

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
 HELD AT 6:30 P.M. THURSDAY, FEBRUARY 2, 1995
 AT THE COMMISSION OFFICES
 6100 SOUTHPORT ROAD
 PORTAGE, INDIANA

Chairman Chuck Agnew called the meeting to order at 6:40 p.m. Nine (9) Commissioners were present. Quorum was declared and guests were recognized.

Development Commissioners:

George Carlson
 Charles Agnew
 Steve Davis
 Robert Huffman
 Robert Trelo
 Emerson Delaney
 Nathaniel Leonard
 William Tanke
 Arlene Colvin

Staff:

Jim Pokrajac
 Dan Gardner
 Lou Casale
 Sandy Mordus

Visitors:

Kim Steele - The Times
 Jim Flora - R.W.Armstrong
 Rich Matuski
 Pete Zak - South Shore Marina
 Mary Jane Zak - " "
 Mike Doyne - Doyne's Marine
 Earl Robertson - Lake Station
 Liz McCloskey - U.S. Fish &
 Wildlife
 Bill Petrites - Highland
 Denis Buksa - Munster
 Herb Read - Izaak Walton
 Al Kuhn - Hammond
 Richard Comer - City of Gary
 Clark Metz - City of Gary
 Macarthur Drake - City of Gary
 Mara Candelaria - Congressman
 Visclosky's Office
 Michael Johnson - Barden
 Development
 Tom Crump - Barden Dev.
 Dwight Belyue - Barden Dev.
 Tom O'Connor - Gosh Architects/
 Trump Organization
 Bob Pickus - Trump Organization
 Patrick Dennehy - Trump Org.
 Michael Puente - Post Tribune
 + 3 others did not sign in

The minutes of the January 5, 1995 meeting were approved by a motion from George Carlson; motion seconded by Robert Huffman; motion passed unanimously.

Chairman Agnew announced we received the reappointment letter for a 4-year term for William Tanke from the Porter County Commissioners.

LCRBDC Minutes
February 2, 1995
Page 2

Chairman Chuck Agnew presented outgoing chairman George Carlson with a placque in recognition of his two-year term of chairmanship for the Commission. Mr. Carlson thanked the Commissioners and said a few words of gratitude.

Executive Director's Report - Mr. Gardner spoke on our continued progress in working with the Gary Park Board attorney, Greg Reising, in trying to finalize the formal agreement between the Commission and the Gary Park Board. A final agreement will be going to the Gary Park Board and the Gary Council for approval.

Mr. Gardner informed the Commissioners that he will be attending a meeting in Indianapolis with Stan Smith, the new INDOT Commissioner. Also in attendance will be Dave Hunter from the Corps office, Mara Candelaria from the Congressman's Office, Mayor Barnes of Gary and Arlene Colvin. The main issue of discussion will be getting Grant Street interchange back on schedule to be reconstructed in conjunction with the levee project. Grant Street reconstruction is critical to the project or else the alternative is to construct flood closure gates to close off Grant Street during a flooding event. This is unacceptable to the Commission and to the City.

Mr. Gardner talked about the Governor's budget. There was no monies earmarked for the Commission in the budget. That increases even more the need to impress upon the legislators the critical concern we have if we do not receive the requested \$8 million from this year's biennium. Staff will meet with key legislators and the Congressman in mid-February to discuss the issue. Mr. Gardner has just recently talked to Representative Timothy Fesko who is in support of the \$8 million request. Mr. Gardner once again stated that there is still \$4 million in Build Indiana Funds that was previously appropriated but we have not been able to access those monies.

Mr. Carlson proceeded to give a little history of the Commission - where we've been, where we're at and where we're going. He expressed his dismay about the length of time this project is taking and the struggle we have to go through to obtain money from the General Assembly. Since the Little Calumet River has been noted as the worse flooding problem in the state of Indiana, he cannot understand why it is not a #1 priority to the Governor.

Land Acquisition Committee - Staff Jim Pokrajac informed the Commission that we have received a proposal to put a window in Chase St. Produce for a cost of \$1,412. Bob Trelo made a motion to authorize the work to be done; seconded by Arlene Colvin; motion passed unanimously.

