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County Surveyor  
SKY K. MEDORS, P.E.  
County Engineer  
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Executive Dir. of Economic Development  
ABBY E. WILES, AICP  
Executive Dir. of Area Plan Commission



**ST. JOSEPH COUNTY**  
ESTABLISHED 1830

DEPARTMENT OF INFRASTRUCTURE, PLANNING & GROWTH

BOARD OF COMMISSIONERS  
ANDREW T. KOSTIELNEY  
District 1  
DEREK D. DIETER  
District 2  
DEBORAH A. FLEMING, D.M.D.  
District 3

## REDEVELOPMENT COMMISSION

### MEETING MINUTES

June 8, 2021, at 9:00 a.m.

Members Present: Dennis Jordan, Jason Critchlow, Shirley Rynearson, Larry Beehler and Thomas Gryp by Zoom

Staff Present: Bill Schalliol, Chris Brown, Jamie Woods, Samantha Keultjes

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#### MEMBERS

**Brian Pawlowski**

President  
Board of Commissioners Appt.

**Dennis Jordan**

Vice-President  
Board of Commissioners Appt.

**Jason Critchlow**

Secretary  
Council Appointment

**Shirley Rynearson**

Member  
Board of Commissioners Appt.

**Thomas Gryp**

Member  
Council Appointment

**Larry Beehler**

Advisory Member  
PHM School Corporation Appt.

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**Jamie Woods, Esq.**

Counsel

1. Meeting Called to Order by Dennis Jordan
2. Approval of Minutes (Audio Position: 00:35)
  - a. May 11, 2021 – Meeting of the Redevelopment Commission  
  
Upon a motion by Jason Critchlow, being seconded by Shirley Rynearson and unanimously carried 4-0, the minutes from the May 11, 2021 Redevelopment Commission meeting were approved.
3. Economic Development Area Updates (Audio Position: 1:40)
  - a. General Redevelopment Commission
    - i. Budget Information (May report)
      1. Wyatt EDA – Fund 4300
      2. New Carlisle EDA – Fund 4301 (AA #2)
      3. New Carlisle EDA – Fund 4302 (AA #1)
      4. New Carlisle EDA – Fund 4303 (Special Taxing District)
      5. AM General EDA – Fund 4401
      6. Northwest Cleveland Road EDA – Fund 4402
      7. General Redevelopment Commission – Fund 4403
      8. Double Track Bond – Fund 4404

Chris Brown explained that the budget information for May was provided in the packet for the Commission members to review. One that doesn't fall completely in line with some of the other ones is the Niespodziany Ditch Maintenance expense. This is organized and shared with the surveyor so it's a 50/50 match for that maintenance out of the Bond Fund. Everything else is relatively normal.

- ii. Overlapping Taxing Units Presentation (Audio Position: 2:35)

Upon a motion by Jason Critchlow, being seconded by Shirley Rynearson and unanimously carried 4-0, the Overlapping Taxing Units Presentation was tabled to the July 13, 2021 Redevelopment Commission meeting.

PLANNING & ZONING | PUBLIC WORKS | SURVEYOR | DRAINAGE | ENVIRONMENTAL | ECONOMIC DEVELOPMENT

b. New Carlisle Economic Development Area (NCEDA)

(Audio Position: 4:00)

- i. Professional Service Proposals  
(30675 & 30637 State Road 2)
  1. Appraisal Services – Iverson Grove
  2. Appraisal Services – Appraisal Services, Inc.

Bill Schalliol: These are two requests to appraise two pieces of property. Those are located next to the property that the Board of Commissioners own at SR 2 and Larrison. The property owner contacted the County, was interested in selling one of the properties and maybe interested in selling the second property. He uses the property adjacent to ours as a rental property and the other one as his personal residence and he would like to move off of SR 2. Two proposals for professional services. Iverson Grove would appraise each property at \$500 so a total of \$1,000. Appraisal Services, Inc., again \$500 for each parcel for a total of \$1,000. As we continue to look at intersection improvements at SR 2 and Larrison, this could be a key acquisition because it starts to remove driveways out of the intersection and will need to be acquired at a point. The property owner had approached us about this so it would be good to get numbers on file so that we can consider acquisition at some point.

Tom Gryp: Who owns the property that is right on the corner?

Bill Schalliol: The County owns that property on the northeast corner. We have an agreement with the shed group who had been a preexisting tenant to be on the property until the end of July and then those sheds will be removed and we'll clean up the site, take down some of the posts and remove the gravel. Some of that gravel and material extends into this neighboring property so it would be good to be able to clean both of them at the same time.

