



## **GOSHEN REDEVELOPMENT COMMISSION**

### **AGENDA FOR THE REGULAR MEETING OF JULY 12, 2016**

The Goshen Redevelopment Commission will meet on July 12, 2016 at 3:00 p.m. in the City Court Room/ Council Chambers at the Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana.

#### **1. CALL TO ORDER/ROLL CALL**

#### **2. APPROVAL OF MINUTES**

Regular Meeting Minutes of June 14, 2016

#### **3. UNFINISHED BUSINESS**

- a. Resolution 58-2016 – Approval of Confirmatory Resolution to Amend the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area
- b. Resolution 63-2016 – Award Bid and Authorize Negotiation for Construction Engineering Services with Lochmueller Group for the Kercher Road Reconstruction Project from the Railroad to Dierdorff Road
- c. Resolution 64-2016 – Award Bid and Authorize Negotiation for Construction Engineering Services with Lawson-Fisher Associates for Northwest Bike Trail Project
- d. Resolution 72-2016 – Authorize Negotiation of Contract Amendment #5 with RGB Sales, LLC to include Canal Bank Restoration at the Millrace Neighborhood Site
- e. Resolution 75-2016 – Approve Amendment Number 2 to the Agreement for the Lease and Development of Real Estate with Goshen Brewing Company
- f. Resolution 76-2016 – Accept Transfer of Hickory Street Real Estate
- g. Resolution 77-2016 – Ratify Execution of Agreement Amendment #2 with Abonmarche Consultants, Inc. for the Steury Avenue/Lincoln Avenue Roadway Reconstruction & Drainage Improvement Project

#### **4. NEW BUSINESS**

- a. Resolution 78-2016 – Approve Issuance of RFP for Third Street / Jefferson Street Real Estate
- b. Resolution 79-2016 – Approve Powerhouse Rental Rate Increase for 2017
- c. Resolution 80-2016 – Approve Settlement Agreement for Acquisition of 2601 Woodland Drive for State Road 15 and Kercher Road Intersection Improvement Project
- d. Resolution 81-2016 - Authorize Negotiation of Contract for Garage Door Replacement at Plymouth Avenue Garage
- e. Discussion – 409 S. 3<sup>rd</sup> Street Roof Repair
- f. Resolution 82-2016 - Approve Design Exception for South Link Road Project
- g. Resolution 83-2016 - Approve Change Order #3 with Phend & Brown, Inc. for South Link Road Project
- h. Resolution 84-2016 – Authorize Negotiation of TIF Reimbursement Agreement for Infrastructure for Waterford Commons Business Park
- i. Resolution 85-2016 – Authorize Advertising for Bids for Waterford Commons Business Park Project
- j. Discussion - 65706 SR 15 Property

#### **5. APPROVAL OF REGISTER OF CLAIMS**

#### **6. MONTHLY REDEVELOPMENT STAFF REPORT**

#### **7. OPEN FORUM**

The open forum is for the general discussion of items that are not otherwise on the agenda. The public will also be given the opportunity at this time to present or comment on items that are not on the agenda.

#### **8. ANNOUNCEMENTS**

Next Regular Meeting – August 9, 2016 at 3:00 p.m.



## GOSHEN REDEVELOPMENT COMMISSION

### MINUTES OF THE REGULAR MEETING HELD JUNE 14, 2016

#### **CALL TO ORDER / ROLL CALL**

The Goshen Redevelopment Commission met in a regular meeting on June 14, 2016 at 3:00 p.m. in the City Court Room/Council Chambers at the Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana.

The meeting was called to order by Commission President Stump. On call of the roll, the following members of the Goshen Redevelopment Commission were shown to be present or absent as follows:

Present: Laura Coyne, Adam Scharf, Thomas Stump, Vince Turner and Brett Weddell (arrived late)

Absent: Cathie Cripe

#### **APPROVAL OF MINUTES**

A motion was made by Commissioner Scharf and seconded by Commissioner Coyne to approve the minutes of the April 25, 2016 Executive Session. The motion was adopted unanimously.

A motion was made by Commissioner Coyne and seconded by Commissioner Scharf to approve the minutes of the May 10, 2016 Regular Meeting and May 10, 2016 Executive Session. The motion was adopted unanimously.

A motion was made by Commissioner Turner and seconded by Commissioner Coyne to approve the minutes of the June 7, 2016 Special Meeting. The motion was adopted unanimously.

*Commissioner Weddell arrived at this point in the meeting.*

#### **OPEN PROPOSALS – GOSHEN INN REDEVELOPMENT PROJECT**

Commission President Stump opened proposals from the following:

Emmert Group Properties, LLC of Brazil, IN  
Journey Ministries, CR 138, Goshen, IN  
The Woda Group, Inc., Indianapolis, IN  
Legacy Development Group, Bristol, Indiana  
Gardner Capital Development Indiana, LLC, Clayton, MO

The proposals were turned over to Redevelopment Staff for review and evaluation. Commissioner Turner and Commissioner Scharf volunteered to sit on the review committee.

#### **PRESENTATION – THE CROSSINGS SUBDIVISION DRAINAGE**

Dustin Sailor, City Utilities Engineer, informed the Commission of the drainage and flooding issues discovered during and since phase one of The Crossings development was completed. He explained there is an opportunity to assist with funding through the Plymouth Avenue TIF Area, which is generating TIF increment through December of 2019.

Mr. Sailor introduced Bob McCoige, 406 Waneta Drive, Goshen, representing GRC Development. Mr. McCoige told the Commission they are requesting the Commission postpone or delay the water main loop project in the Plymouth Avenue TIF and prioritize The Crossings drainage project.

City Attorney Larry Barks informed the Commission this project was added to the list of projects for the Plymouth Avenue TIF area. The purpose of this presentation is to establish priority between this project and the water main loop project. It is anticipated that this project will exhaust the funds currently in the TIF area, as well as the funds to be received through the TIF's expiration in December, 2019.

There were no objections from the Commission to prioritizing The Crossings drainage project over the water main looping project.

## PUBLIC HEARING

Commission President Stump opened the public hearing for the Adoption of Declaratory Resolution to Amend the Economic Development Plan for the Consolidated River Race / US 33 Economic Development Area.

No one from the public or the Commission spoke during the public hearing. Commission President Stump closed the public hearing.

