Ave if the State doesn't get to it in time. In the past, there have been times when the Town has come down to clean the sidewalks after they clear the streets. Mr. Earley stated he would talk to the Public Works Director Greg Shook to see what can be done.

Matt Reardon stated after looking at the compiled list, there is a mechanism to address every one of these things on the list and it's not by the Town Council or the Redevelopment Commission, it is by the creation of a Business Improvement District and has to be done with the consent of those businesses. Attorney Sobkowski explained an ordinance needs to be done to create a Business Improvement District and the businesses would have representation on the board and would basically be like a homeowners association. They would have a budget where they can arrange for snow plowing or removal of snow and centralize some of the functions mentioned. Mr. Earley wanted to know if the Business Improvement District could be incorporated in the revitalization. Mr. Reardon stated it could overlap but is a different function. He further stated this could be brought back to the business community and there is a way to address most of the issues you have brought by creating a Business District. Attorney Sobkowski stated the Town would create the Business District by ordinance with the consent of the property owners. Mr. Earley asked if they could find a business district that is working in another community that they could look at. Mr. Reardon thought there were business districts in Valparaiso, Crown Point and Hobart and he could get a list of these communities. Mr. Earley stated he could take this idea to the Town Council. Attorney Sobkowski suggested this should be proposed to the businesses first before the Town gets too far.

3. Jay Walking. Mr. Earley stated this was a State Ordinance, which should be enforced and it was enforced after complaints of High School students crossing Rt. 2 while parked across the street from the school. The Police wrote 18 tickets and the closest ticket to downtown was issued in front of the Family Video. He is not in favor of doing anything with the jay walking and supports it. Mr. Muscari agreed and stated he supports the Jay Walking ordinance also. Mr. Earley continued by saying the only reason this went to our local court was because all the funding was going to the State for the tickets issued.

4. Town should work with building owners and merchants. President Nicksch stated he thought this was related to statements made regarding property owners working on their own buildings and an ordinance that was passed prohibiting them from working on the buildings. Attorney Sobkowski stated the ordinance says if you have a commercial building where you are going to have members of the public coming in and structural repairs need to be done, a licensed contractor who is qualified to do that work. There has been an ordinance, which has addressed this for some time and the ordinance was clarified to include structural work, which needs to be done by a licensed contractor, and the owner can do maintenance. Mr. Earley stated this meant that the ordinance was being enforced and feels whoever does the work whether it is a property owner or a contractor; it needs to be inspected by the Town.

5. Scale down Labor Day, bring back Oktoberfest. Mr. Earley stated he did not know how this would come under the jurisdiction of the Redevelopment Commission. He was going to talk to Carrie Austgen, President of the Chamber and other people to see what can be done.

6. Eliminate Change of Occupant \$100 fee. Mr. Earley stated this fee goes to the Fire Department for an inspection when the occupant of a business changes. He continued to say the Fire Dept has enough problems with funding and he is not going to ask the Fire Dept to cut their fee.

7. Have school students do community service. Doug Ward, President of the School Board stated this program has always been in place and it is a graduation requirement. He suggested making a list of things that need to be done and take it to the High School and he will also get the name of the contact person at the school.

8. Have a committee or a person from the Town be responsible for getting grant monies from the State and Federal Government. A discussion followed regarding how and who would apply for these grants and what projects would qualify for a grant.

New Business:

1. Discussion on Apple Valley Utility Company

- a. Condition and area of responsibility**
- b. Potential resource**
- c. Status**

President Nicksch explained the Annexation Committee has been discussing annexing towards I-65 to include Apple Valley Utility Company and suggested someone should

look into the condition of this utility, the availability of water, what is their zone going to I-65, and how much are they using. He further stated he knew the facility was for sale. Mr. Ward asked if it was privately owned. President Niksch stated he did not know who owned it but he did know it is a profit making entity. President Niksch asked the attorney if the town water utility was allowed to make a profit. Attorney Sobkowski stated the utility is allowed to generate enough revenue to be able to maintain their facilities.

Other Business:

Mr. Earley wanted to know if defining a Downtown Revitalization area is the next thing that the Redevelopment Commission would address. Mr. Reardon stated it would be called the Downtown Business District not to be confused with the Business District, the Redevelopment Area or Economical Development Area. Attorney Sobkowski stated this was a Council function to create this district.

President Niksch asked about an offer made on the property where Rieter was and there was an environmental issue with this property and he wanted to know how the commission could find out what the issue was. Mr. Reardon stated he could do a data research at IDEM to see if there were any findings filed against them beyond that, you would need owner consent to get on site to do a phase 1 assessment. Mr. Reardon stated he would look into it.

Adjournment:

Mr. Earley moved to adjourn at 7:40 P.M.

Doug Niksch, Chairman

Philip Kuiper, Secretary

Note: The above-proposed minutes are submitted for review and approval as the official minutes by the Redevelopment Commission.
Christine Marbach – Recording Secretary