Tom Gryp: You made the comment that the property is valuable to the County for right of way. I can understand that if it was on that corner, but because it's not, I don't understand why the County needs to buy some additional property.

Bill Schalliol: We've been working with the Lochmueller Group on intersection design and as we look at one of the concepts that the State is really interested in is a diamond interchange that takes up a larger footprint so as we start to get into a position where we need to acquire land it's not only land at the corner, but that footprint takes a little greater footprint. It's one of those where these are adjacent to the corner and so that's why we're looking to acquire these.

Tom Gryp: Does that imply that we'll be purchasing land adjacent to these roads going in both directions?

Bill Schalliol: At some point we would have to consider as we finalize the design with the State on what that interchange would look like, how much land would need to be acquired. We have some initial footprint plans and a third intersection design that's being worked on now, so that we can get a better understanding of what that footprint looks like. The bigger issue at this point is that this section is the only section that has driveways and people living at it, everything else is farmland.

Tom Gryp: Thank you.

Jason Critchlow: At what point would you plan to actually purchase the property?

Bill Schalliol: It may be something we buy immediately, it may be something that the property owner wants to sit for a while before he makes a decision. So we'll just have to see what the value comes in at and then have that conversation.

Tom Gryp: What was the value of the lot on the corner?

Bill Schalliol: We bought it for just over \$200,000.

Tom Gryp: So we could effectively extrapolate what the price per acre would be for those adjacent parcels. Unless there's an immediate need to acquire.

Bill Schalliol: I think the more that we can acquire when they're empty, then you're not paying relocation costs and some of those things. And again, there are two properties that we're looking at. One is presently vacant and the other has a longer lead time. Just trying to get values so that we understand what the value of a residential property on SR 2 is.

A motion by Dennis Jordan to approve the two appraisal services died for lack of a second.

ii. New Carlisle Town Loop Fiber Project – Project Update (Audio Position: 10:53)

Chris Brown: For the New Carlisle Town Loop, we were anticipating bids to be opened at the last Board of Commissioners meeting. We did not receive any bids for that construction. There may have been some confusion as to deadlines, things like that, I think we put the advertisement request in and the person who normally does the advertisement request for the County, was out and there was some miscommunication somewhere so I think that just lead to some errors. I think there were some questions about the bid documents themselves so Lochmueller Group amended those bid documents and we will be going back out to advertisement this month.

iii. Small Structure Replacement on Inwood Road and Strawberry Road over the Niespodziany Ditch – Project Update (Audio Position: 11:52)

Bill Schalliol: In your packet is a memo and a couple maps that show a small structure replacement project. In our budget that we approved for this calendar year, we approved funding up to \$1.2 million in the budget to do structure replacement at these two structure locations. Strawberry Road and Inwood Road. We've gone out to bid on that project, bids came in at \$638,000 so we got a really good number on that. Just wanted to let you know that this project has been bid, it will be awarded later today or next week. This is one of the things that was on the budget list that we've done. This is a great win for drainage for the are south of SR 2, we had a lot of coordination with the farmers in that area. These two drainage points become common pinch points so having these drainage structures replaced is a huge opportunity for drainage improvement in that area.

Thomas Gryp: Why does this fall under the purview of Redevelopment and not through the general County budget?

Bill Schalliol: This is one of the things that typically would be funded by our small structures fund that's managed by the Engineering Division. As we look at that fund, the fund has not generated enough traditionally or had enough revenue in it to do these larger replacements, generally it's for the smaller culverts. Because of the tie to the Niespodziany Ditch and the drainage and the IEC area, that's why the Redevelopment Commission was asked to participate in funding these. So as we look at opportunities to help other departments or divisions fund projects, this is one that has multiple benefits for the Redevelopment Commission as well as the farmers in the area and for the drainage network in that corridor.

- c. St. Joseph County Economic Development Area No. 3 (AM General EDA) (Audio Position: 14:20)
- i. McKinley Avenue Sidewalk Project – CBBEL

Bill Schalliol: Earlier this year we did survey work on McKinley Ave from Capital Ave to just west of Currant Dr. There is a segment of sidewalk that was missing there, and it ultimately would connect into the Capital Avenue Trail. As we did that, we had the survey work complete and preliminary engineering was done. There's a design in here that shows basically the concept for where that sidewalk connector piece would go. This proposal is for the next piece of that which would be the design work. The amount would be \$17,900. We're positioning this as well as the section over from the bridge, north to Jefferson and a couple others to the Next Level Trail Grants that are available later this year. So, the more that we have shovel ready, design ready, puts us in a better position to be able to go after some of those grants. The other win with this project is once the work is done on McKinley next summer, into the following year, to improve from Birch to County Line, we'd have continuous sidewalk from County Line all the way to Capital. So that would be a huge stretch of connectivity for neighborhoods. It would connect the Penn Schools and all those areas along that corridor. This little segment is pretty important to that bigger stretch, so we ask for your approval of this proposal.

