

**MINUTES**  
**WHITLEY COUNTY REDEVELOPMENT COMMISSION**  
**Tuesday, May 11, 2021**

**WHITLEY COUNTY GOVERNMENT CENTER**  
**1<sup>st</sup> FLOOR-COMMISSIONERS/COUNCIL MEETING ROOM**

<b>MEMBERS</b>	<b>PRESENT</b>	<b>ABSENT</b>	<b>STAFF</b>	
Jim Argerbright	X		Nathan Bilger	Dale Buuck
Frank Kessler	X		Mark Cullnane	Tiffany Deakins
Michael Schrader	X		Cami Hippenhammer	
George Schrumpf		X		
Kim Wheeler	X		<b>LEGAL COUNSEL</b>	
Jill Western	X		Andy Boxberger	
<b>GUESTS IN ATTENDANCE</b>			<b>GUESTS ON-LINE/PHONE</b>	
Jim Breckler	Steve Western		Lana Beregszazi	
Troy Wilcoxson				

**CALL TO ORDER**

Mr. Argerbright called the regular meeting to order at 8:00 a.m.

**ROLL CALL**

Mr. Argerbright read roll call. All members present and absent are listed above.

**SAILRITE BID REVIEW**

Mr. Boxberger stated that Indiana Fire Sprinkler and Backflow, Inc. and Kissinger Electric are, according to Sailrite's contractor, ~~are~~ both responsible and responsive bidders for public improvements. He said that there are still improvements that have not received bids, leaving some funds available in the development agreement. Mr. Kessler made a motion to accept the bids of Indiana Fire Sprinkler and Backflow, Inc. in the amount of \$76,000 and Kissinger Electric in the amount of \$19,890; Mr. Schrader seconded. Motion passed by roll call vote, 4-0.

**IMPACT CNC BID OPENING/REVIEW**

Mr. Buuck distributed the one bid received for the asphalt and paving project. Pulver Asphalt & Paving submitted a bid of \$58,440. Mr. Argerbright stated that the bid was taken under advisement and would be reviewed by the contractor.

Mr. Wilcoxson stated that the wastewater pit project, previously bid by WJ Carey and Pulver, was being delayed, so it was no longer needed. Mr. Boxberger and the Commission discussed the options. Mr. Schrader made a motion to reject all bids for the wastewater pit project; Mr. Wheeler seconded. Motion passed by roll call vote, 4-0.

**GATEWAY PARK DRAINAGE PROJECT REVIEW**

Mr. Breckler presented a memo summarizing the two bids received for this project for drainage, erosion control, and related aspects. He stated that the Liberty Development bid was not complete—it was one page, did not include required supporting documentation, and did not include required bid bond—so it was not responsive. Bercot, Inc. was fully responsive. The base bid was \$339,485, with an

alternate for using riprap in identified areas of \$58,851. Mr. Breckler stated that with the alternate, the bid was still below the original engineer estimate. So he recommended awarding Bercot the contract, with the alternate. Mr. Boxberger stated that if the apparent low bid was not awarded due to being unresponsive, the minutes need to reflect the deficiencies. Mr. Kessler made a motion that since the apparent low bid was incomplete and did not contain the required elements, the bid of Bercot, Inc. be accepted in the amount of \$398,360 [sic]; Mr. Wheeler seconded. Motion passed by roll call vote, 4-0.

Mr. Boxberger provided updates on the easements for the project. He had discussed with Rod Perry, the owner association president, who asked about the need for access for project maintenance. Mr. Breckler stated that with the riprap being included, the amount of maintenance would be minimal.

Mr. Breckler presented a Notice of Award for Bercot, Inc., which starts the timeframe for that contract. Mr. Schrader made a motion to provide the Notice of Award to Bercot, Inc.; seconded by Mr. Kessler. Motion passed by roll call vote, 4-0.

Mr. Wilcoxson reminded of the need for coordination of the project with the anticipated relocation of Impact CNC in July and August. Mr. Breckler invited him to the pre-construction meeting when it is scheduled.

#### **RMP TRAINING GRANT**

Mr. Buuck stated that the Commission had approved a \$50,000 training grant for RMP at the previous meeting. He had prepared the agreement and need authorization for Mr. Argerbright to sign it on behalf of the Commission. Mr. Wheeler made a motion to authorize the President to sign the training grant agreement; Mr. Kessler seconded. Motion passed by roll call vote, 4-0.

#### **RAIL CONNECT RESOLUTIONS**

Mr. Boxberger explained that the transfer of the Rail Connect sign easement to the owner association had been previously approved, but not yet signed. The streetlights also would need to be transferred.

Mr. Kessler made a motion to approve Resolution 01-2021, transferring the sign easement and access easement and streetlights to the association with the President authorized to sign; Mr. Wheeler seconded. Motion passed by roll call vote, 4-0.

Mr. Boxberger explained that the detention pond parcel also needed to be transferred to the association by resolution. This resolution also included a deed. Mr. Schrader made a motion to approve Resolution 02-2021 authorizing the transfer of the detention basin to the association, with the President authorized to sign; Mr. Wheeler seconded. Motion passed by roll call vote, 4-0.

Mr. Buuck and Breckler discussed the remaining parcels owned by the Commission in Rail Connect. Mr. Buuck stated that the parcel is in rough shape and needs grading. There was discussion about the conditions of the parcel, the possibility of extension of Rail Connect Drive, and current maintenance needs. Mr. Breckler stated that the Commission should determine the planned use, and either identify issues for construction or farm it. Mr. Argerbright stated he felt that the parcel should simply be graded for ease of mowing maintenance. Mr. Schrader stated that he felt the current condition detracts from the appearance of the park. Mr. Kessler asked if there were any estimates for the flattening of the parcel, and what the scope of regrading could be.