## UNFINISHED BUSINESS

### **a. Resolution 58-2016 – Confirming the Declaratory Resolution to Amend the Economic Development Plan for the Consolidated River Race / US 33 Economic Development Area**

Kent Oyer, 405 Franklin Street, Goshen; owns property at 304 W. Pike. He inquired why this property was not included in the updated plan. Mark Brinson explained that at the time this plan was updated, the anticipated cost of the property would make it prohibitive for the City to purchase, however, since the US 33 re-route plans have been finalized, it makes sense to add this property into the plan.

Mr. Brinson further explained that being included in this list is not a determination that the City is going to acquire these properties; it just allows the Redevelopment Commission to negotiate directly with the property owner and to utilize TIF funds to acquire the property.

Commissioner Weddell conveyed to the property owners that if they are ever interested in selling, they now know there is a potential buyer.

Commissioner Scharf asked that in order to make the corridor plan consistent with point 19, 7A needs to say 9<sup>th</sup> Street from College to Lincoln. He would also like to add the possible construction of sidewalk improvements on the north side of College from 9<sup>th</sup> to 12<sup>th</sup> Street, contingent upon this area being in the TIF area. Also, in item 17, change "increase" to "alter" to allow the possibility of reduction of flow, if necessary, and remove "and vegetation" from that item.

Commissioner Turner also reiterated that 304 W. Pike should be added to the plan as well.

There were no objections to the changes proposed by Commissioner Scharf or the addition of 304 W. Pike Street from the Commission.

Commissioner Scharf does not feel the properties p through cc listed in real property #6, the parcels between the river and 1<sup>st</sup> Street and Pike and Lincoln meet the findings in the declaratory resolution and would like these properties to be removed.

A motion to remove the properties p through cc listed in real property #6 was made by Commissioner Scharf. There was no second and the motion dies.

A motion was made by Commissioner Scharf and seconded by Commissioner Weddell to table Resolution 58-2016 until the next meeting. The motion was adopted unanimously.

### **b. Discussion – Review of Unfunded Project Priority Consolidated Rankings for Southeast and Consolidated River Race / US 33 TIF Areas**

Mark Brinson reminded the Commission they requested to see the final rankings from the special meeting last week and briefly touched on the top three projects for each TIF area. He explained the next step is to take these rankings and look at the five year capital plans to see if any of these projects can be added to the five year plan, however he does not anticipate much change due to the lack of availability of funds.

## NEW BUSINESS

### **a. Resolution 59-2016 – Ratify Authorization for Installation of Additional Pavement for Eisenhower Drive North Water Main Extension Project**

Dustin Sailor, City Utilities Engineer, informed the Commission during the installation of the water main, the pavement edge deteriorated. Contractor's price to repair was excessive. Engineering chose to go with the street department personnel and pay material costs only.

A motion was made by Commissioner Turner and seconded by Commissioner Weddell to approve Resolution 59-2016. The motion was adopted unanimously.

**b. Resolution 60-2016 – Approve Change Order No. 4 with HIS Constructors, Inc. and Ratify Understanding of Compensation with Property Owners for the Wilson Avenue Storm Sewer Phase 1 & Hartzler Canal Bank Stabilization Project**

Dustin Sailor informed the Commission negotiations with the City, HIS Constructors, Inc., the contractor and the Hartzlers, the property owners led to ending the contract with HIS giving up final restoration & having them provide \$4,500 credit toward the final restoration. The property owners & their contractors will complete the final restoration and the City will provide additional top soil for 6" coverage over the property.

Greg Hartzler, 1245 Wilson Avenue, Goshen informed the Commission this has been a messy situation, however, they are conceptually ok with this solution.

A motion was made by Commissioner Turner and seconded by Commissioner Coyne to approve Resolution 60-2016. The motion was adopted unanimously.

**c. Resolution 61-2016 – Approve Change Order #2 with Phend & Brown, Inc. for the South Link Road Project**

Mary Cripe, Civil City Engineer, informed the Commission this change order provides traffic shifting from three phases to two phases, reducing the impact to traffic flow, which increases the contract by \$27,884.25. No TIF funds are being utilized for construction of this project.

A motion was made by Commissioner Weddell and seconded by Commissioner Scharf to approve Resolution 61-2016. The motion was adopted unanimously.

**d. Resolution 62-2016 – Approve Transfer of Funds for Right-of-Way Acquisition for Kercher Road Reconstruction Project from Railroad to Dierdorff Road**

Mary Cripe informed the Commission in order to keep everything moving forward in a timely manner, Engineering is asking the Commission to transfer the property acquisition funds for this project in a lump sum to a line provided by the Clerk Treasurer. This will allow for the processing and tracking of claims and reimbursements to be done in Engineering, approved by Board of Public Works on weekly basis, with a year end and project completion reconciliation to be provided to Redevelopment.

A motion was made by Commissioner Weddell and seconded by Commissioner Coyne to approve Resolution 62-2016. The motion was adopted unanimously.

**e. Resolution 63-2016 – Award Bid and Authorize Negotiations for Construction Engineering Services for the Kercher Road Reconstruction Project from the Railroad to Dierdorff Road**

Mary Cripe informed the Commission seven bids were received, reviewed and evaluated by a review committee. They are being presented to the Mayor for double-checking the scoring and to INDOT for their review.

A motion to table Resolution 63-2016 was made by Commissioner Weddell and seconded by Commissioner Scharf. The motion was adopted unanimously.

**f. Resolution 64-2016 – Award Bid and Authorize Negotiations for Construction Engineering Services for the Northwest Bike Trail Project**

Mary Cripe informed the Commission seven bids were received, reviewed and evaluated by a review committee. They are being presented to the Mayor for double-checking the scoring and to INDOT for their review.

A motion to table Resolution 64-2016 was made by Commissioner Weddell and seconded by Commissioner Turner. The motion was adopted unanimously.

**g. Resolution 65-2016 – Approve Funding of River Race Drive Temporary Parking Area and Driveway Cut Reconstruction**

Mary Cripe informed the Commission the Street Department did a great job on this project. It was discovered there is a drive cut off Third Street that may be mistaken as a drive into the temporary parking lot, which could be a traffic issue on Third Street. She also stated that in July of 2018, Third Street will become a State Highway and the City would have to get INDOT approval to close the driveway cut then.