Jason Critchlow: Just remind me, what were the grants that you were going to go after for the whole project?

Bill Schalliol: We originally went after Excess Regional Cities money. We've got Ready Grant that's coming up that's more of the Regional Cities Phase Two. So, we've had some conversations whether we'd be a Ready Grant application or if we would be more supportable for the Next Level Trails Grant Program. This probably fits better within the Next Level Trails Grant. Having this and the section on Capital ready to go at the same time could be a bigger sale to get that grant.

Dennis Jordan: What is the value again of this project?

Bill Schalliol: The engineer's estimate is about \$250,000 for the construction but they haven't done final design so this proposal is actually in the amount of \$17,900.

Upon a motion by Jason Critchlow, being seconded by Shirley Ryneason and unanimously carried 4-0, the McKinley Avenue Sidewalk Project – CBBEL was approved.

- ii. Elkhart & Western Railroad Crossing Project – Addendum (Audio Position: 17:36)

Bill Schalliol: Back in August of 2020 the Redevelopment Commission and Board of Commissioners approved an agreement to provide funding for the Pioneer Rail Corporation that operates the Elkhart &

Western Railroad to do upgrades at Bittersweet Road and Ash Road at the intersection crossings. Those crossing now are complete and the work has been fantastically done. As we were working on the project there were a couple things that came up that were issues. One was paving work that needed to be done and the other was maintenance of traffic signage. Both of those were pieces that we the County had anticipated being able to do but as we looked at the paving, having one paver do all of the work seemed to make more sense so we're asking for an addendum to the original contract in the amount of \$55,567 that we would provide reimbursement to this project for a total amount of \$407,467 to complete this agreement.

Shirley Rynearson: What's the request for proposal limited to? Do we have to have a request for proposals at this price?

Bill Schalliol: We already approved \$351,950. So, this is just an addition to that original funding amount.

Thomas Gryp: That's about \$50-\$60 grand incremental?

Bill Schalliol: This additional work was \$55,567. As we looked at our cost to do that paving and some of the challenges with having the additional paver out, this is actually and extremely good deal that we were able to get.

Thomas Gryp: So if we did it ourselves it would cost more than that?

Bill Schalliol: We would have actually had to bring in a contractor and would have had to get quotes to do it and just based on the quantity values that we're getting based on the work done, this was a better way to go.

Jason Critchlow: Is it already done?

Bill Schalliol: Yes. The work got done, we just got all the final totals.

Jason Critchlow: So, they said they can just do this for you and we just said go ahead?

Bill Schalliol: It was a field change order.

Jason Critchlow: They just did it on the cuff and said it's an I owe you.

Shirley Rynearson: It's been approved close to that.

Jason Critchlow: But they still went outside of that without us agreeing to pay for it.

Bill Schalliol: We hadn't had the ability to get this approval.

Jamie Woods: That's not entirely uncommon dealing with construction projects that contractors are out there that identify an issue, there's extra services that are provided.

Upon a motion by Thomas Gryp, being seconded by Jason Critchlow and unanimously carried 4-0, the Elkhart & Western Railroad Crossing Project Addendum was approved.

Bill Schalliol: At our last meeting there was some questions on where we stood with the participation of Penn Township Fire Station project. I had a conversation this morning and couple over the last couple of weeks with the Penn Township Trustee and we're working to try to finalize some of the numbers as it relates to site work and utility issues and relocation and things like that. Originally the Commission had committed about \$500,000 to do site work. Some of those costs have been raised because of some utility issues because of some other site conditions that have been found on site. So, we are going to work and bring back in the July meeting a final request for funding for this project. We don't anticipate it will be that much more than the original \$500,000 but we're still working through those numbers so I would say I believe next week we have an agreement with the City of Mishawaka to extend water lines to the project, the check with go to Mishawaka next week for the water so water will start within the next week or so. The building is coming out of the ground but just a lot of pieces and moving parts.

Jason Critchlow: This will be the third meeting where we've said we're going to pay this and have committed the money. Do they trust now that we are going to pay?

Bill Schalliol: I believe based on my conversations. We had approved an agreement for \$500,000. It had gone to the Board of Commissioners and we tabled that request. We know that there is a larger request. One of the things we had a conversation about was perhaps un-tabling that request, approving the \$500,000 so that they have some working capital to do the road project and some of those. If this body felt comfortable releasing those original funds with a conversation for the larger funds, that may be an appropriate action.