LCRBDC Minutes
February 2, 1995
Page 3

Attorney Lou Casale discussed the purchase of a 25 acre site known as DC96 (Solan's property). Mr. Tanke made a motion to send a uniform land offer for the appraised value; motion seconded by Emerson Delaney; motion passed unanimously.

Project Engineering Committee - Mr. Huffman reported that actual construction at Wicker Park Manor in Highland (Stage V-1) is on hold pending better weather. Mr. Huffman also referred to the Corps letter stating they are writing a supplemental Environmental Impact Statement that should be completed in March 1995.

Marina/Breakwater Committee - Committee Chairman Bill Tanke referred to the weekly construction report letter from Abonmarche listing up-to-date marina progress. The north basin sheetpiling will be complete shortly. Mr. Tanke stated that once the sheetpiling is completed and until more funding is in place, the project will probably be immobilized for awhile.

Finance/Policy Committee - Treasurer Nathaniel Leonard gave the treasurer's report. He informed the Commission that a budget transfer is needed to cover additional incurred legal costs. He proceeded to make a motion to transfer the amount of \$2,175 from Budget Line 5860 Project Land Purchase Costs to Budget Line 5838 Legal Services; motion seconded by Arlene Colvin; motion passed unanimously. Mr. Leonard then made a motion to approve the financial status report for December as well as the claims amounting to \$29,029.83; motion seconded by George Carlson; motion passed unanimously.

Mr. Leonard informed the Commission that we received a letter from the Corps that they are withdrawing \$50,000 from the Escrow Account for design purposes.

Other Business - Mr. Gardner informed the Commission that since the last Commission meeting, there has been considerable interest in property that the Commission owns. It consists of a 179 acre parcel off Clay Street (property is East of I-65, South of I-90, North of I-80/94). It is currently being looked at for a Gary casino site by several developers. The Commission has received several proposals. Attorney Lou Casale referred to a letter from the Barden Development group. It offers \$10,000 to hold the property until July 1995; it covers a 99 year lease period; down payment would be \$500,000 and a lease payment of \$250,000 per year would be paid. We have also received a letter from the city of Gary to enter into a lease with them. Staff has had one meeting with the city.

LCRBDC Minutes
February 2, 1995
Page 4

Macarthur Drake, legal counsel representing the city, relayed to the Commission the city's position and interest in the property. They are requesting the Commission to adopt a resolution to enable the Commission to engage in discussion and negotiations with the city only with the ultimate goal being a secured lease. Terms of the lease would be the same as previously discussed.

Deputy Mayor Richard Comer addressed the Commission as one public body to another public body with the main concern being the public good. He emphasized a desire for a interlocal type of agreement lease to be secured with the city and not the developer.

Dwight Belyue representing the Barden Development Group then addressed the Commission. After introducing his fellow colleagues, he stated that because of Barden's expertise, having a lease between the Commission and the developer would be the most expeditious way to proceed. He stated that a site determination needs to be done first. Some soil borings are currently being done (they secured staff's approval before proceeding). Mr. Bob Pickus, a lawyer representing the Trump Organization, also emphasized their desire for a direct lease with the developer. Tom O'Connor, an architect representing Trump Organization, presented an initial design plan to the Commission. The plan addressed the wetlands within the 179 acre parcel and development was shown leaving those wetlands in tact.

They will appear shortly before the State Gaming Commission in Indianapolis and want to be able to obtain approval for this particular site.

Chairman Chuck Agnew responded with a statement that this is the first time some of the Commissioners are even being made aware of this situation.

Dwight Belyue emphasized that although their group and the city do not agree on who the lease should be with, they are going down the same path as the city. Mr. Drake added that the city does not plan to develop the land themselves; they would want a developer. The city would sublease the land to the developer. He did state that an agreement between the city and the developer has not been signed yet.

After much back-and-forth discussion, it was the general consensus of the Board to work toward a lease arrangement with the city. Executive Director Dan Gardner agreed that since we are a public body, we should work toward an agreement with the city. Mr. Carlson made a motion authorizing the Executive Director, the