Commission President expressed his preference to wait before filling in the driveway cut and recommended putting in a temporary barrier until it is determined what will happen in that area.

There was no motion on Resolution 65-2016.

**h. Resolution 66-2016 – Approve Lease Agreement with Gleason Industrial Projects, Inc. for Semi Trailer Parking**

Larry Barkes informed the Commission this is a renewal of the current lease with the following minor changes – 1) one year term, automatically renews in six month increments; 2) rent increases to \$600/month from \$500/month; 3) the number of trailers is now limited to 20; and 4) Redevelopment is committing to fixing the garage doors.

A motion was made by Commissioner Weddell and seconded by Commissioner Coyne to approve Resolution 66-2016. The motion was adopted unanimously.

**i. Resolution 67-2016 - Ratify Authorization of Installation of Poles by Middlebury Electric for South Link Road Utility Relocation**

Mary Cripe informed the Commission these poles needed to be temporarily placed; they will eventually go underground.

A motion was made by Commissioner Turner and seconded by Commissioner Scharf to approve Resolution 67-2016. The motion was adopted unanimously.

**j. Resolution 68-2016 – Approve ECCVB Live Work Play Capacity Grant Program Agreement**

Mark Brinson informed the Commission the City was approached by ECCVB, partnering with the ECC, who is providing funding for improving downtowns. The City was invited to submit an application for funding, which was done as the Downtown Goshen Creative Arts Initiative, which met the established criteria for the Capacity Grant Funds. It is a 3 year program, with the first year to be dedicated to Goshen Theater for the fundraising feasibility study. Several arts programs were included in the application and the City is looking for new projects and programs to utilize the funding for the 2<sup>nd</sup> and 3<sup>rd</sup> years.

Commissioner Turner inquired whether Redevelopment should be involved in programs vs. infrastructure? Mark Brinson indicated the City was approached to apply; and there is no funding requested from the Redevelopment Commission. He further stated that arts are an important part of Redevelopment. City Attorney Barkes indicated that this is fine as long as no TIF funds are expended.

A motion was made by Commissioner Weddell and seconded by Commissioner Coyne to approve Resolution 68-2016. The motion was adopted unanimously.

**k. Resolution 69-2016 - Authorize Negotiation of an Agreement with Keramida for Asbestos Assessment for former Goshen Inn Property**

Becky Hershberger, Brownfields Coordinator, informed the Commission that prior to putting out the RFP for the former Goshen Inn, a Phase I was conducted that noted the likelihood of asbestos in the building. Regardless of whether the buildings will be rehabilitated or demolished, she indicated it would be beneficial for the City to conduct an asbestos assessment.

A motion was made by Commissioner Turner and seconded by Commissioner Weddell to approve Resolution 69-2016. The motion was adopted unanimously.

**l. Resolution 70-2016 – Authorization Negotiation of an Agreement with TecServ Environmental for an Asbestos Assessment for 311 East Kercher Road**

Becky Hershberger informed the Commission that prior to the demolition of 311 East Kercher Road, IDEM requires an asbestos assessment be completed to determine if abatement is necessary. This is one of the two properties that remain after demolishing 3 properties; 309 East Kercher Road still has tenant occupying the house.

A motion was made by Commissioner Weddell and seconded by Commissioner Scharf to approve Resolution 70-2016. The motion was adopted unanimously.

**m. Resolution 71-2016 – Authorize Execution of Agreement Amendment #2 with Abonmarche Consultants, Inc. for the Steury Avenue/Lincoln Avenue Roadway Reconstruction & Drainage Improvement Design Project**

Becky Hershberger informed the Commission that the design has been tweaked and the property will now be subdivided into three lots. The City is working with East Gate Market to move their parking from the front to the side of their building.

A motion was made by Commissioner Weddell and seconded by Commissioner Coyne to approve Resolution 71-2016. The motion was adopted unanimously.

**n. Resolution 72-2016 – Authorize Negotiation and Execution of Contract Amendment #5 with RGB Sales, LLC to include Canal Bank Restoration at the Millrace Neighborhood Site**

Becky Hershberger informed the Commission the native landscaping along the canal bank from Douglas to Purl did not take, even after several different plantings by JF New. This area is very visible from the trail on the west side of the canal. Once property is transferred to the Millrace Neighborhood, the City will not have access to get in there to work on it. RGB has provided a quote for this work for \$26,000.

Commissioner Scharf inquired about recouping money from JF New for the failed attempts of this project? Becky indicated it would have to be a legal battle if the Commission chose to do so.

Commissioner Turner inquired about having trouble getting into this area after it's sold and asked how we would maintain it? Attorney Barks indicated he would need to research the easement details.

A motion was made by Commissioner Turner and seconded by Commissioner Weddell to table Resolution 72-2016. The motion was adopted unanimously.

**o. Resolution 73-2016 – Ratify Authorization for Additional Work to Jarrett Building (Joanna's Restaurant) for South Link Road Project**

Mary Cripe informed the Commission during construction of the restaurant's entrance, the contractor discovered issues that need to be addressed while the modifications were being made. The additional work completed cost \$34,576.83, increasing the total cost of the project to \$174,576.83.

A motion was made by Commissioner Turner and seconded by Commissioner Weddell to approve Resolution 73-2016. The motion was adopted unanimously.

**p. Resolution 74-2016 – Authorize Issuance of Request for Proposals for 1215 Hickory Street, Goshen, Indiana**

A motion was made by Commissioner Weddell and seconded by Commissioner Coyne to add Resolution 74-2016 to the Agenda.

Larry Barks informed the Commission that both of these properties have now been transferred to Redevelopment. The house was demolished, however, there may be a garage that remains on the second (adjacent) lot.

Commissioner Scharf inquired whether notice is given to the adjoining property owners. Commissioner Weddell informed the Commission the Neighborhood Association has been following this closely as they want to be certain the property remains residential.

A motion was made by Commissioner Weddell and seconded by Commissioner Scharf to approve Resolution 74-2016. The motion was adopted unanimously.

**q. Discussion – Powerhouse Request for Proposals**

Mark Brinson inquired if the Commission was ready to go back out to request proposals and indicated the City was approached by a group interested in investigating putting electricity back in the powerhouse. Also, concerns have been raised about using this space other than community space.