Jason Critchlow: So, we don't actually release the money that we approved in the budget?

Bill Schalliol: We haven't yet. If this Board would like to do that to show that we're willing to continue forward, I'm sure they would love that.

Jason Critchlow: I would absolutely be on board for that.

Upon a motion by Jason Critchlow, being seconded by Shirley Rynearson and unanimously carried 4-0, the proposal to release the funds for the Penn Township Fire Station project was approved.

- d. Wyatt Economic Development Area No. 1 (Wyatt EDA) (Audio Position: 25:42)

None at this time.

- e. Northwest Cleveland Road Economic Development Area (NWCR EDA) (Audio Position: 25:46)  
i. **Resolution 2021-12** – APPROVING TRANSFER OF FUNDS IN NORTHWEST CLEVELAND ROAD ECONOMIC DEVELOPMENT AREA

Chris Brown: On February 9, 2021, the Redevelopment Commission approved the contract with DLZ for the Olive Road corridor master planning study for a not to exceed amount of \$65,900. It was anticipated that this payment would come from the Northwest Cleveland Economic Development Area, however when we did the motion, the funds were not appropriated into the right account. So right now, they are just in a general carry-over account. Northwest Cleveland is typically used just for the General Stamping and Metal Works bond payments so, all of the appropriation funds are just to pay the bond debt on principal and things along those lines. So this resolution is requesting that we transfer funds from that

carry-over fund into a consultant contract expenditure fund so that we can then pay on that contract and the anticipation would be, once the funds are put into that account that we would create a purchase order and lock those and encumber those funds so that we can pay that contract off. They have done some work already so we are just needing to get these funds into a space where I can actually write the check.

Upon a motion by Shirley Rynearson, being seconded by Jason Critchlow and unanimously carried 4-0, Resolution 2021-12 was approved.

4. Additional Business (Audio Position: 27:30)

a. **Resolution 2021-13 – A RESOLUTION OF THE ST. JOSEPH REDEVELOPMENT COMMISSION ADOPTING A WRITTEN POLICY ESTABLISHING THE PROCEDURES FOR ELECTRONIC PARTICIPATION AT MEETINGS**

Bill Schalliol: This resolution would set up rules and procedures as it relates to written policy for electronic participation at meetings.

Jamie Woods: We're still covered by the Governor's Executive Order which extended through June, but we all anticipate that's going to come to an end at some time. The folks in the Legislative Branch of the Indiana government approved legislation that was signed by the Governor that will allow meeting to continue virtually on a go forward basis. There are some requirement for that though as you consider whether you wish to adopt this meetings policy or not. At least 50% of the members of the governing body must be physically present. Members that wish to participate virtually should notify the chair at least 48 hours in advance. All votes must be taken by an audible roll call vote. A member may not attend more than 50% of the meetings of the body in a calendar year electronically. A member may not attend two consecutive meetings by electronic communication without physically attending one afterwards. You can't adopt a budget, initiate a referendum, establish or increase a fee, use eminent domain, or establish or raise or renew a tax virtually.

Upon a motion by Jason Critchlow, being seconded by Shirley Rynearson and unanimously carried 4-0 Resolution 2021-13 was approved.

b. Resolution adopting a "Lease Assignment Fee" – Discussion only (Audio Position: 32:48)

Bill Schalliol: At the last meeting there was conversation about this as it related to the transfer of the lease from SF Motors to ELMS. Mr. Gryp, we put this resolution together for consideration or conversation. Then we can present this at the next meeting as a resolution for approval.

Jamie Woods: So, if anyone has any questions about the economics of it, generally speaking most commercial leases are pretty freely assignable. I certainly understand Mr. Gryp's request and I think it's a fair one on a go forward basis. 1% of the remaining rents or an amount of \$25,000 whichever is lesser, seemed to be reasonable. We can't go back on our current lease but this is just a starting point. If there are any questions, please let me know.

Thomas Gryp: I appreciate you guys doing this and putting in these numbers. I would just ask that we amend it in the very last sentence to say has the authority to waive or amend this assignment fee. There might be situations where, given the magnitude of it, we may need to adjust that a little bit and I'd like to have that flexibility.

Jamie Woods: We can't amend it upwards I don't think but we could certainly reduce it.

Thomas Gryp: Why could you not raise it if appropriate?

Jamie Woods: I think you would have a hard time having an open ended fee with a commercial developer or tenant. I'm inclined to think that might scare people off.

Thomas Gryp: I'm sure that's a possibility but my guess is that the Commission would like that flexibility. We'll always act in a reasonable manner and there might be scenarios where we can charge more. I'm just trying to keep those options open.