The discussion then turned to the smaller parcel east of that, adjacent to Indiana Materials. Mr. Buuck discussed the soil boring report for that parcel, with Mr. Breckler summarizing that the poor soil conditions were hit and miss. He suggested that strategic placement of a building foundation might

avoid or reduce the amount of undercutting necessary, but it would need to be determined at the pre-design stage.

### **WRIGHT MEDICAL/MKS**

Mr. Bilger stated that MKS had submitted an invoice for the construction of the cul-de-sac at Wright Medical, which was not yet signed off on. Mr. Boxberger reviewed the lease agreement arrangement between the Commission, MKS, and the Commissioners. The suggestion of prepaying a lease in a lump sum could be possible. There was further discussion of the details of the arrangement. Mr. Kessler stated that any payment should still be held until work is complete and acceptable. Mr. Schrader agreed with the sentiment. The consensus of the Commission was to hold payment until the work was verified.

### **LARWILL SEWER UPDATE**

Ms. Beregszazi provided update on the project. She stated that two of the houses to be connected to the sewer had insufficient electric wiring to power the grinder pumps. The estimated cost to upgrade their electric services was \$16,000. She suggested four options: the homeowners paying to upgrade, since it would benefit their property values; the Commission paying; Red Star paying; or requesting that the connection mandate be waived until sometime in the future. She went on to say that she was having difficulty making contact with Red Star on their expansion plans and the relocated easement. Mr. Buuck stated that he had discussed the situation with Scott Wagner, and he would be amenable to temporarily waiving the connection, if a deed restriction was recorded.

Mr. Boxberger asked who would own the grinder pumps. It was confirmed that the Town would, not the homeowner. He suggested that the Town might be able to take over the electric service for the pumps instead of the homeowners. That could involve a single service drop to power both pumps. Mr. Wheeler asked about the electric charges. Mr. Boxberger suggested absorbing the cost of installation, but the charges could be maintenance costs for the Town. Ms. Beregszazi stated she would work with the engineer and Town on the idea. The consensus of the Commission was to investigate the idea before settling on an option.

### **2022 BUDGET AND PROJECTS**

Mr. Bilger presented the proposed 2022 Commission budget, with the note that it was the same as the 2021 budget, with one change to reduce the members' stipends since Mr. Argerbright as an elected official could no longer be paid a stipend.

Ms. Western asked about the pass-through of excess assessed value. Mr. Bilger stated that the pass-through would need to be determined by June 15<sup>th</sup>. She requested revising the fire department arrangement as an annual pass-through, and that the school receive an equal amount.

Mr. Bilger suggested that a committee meeting be held to discuss upcoming projects for 2022 and the future in order to determine the increment needed for projects. He said that the meeting had worked well last year and most of the projects identified for 2021 were already underway. Mr. Argerbright suggested Mr. Schrupf and himself to be on the committee, along with Mr. Buuck, Bilger, Boxberger, and Brandon Forrester. Mr. Bilger would schedule the meeting with them soon. The budget would be finalized at the next meeting.

## MISCELLANEOUS MATTERS

Ms. Western let the Commission know that the school board had recently decided to convert Mary Raber to a Montessori-style school in the future. She said that rumors had been heard that the school was sold, which was untrue.

## CLAIMS

Claims were presented for review. The claims consisted of:

Whitley County Treasurer	\$12.23 (property tax/drain assessment at Rail Connect)
Whitley County Treasurer	\$12.43 (property tax/drain assessment at Rail Connect)
BCS Management	\$8,158.00
ERI	\$1,520.00
ERI	\$800.00

Mr. Bilger stated that the REMC bill was also submitted for the Commission's information. There was a large credit that reflects the buyout of 300E streetlights. There was some discussion about the credit in the future.

Ms. Western reminded the Commission that the Larwill project invoices need to be forwarded to the Commissioners.

Mr. Wheeler made a motion to approve the claims as presented; Mr. Kessler seconded. The motion passed by roll call vote, 4-0.

## IN THE MATTER OF MINUTES

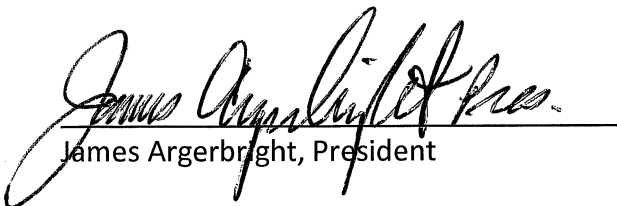
Minutes for the April 27<sup>th</sup> meeting were presented for review. Mr. Bilger mentioned a correction previously discussed that the Pulver bid was for the wastewater pit at Impact CNC, not the parking lot. Ms. Western questioned the payment of the amount for the contractor on the Larwill project; Mr. Bilger clarified the payment.


Mr. Wheeler made a motion to approve the April 27<sup>th</sup> minutes as corrected; Mr. Kessler seconded. Motion passed by roll call vote, 3-0-1, with Mr. Schrader abstaining due to not being present at the meeting.

Being no further business, Mr. Argerbright declared the meeting adjourned at 9:27 a.m.

**WHITLEY COUNTY  
REDEVELOPMENT COMMISSION**

**ATTEST:**

  
James Argerbright, President

  
Michael Schrader, Secretary