Commissioner Turner is not in favor of using the powerhouse to generate power and would prefer to have public input regarding the use of the building before going back out for proposals. He indicated with the success of Goshen Brewing Company, the proposed use of west side of the canal, and how that property

has become an attraction and event area, he's not sure we want to put a powerhouse in there. He further stated there are more options for use now than when the lease was entered into with Falling Waters.

Commissioner Scharf reminded the Commission that there is still the ability for hydraulic power at the Goshen Dam.

#### **APPROVAL OF REGISTER OF CLAIMS**

A motion was made by Commissioner Turner and seconded by Commissioner Coyne to approve payment of the Register of Claims totaling \$80,966.86. The motion was adopted unanimously.

#### **MONTHLY REDEVELOPMENT STAFF REPORT**

Community Development Director Mark Brinson offered to answer any questions about the monthly report; however, the Commission did not have any questions.

#### **OPEN FORUM**

Mary Cripe informed the Commission of the dates for the SR 15 / Kercher Road Intersection Improvement project construction.

Commissioner Scharf mentioned since there's been an increase for design engineering for the Northwest Bike Trail project, he hopes to see savings from construction.

Andrea Milne, 538 S. Indiana Avenue, Goshen, told the Commission the overhead utility lines are unsightly in the alley between Main and Third, from Jefferson Street to Lincoln Avenue. She asked the Redevelopment Commission to work with the utility companies to improve the aesthetics by possibly burying the lines. Commission President Stump indicated that, in working with utility companies on numerous projects throughout the City, it is cost prohibitive to bury utility lines.

#### **ANNOUNCEMENTS**

It was announced the next regular Redevelopment Commission meeting is scheduled for July 12, 2016 at 3:00 p.m.

#### **ADJOURNMENT**

The regular meeting was adjourned at 5:40 p.m.

**APPROVED** on July 12, 2016.

**Goshen Redevelopment Commission**

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Thomas W. Stump, President

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Laura Coyne, Secretary

## **RESOLUTION 58-2016**

### **Confirming the Declaratory Resolution to Amend the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area**

WHEREAS the Goshen Redevelopment Commission adopted Declaratory Resolution 42-2016 to Amend the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area on April 12, 2016, ~~a copy of which is attached to this Resolution;~~

WHEREAS pursuant to Indiana Code § 36-7-14-16(a), the Goshen Plan Commission has determined that the Declaratory Resolution and the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area conform to the City of Goshen's Comprehensive Plan and has issued a written order approving the Declaratory Resolution and the Economic Development Plan;

WHEREAS pursuant to Indiana Code § 36-7-14-16(b), the Goshen Common Council has approved the Plan Commission's written order;

WHEREAS pursuant to Indiana Code § 36-7-14-17, Indiana Code § 36-7-14-17.5 and Indiana Code § 5-3-1, a notice of the adoption and substance of the Declaratory Resolution and a notice of public hearing on the proposed amendment has been published and filed with all appropriate departments, offices, bodies, affected neighborhood associations, and persons owning real estate that have been added to the proposed acquisition list; and

WHEREAS the Commission has conducted a hearing at which the Commission received and heard all remonstrances and objections from persons interested in or affected by the proposed amendment.

The Goshen Redevelopment Commission NOW FINDS that after considering evidence at presented at the public hearing, it will be of public utility and benefit to the Goshen community to proceed with the projects related to the development and/or redevelopment of the Consolidated River Race/US 33 Economic Development Area as set forth in amended Economic Development Plan. The benefit to the community will be able to be measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base, and other similar public benefits.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that:

1. Declaratory Resolution 42-2016 to Amend the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area, ~~a copy of which is attached to this Resolution,~~ is ~~modified and confirmed and approved in all respects.~~ A copy of the modified Economic Development Plan is attached to this Resolution.
2. This Resolution shall be effective as of its date of adoption.
3. The Secretary of the Commission is directed to record this Resolution Confirming the Declaratory Resolution to Amend the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area with the Elkhart County Recorder.

PASSED and ADOPTED by the Goshen Redevelopment Commission on ~~June 14~~ July 12, 2016.

\_\_\_\_\_  
Thomas W. Stump, President

\_\_\_\_\_  
Laura Coyne, Secretary

STATE OF INDIANA            )  
  ) SS:  
COUNTY OF ELKHART        )

Before me, the undersigned Notary Public, personally appeared Thomas W. Stump and Laura Coyne, the President and Secretary, respectively, of the Goshen Redevelopment Commission, and acknowledged the execution of the foregoing instrument on ~~June 14~~ July 12, 2016.

WITNESS my hand and official seal.

\_\_\_\_\_  
Shari L. Bontrager, Notary Public  
Resident of Elkhart County  
My Commission Expires March 8, 2017

This instrument was prepared by Shannon Marks, Legal Compliance Administrator, City of Goshen Legal Department, 204 East Jefferson Street, Suite 2, Goshen, Indiana 46528, (574) 537-3820.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law (Shannon Marks).

# **Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area and Allocation Area**

(~~April~~ July 12, 2016)

## **Purpose and Introduction**

This document is the Economic Development Plan (Plan) for the Consolidated River Race/US 33 Economic Development Area. This Plan is intended to be a single, consolidated plan for the development and/or redevelopment of the Consolidated River Race/US 33 Economic Development Area. The Plan includes new projects and all projects that have not yet been completed from previously approved Plans. The Plan also includes a list of additional parcels of real estate proposed to be acquired and all parcels that have not yet been acquired from previously approved Plans.

## **Description of Consolidated River Race/US 33 Economic Development Area**

The boundaries of the Consolidated River Race/US 33 Economic Development Area as established by Declaratory Resolution 06-2013 and Confirmatory Resolution 17-2013, and enlarged by Declaratory Resolution 66-2013 and Confirmatory Resolution 80-2013 are not modified as a result of the amendment of this Plan. A map of the Consolidated River Race/US 33 Economic Development Area is attached as Exhibit A.

## **Plan Objectives**

The Goshen Redevelopment Commission's (Commission) goals are to enhance the economic health and diversity of the City of Goshen by addressing the underutilization of land and the barriers to its development. In particular, it is the goal of this Plan to facilitate and encourage economic development and new private investment and development in the area. The implementation of this Plan is a public and governmental function that cannot be accomplished through the ordinary operation of private enterprise or by regulatory process because of the lack of local public infrastructure improvements and the cost of providing such infrastructure improvements. Further, the Commission finds that the implementation of this Plan will benefit the public health and welfare of the City of Goshen by providing needed local public infrastructure improvements in the area which, in turn, will promote new private development. With this new development, the Plan is designed to attract new or expand existing private business enterprises in the City of Goshen, increase and enhance job opportunities for the gainful employment of the citizens of the City of Goshen and Elkhart County, and increase the City of Goshen's property tax base.