Jamie Woods: Can I think about that and you and I have some conversations before the next meeting and we'll figure this out?

Thomas Gryp: Absolutely.

c. County Owned Land Parcels Project – Project Update (Audio Position: 36:45)

Bill Schalliol: As we continue to work through and start to classify all the land that we have under ownership, we've also found that we have a separate list and that's our mowing list. We found that there's not always overlap between those so we're trying to work through some of the reasons why we're mowing some of the areas that we're mowing. We've had some recent turnover in our Highway Department, so this list becomes even more important to have gathered. We should have a report hopefully by July that gives us a good detail of what we own, don't own, and what we mow.

d. Fiber Connection Project – Project Update (Audio Position: 37:42)

Chris Brown: Just from the EDA standpoint of progress, all of the conduit and the hand holes have been put into the ground so I think they're laying the last one in July. We are kind of at that halfway point where the infrastructure is there, the fiber will be starting to be pulled in mid-July around July 12. There's been a small delay in fiber shipments but that should go swimmingly once we get moving on that. From the connection updates, Surf Broadband met with the New Carlisle Business and Community Association on June 2, just talking about the actual services that they provide. They're looking at about \$65-\$85 based on the speeds that you are wanting. Then there's no cost to extend from the ROW up to about 250'. During that meeting they also said that if it was past 250', you may be talking a couple hundred dollars to get it there, about \$10 per foot for the fiber to be laid. They also have a website to garner interest from the community. Choice Light is working with the Town of New Carlisle Council on their abilities and what their business model looks like. They also have purchased business contacts for the region to start marketing their services as well. I've also invited Choice Light and Surf Broadband to present their updates with the Town of New Carlisle and the Business Association to the RDC for the July meeting to give a broad overview of those outreaches that they're doing to get people interested in connecting. Shirley and I met a couple weeks back on looking at planning and strategic planning for the broadband, both for the New Carlisle and Olive Township area but also from a larger perspective. While we have the EDA Grant and the potential New Carlisle Town Loop on the West side, you're also looking at North Liberty, Walkerton, and some of the other towns that may not have the connectivity. Looking at how this process works out and then how do we then extend it out to some of those other towns and whether or not that's ARP funding or something else we can figure out. It's a large project extending the

sewer and water infrastructure to areas that don't normally have access to that. Just seeing what we can do to move those projects forward.

Jason Critchlow: Is there some kind of map that shows where the dead spots are?

Chris Brown: Choice Light has a pretty updated map as to where the broadband connections are. We can work with them and our GIS department to understand where those dead spots could be.

Thomas Gryp: Do you know if this conversation with the people in New Carlisle and Choice Light include figuring out how we can get free connectivity to schools, hospitals, those types of things. Is that part of the dialogue?

Chris Brown: I believe so. I know some of the stuff that Surf Broadband does, there are grants for lower incomes, so maybe not the hospitals, but there are grants that they work with to reduce that cost down to a very minimal level. It's really up to Choice Light to figure out what those costs are to connect to their backbone and where the conversation becomes, are there opportunities for the County to help out with the connection fees. Until we figure out who wants to connect and at what speeds they want to connect, plus we have TIF in some areas and not in others so some areas have the advantage that we could maybe help but some areas do not. That could also be a potential project for these Ready Grants, developing a fund along those lines that would help move that which will be more of a regional strategic initiative on whether or not broadband connection is something that rises to the top of that file.

5. Public Comment (3 minute limit)

(Audio Position: 46:15)

Dan Caruso, 305 Compton St., New Carlisle, IN: This past weekend my friends and neighbors in New Carlisle repainted the wall that says, "New Carlisle, a nice place to visit a great place to live." I'd like to keep New Carlisle a nice place to visit, a great place to live. To create a TIF district or expand the TIF district up to where it includes a solar farm north of 20 and to take that money from the public library and schools that are already hurting, and impact local resident's tax bills to make up for that shortage to those places, to create a TIF district for somebody who has a product that they're really pushing to put in here is wrong. I talked to a lot of people that were against creating or expanding the TIF district. Why do you want me to give you some sort of a break to bring your product in here? Do you think it's going fail? I like the idea of solar but a vast majority of Olive Township oppose a TIF District to get this accomplished.

6. Adjournment

Upon a motion by Jason Critchlow, being seconded by Shirley Rynearson and unanimously carried 4-0, the June 8, 2021 Redevelopment Commission meeting adjourned at 9:52 a.m.

Next Meeting Date: July 13, 2021 at 9:00 am  
(Virtual with In-Person Location TBD)