## **Plan Description**

This Plan is a consolidation of all previously approved Economic Development Plans for the Consolidated River Race/US 33 Economic Development Area, including the Economic Development Plans under the former River Race Corridor Economic Development Area, North US 33 Economic Development Area, and Downtown Economic Development Area. It is the intent of this Plan to retain previously identified projects from previously approved Plans to the extent that such projects have not otherwise been completed. This Plan also identifies additional development and/or redevelopment projects to be undertaken by the Commission.

For each infrastructure project described below, the Commission may fund the costs of real estate acquisition, engineering costs, architectural fees, surveying costs, title fees, design costs, legal costs, accounting costs, financing costs, costs of permits, licenses, approvals or other similar costs in addition to the costs of construction of improvements.

The projects for the Consolidated River Race/US 33 Economic Development Area are set forth below. All new projects as a result of this amendment are designated with a “\*”.

1. \*Renovation or rehabilitation of the Goshen Theater building.
2. \*Construction of a community center and/or amphitheater.
3. \*Demolition of structures and construction of any public infrastructure improvement necessary or desirable to promote development of the former Goshen Inn and Conference Center and former Bread and Chocolate site at 1375 Lincolnway East.
4. \*Demolition of structures and construction of any public infrastructure improvement necessary or desirable to promote development of real estate generally located north of Lincoln Avenue, east of the Elkhart River, south of Pike Street, west of Second Street, south of Clinton Street, and west of Third Street, including the site of the former Elkhart County Jail, including streets, intersection improvements, traffic control devices, bridges, water mains, sewer mains, lift stations, underground utility conduits, public utilities, street lights, sidewalks, bicycle paths, public fire hydrants, storm drainage facilities and landscaping.
5. \*Demolition of structures and construction of any public infrastructure improvement necessary or desirable to promote development of real estate generally located north of Pike Street, south of the railroad, east of Third Street, and west of Main Street, including streets, intersection improvements, traffic control devices, bridges, water mains, sewer mains, lift stations, underground utility conduits, public utilities, street lights, sidewalks, bicycle paths, public fire hydrants, storm drainage facilities and landscaping.
6. \*Demolition of structures and construction of any public infrastructure improvement necessary or desirable to promote development of real estate generally located north of area approximately 200 feet south of Monroe Street, south of Washington Street, east of River Race Drive, and west of Third Street, including streets, intersection improvements, traffic control devices, bridges, water mains, sewer mains, lift stations, underground utility conduits, public utilities, street lights, sidewalks, bicycle paths, public fire hydrants, storm drainage facilities and landscaping.
7. Construction of pedestrian/bicycle trails. This shall include projects at the following location(s):
  - a. \*Northwest Bike Trail generally located from existing trail on Bashor Road and north to commercial area along US 33/Elkhart Road.
  - b. \*Connection of Central City Trail to Monroe Street Trail.
  - c. \*Plymouth Avenue from Third Street to Indiana Avenue.
  - d. Adjacent to US 33/Elkhart Road to the northwestern city limits.
  - e. 9th Street from College Avenue to ~~Parl Street~~ Lincoln Avenue.
8. Construction of sidewalk improvements. This shall include projects at the following location(s):
  - a. \*Bashor Road at US 33/Elkhart Road.
  - b. \*North side of College Avenue from 9<sup>th</sup> Street to 11<sup>th</sup> Street.
  - c. Plymouth Avenue from Main Street to US 33/Lincolnway East.

- d. Purl Street from Main Street to 10th Street.
  - e. Purl Street from Main Street to River Race Drive.
  - f. Plymouth Avenue from Main Street to Third Street.
  - g. South side of Lincoln Avenue in the east 100- and 200-blocks.
9. Construction of public parking areas. This shall include projects at the following location(s):
- a. \*North of area approximately 200 feet south of Monroe Street, south of Washington Street, east of River Race Drive, and west of Third Street (depending on development), but specifically including area north of Madison Street and south of Jefferson Street.
  - b. \*North of Plymouth Avenue, south of Douglas Street, east of the railroad, and west of 10<sup>th</sup> Street (depending on potential development).
  - c. \*North of Clinton Street, south of Pike Street, east of the Elkhart River, and west of New Street (depending on potential development).
  - d. \*North of Pike Street, south of the railroad, east of Third Street, and west of Main Street (depending on potential development).
10. Construction of road improvements. This shall include projects at the following location(s):
- a. \*Lincoln Avenue from railroad to eastern city limits.
  - b. \*River Race Drive from Jefferson Street to Washington Street, including east/west alleys extending to Third Street.
  - c. \*Steury Avenue.
  - d. 9th Street from College Avenue to Purl Street.
  - e. Logan Street.
11. Construction of intersection improvements. This shall include projects at the following location(s):
- a. 10th Street and College Avenue.
  - b. 9th Street and New York Street.
  - c. 9th Street and Burdick Street.
  - d. 9th Street and Jackson Street.
  - e. 9th Street and Reynolds Street.
  - f. 10th Street and Reynolds Street.
12. Alter or eliminate Chicago Avenues access to US 33/Elkhart Road.
13. Modify Beaver Lane railroad crossing.
14. Reconfigure 10th Street and College Avenue as gateways into Goshen College.
15. Create a Quiet Zone from Goshen College to downtown, including the construction of gates and safety measures along Norfolk Southern Marion Line railroad.
16. Installation or repair of street lights or other lighting needed for safety or security in public right-of-way.
17. Engineer and construct repairs to the Mill Race that are necessary to stabilize the race, to ~~increase~~ ~~alter~~ the water flow through the race and to improve the aesthetics of the race, race banks and the surrounding area to complement the overall development of the area. This includes the construction of new areas to reduce silt deposits ~~and vegetation~~ in the Mill Race.

18. Landscaping projects on publically-owned real estate, including planting trees, bushes and flowers, installing planters, and removal of existing landscaping.
19. Improve streetscape along 9th Street from College Avenue to Lincoln Avenue.
20. Purchase and demolition of all billboards, specifically including billboards adjacent to US 33/Elkhart Road from the corporate limits of the City of Goshen on the north and Reliance Road on the south.
21. Construction of a visitor information center and installation of related signage in the downtown.
22. Construction of public parks on publically-owned real estate.
23. \*Construction or installation of trailhead improvements near Powerhouse, including canoe launch.
24. Construction of a water tower within the Consolidated Economic Development Area or, to the extent permitted by Indiana law, serving the Consolidated Economic Development Area.
25. Construction of water mains where there are no existing water mains or where additional water mains are needed to improve water quality or pressure.
26. Replacement of water mains where the water mains are in need of replacement because of age, size, condition or obsolescence.
27. Construction of sewer mains and lift stations where there are no sewer mains.
28. Replacement of sewer mains or lift stations that are in need of replacement due to age, size, condition or obsolescence.
29. Construction of stormwater retention facilities, stormwater detention facilities and stormwater mains where there are not such facilities or where such facilities are inadequate because of age, size, condition or obsolescence. This shall include projects at the following location(s):
  - a. \*Along 9<sup>th</sup> Street corridor.
  - b. Near Steury Avenue and East Lincoln Avenue.
30. Construction or repair of public streets, sidewalks and curbs.
31. Installation of information technology infrastructure where no such infrastructure exists or the existing infrastructure is inadequate due to age, size, condition or obsolescence.
32. Burying of power or utility lines.
33. Conduct environmental assessments of the real estate that the Commission seeks to acquire.
34. Remediate any contamination on the real estate acquired so that the real estate is suitable for the Commission's intended uses.
35. Improvement of real estate owned by Redevelopment within the Consolidated River Race/US 33 Economic Development Area.

36. Reimburse the City of Goshen for expenditures made by it for local public improvements in or serving the Consolidated River Race/US 33 Economic Development Area.
37. Construction of any public infrastructure improvement necessary or desirable to promote development of real estate within the Consolidated River Race/US 33 Economic Development Area including streets, intersection improvements, traffic control devices, bridges, water mains, sewer mains, lift stations, underground utility conduits, public utilities, street lights, sidewalks, pedestrian/bicycle paths, public fire hydrants, storm drainage facilities and landscaping.

### **Acquisition of Real Property**

Once plans for public infrastructure improvements are finalized, it is anticipated that it will be necessary to acquire easements or rights-of-way to accommodate certain projects identified in this Plan. It is believed that the needed easements and rights-of-way can be obtained from the real estate owners who will benefit from the projects. If required easements and rights-of-way are not acquired by gift or dedication, a particular project may have to be abandoned or the needed easements or rights-of-way acquired by eminent domain by the City of Goshen under Indiana Code § 32-24 and other applicable statutory provisions for the exercise of the power of eminent domain.

In the event the real estate is acquired by purchase (excluding eminent domain), the price to be offered by the Commission to the property owner may not exceed the amount established by the appraisals required under Indiana Code § 36-7-14-19.

1. The Commission previously approved the possible acquisition of all parcels of real estate to facilitate the redevelopment of the area north of Monroe Street, south of Washington Street, east of the Mill Race, and west of Third Street with the following *exceptions*:
  - a. 212 West Washington Street (Farmers Market, owned by Peterson Weaver LLC and consisting of two (2) parcels containing approximately 1.6 acres).
  - b. 208 West Washington Street.
2. The Commission previously approved the possible acquisition of all parcels of real estate between Third Street and the first north/south alley west of Third Street between Monroe Street and Douglas Street as such real estate becomes available for purchase. In making the determination, the Commission will consider the reasonableness of the purchase price and the funding available to the Commission.
3. The Commission previously approved the possible acquisition of the following parcels of real estate to facilitate the redevelopment of the area north of Madison Street, south of Washington Street, east of River Race Drive, and west of Third Street:
  - a. 211 South Third Street (Crowder Law Office), Mark S. Crowder and Patricia L. Crowder (20-11-09-413-007.000-015) - a portion immediately adjacent to the alley.
  - b. 210 West Washington Street (Elaine Bigler, Chiropractor), Robert S. Schmeltz and Elaine K. Schmeltz (20-11-09-413-003.000-015) - entire parcel.
  - c. 317-321 South Third Street (Stewart Title), HIN Building Account (20-11-09-452-009.000-015; 20-11-09-452-010.000-015; 20-11-09-452-011.000-015) - a portion immediately adjacent to the alley.

4. The Commission previously approved the possible acquisition of the following parcels of real estate to facilitate the redevelopment of the area north of Pike Street, south of the railroad, east of Third Street, and west of Main Street:
  - a. 319 North Main Street, Ronald Davidhizar E. (20-11-09-259-014 .000-015)
  - b. 305 North Main Street, Fraternal Order of Eagles Aerie # 1526 (20-11-09-259-029.000-015)
  - c. 301 North Main Street, Gafill Projects, Inc. (20-11-09-259-020.000-015)
  - d. 109 West Pike Street, Roger Cripe (20-11-09-259-019.000-015)
  - e. 111 West Pike Street, Kent Yoder Real Estate, Inc. (20-11-09-259-009.000-015)
  - f. 115 West Pike Street and vacant lots behind, Kent Yoder Real Estate, Inc. (20-11-09-259-022.000-015; 20-11-09-259-024.000-015; 20-11-09-259-026.000-015; 20-11-09-259-030.000-015; 20-11-09-259-032.000-015)
  
5. The Commission is proposing to acquire 216 South Main Street (20-11-09-415-005.000-015) from Goshen Theater, Inc.
  
6. The Commission is proposing to acquire the following parcels of real estate to facilitate the redevelopment of the area generally located north of Lincoln Avenue, east of the Elkhart River, south of Pike Street, west of Second Street, south of Clinton Street, and west of Third Street:
  - a. 422½ West Pike Street, Dispennett Douglas L (20-11-09-184-001.000-015)
  - b. 420 West Pike Street, Dispennett Douglas L (20-11-09-184-002.000-015)
  - c. 418 West Pike Street, Dispennett Douglas L & Genya (20-11-09-184-003.000-015)
  - d. 416 West Pike Street, Dispennett Douglas & Genya J (20-11-09-184-004.000-015)
  - e. 414 West Pike Street, Dispennett Douglas & Genya J (20-11-09-184-005.000-015)
  - f. 412 West Pike Street, Dispennett Douglas & Genya J (20-11-09-184-006.000-015)
  - g. North Pleasant Avenue, Dispennett Douglas L (20-11-09-184-007.000-015)
  - h. 215 Pleasant Avenue, Dispennett Douglas L (20-11-09-184-008.000-015)
  - i. 211 Pleasant Avenue, Dispennett Douglas & Genya J (20-11-09-184-009.000-015)
  - j. 212 Pleasant Avenue, Dispennett Douglas L (20-11-09-184-010.000-015)
  - k. 207 Pleasant Avenue, Dispennett Douglas & Genya J (20-11-09-184-011.000-015)
  - l. West Pike Street, Dispennett Douglas L (20-11-09-185-001.000-015)
  - m. 410 West Pike Street, Arnovitz Family Ltd (20-11-09-185-002.000-015)
  - n. 211 New Street, Dispennett Douglas L (20-11-09-185-003.000-015)
  - o. West Pike Street, State of Indiana (20-11-09-185-006.000-015) - entire parcel or a portion
  - p. 219 North Second Street, Quality Properties LLC (20-11-09-262-003.000-015)
  - q. 217 North Second Street, Stover Tommy a & Donna L (20-11-09-262-004.000-015)
  - r. 216 New Street, Hershberger Rentals LLC (20-11-09-262-005.000-015)
  - s. 214 New Street, Kieper Fred D & Kimberly S Ten by Ent (20-11-09-262-006.000-015)
  - t. 212 New Street, Baltazar Investments LLC (20-11-09-262-007.000-015)
  - u. 208 New Street, Troyer Martin Paul & Kris Teena Troyer (20-11-09-262-009.000-015)
  - v. 206 New Street, Troyer Martin Paul & Kris T (20-11-09-262-010.000-015)
  - w. 309 West Clinton Street, Troyer Martin Paul & Kris T (20-11-09-262-011.000-015)
  - x. 213 North Second Street, Salazar Samuel & Beatrice (20-11-09-262-012.000-015)
  - y. 209 North Second Street, Troyer Martin Paul & Kris Teena, Attn: Miller Leroy (20-11-09-262-013.000-015)
  - z. 207 North Second Street, Marks Kevin R & Virginia Mae (20-11-09-262-014.000-015)
  - aa. 205 North Second Street, Bonham Virgil R & Jennifer S (20-11-09-262-015.000-015)
  - bb. 203 North Second Street, Handrich Trisha (20-11-09-262-016.000-015)
  - cc. 201 North Second Street, Hanes Joe R & Kimberly S (20-11-09-262-017.000-015)

- dd. West Lincoln Avenue, ALR Inc c/o Larry Renbarger (20-11-09-327-012.000-015)
- ee. West Lincoln Avenue, ALR Inc c/o Larry Renbarger (20-11-09-327-013.000-015)
- ff. 301 West Lincoln Avenue, Bushwood LLC (20-11-09-402-009.000-015)
- gg. 304 West Pike Street, K & M Investments, LLC (20-11-09-262-018.000-015)

- 7. In addition to the real estate acquisition listed above, it is anticipated that portions of certain parcels of real estate will be acquired to accommodate certain infrastructure projects identified in this Plan. Redevelopment may provide all or a portion of the funding for such acquisition, but it is anticipated that the acquisition of these parcels will be made by City of Goshen in manner that City normally acquires real estate and/or right-of-way for infrastructure projects.
- 8. Redevelopment may purchase the right to remove certain billboards within the Consolidated River Race/US 33 Economic Development Area. It is hoped that the billboards can be eliminated without Redevelopment acquiring the real estate upon which the billboard is located. In certain instances, however, acquisition of the real estate may be necessary.
- 9. The Commission will allow residents of any real estate acquired a minimum of one hundred twenty (120) days to relocate, if needed.

#### **Plan Cost Estimate**

The total cost to accomplish the projects that have been added to the Plan and to acquire the additional real estate is estimated to be \$17,000,000.

#### **Plan Financing**

It is the intention to fund the Plan from the use of tax increment proceeds resulting from the increase in the assessed valuation of new private development in the Consolidated River Race/US 33 Economic Development Area. Other funding sources may be utilized if necessary to complete the projects set forth in the Plan, including, but not limited to, issuance of bonds, lease financing, and grants. It is further understood that tax increment proceeds may be used to reimburse any other initial funding sources.

The costs that may be financed from the tax increment proceeds include, but are not necessarily limited to the cost of any real estate to be acquired, acquisition of right-of-way or easements, costs of materials and labor, and all reasonable architectural, engineering, legal, financing, accounting, advertising, and supervisory expenses related to the development and/or implementation of the Plan.

In order to facilitate the acquisition, construction, renovation and rehabilitation of the Goshen Theater, the Goshen Redevelopment Authority is proposing to finance the project through the issuance of bonds. The Commission will pay for the cost of the project, including any incidental costs associated with the issuance of the Authority's bonds, through a Lease Agreement to be entered into with the Authority.

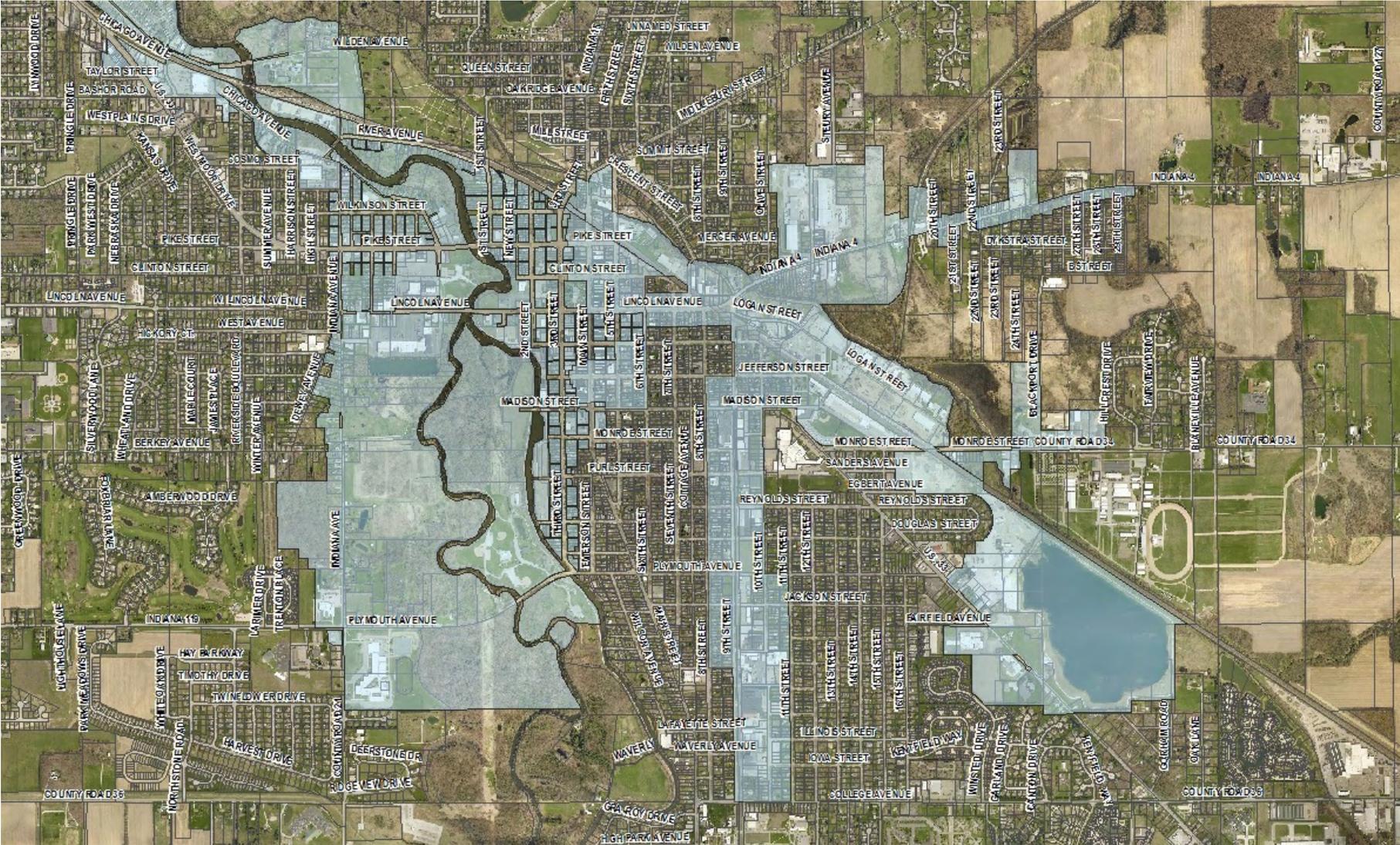
#### **Amendment of the Plan**

Subject to compliance with the requirements specified in Indiana Code § 36-7-14-17.5, the Commission may amend this Plan for the Consolidated River Race/US 33 Economic Development Area and Allocation Area.



EXHIBIT A

Consolidated River Race/US 33 Economic Development Area



## **RESOLUTION 58-2016**

### **Confirming the Declaratory Resolution to Amend the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area**

WHEREAS the Goshen Redevelopment Commission adopted Declaratory Resolution 42-2016 to Amend the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area on April 12, 2016;

WHEREAS pursuant to Indiana Code § 36-7-14-16(a), the Goshen Plan Commission has determined that the Declaratory Resolution and the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area conform to the City of Goshen's Comprehensive Plan and has issued a written order approving the Declaratory Resolution and the Economic Development Plan;

WHEREAS pursuant to Indiana Code § 36-7-14-16(b), the Goshen Common Council has approved the Plan Commission's written order;

WHEREAS pursuant to Indiana Code § 36-7-14-17, Indiana Code § 36-7-14-17.5 and Indiana Code § 5-3-1, a notice of the adoption and substance of the Declaratory Resolution and a notice of public hearing on the proposed amendment has been published and filed with all appropriate departments, offices, bodies, affected neighborhood associations, and persons owning real estate that have been added to the proposed acquisition list; and

WHEREAS the Commission has conducted a hearing at which the Commission received and heard all remonstrances and objections from persons interested in or affected by the proposed amendment.

The Goshen Redevelopment Commission NOW FINDS that after considering evidence at presented at the public hearing, it will be of public utility and benefit to the Goshen community to proceed with the projects related to the development and/or redevelopment of the Consolidated River Race/US 33 Economic Development Area as set forth in amended Economic Development Plan. The benefit to the community will be able to be measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base, and other similar public benefits.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that:

1. Declaratory Resolution 42-2016 to Amend the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area is modified and confirmed. A copy of the modified Economic Development Plan is attached to this Resolution.
2. This Resolution shall be effective as of its date of adoption.
3. The Secretary of the Commission is directed to record this Resolution Confirming the Declaratory Resolution to Amend the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area with the Elkhart County Recorder.

PASSED and ADOPTED by the Goshen Redevelopment Commission on July 12, 2016.

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Thomas W. Stump, President

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Laura Coyne, Secretary

STATE OF INDIANA            )  
   ) SS:  
 COUNTY OF ELKHART        )

Before me, the undersigned Notary Public, personally appeared Thomas W. Stump and Laura Coyne, the President and Secretary, respectively, of the Goshen Redevelopment Commission, and acknowledged the execution of the foregoing instrument on July 12, 2016.

WITNESS my hand and official seal.

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Shari L. Bontrager, Notary Public  
 Resident of Elkhart County  
 My Commission Expires March 8, 2017

This instrument was prepared by Shannon Marks, Legal Compliance Administrator, City of Goshen Legal Department, 204 East Jefferson Street, Suite 2, Goshen, Indiana 46528, (574) 537-3820.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law (Shannon Marks).

# **Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area and Allocation Area**

(July 12, 2016)

## **Purpose and Introduction**

This document is the Economic Development Plan (Plan) for the Consolidated River Race/US 33 Economic Development Area. This Plan is intended to be a single, consolidated plan for the development and/or redevelopment of the Consolidated River Race/US 33 Economic Development Area. The Plan includes new projects and all projects that have not yet been completed from previously approved Plans. The Plan also includes a list of additional parcels of real estate proposed to be acquired and all parcels that have not yet been acquired from previously approved Plans.

## **Description of Consolidated River Race/US 33 Economic Development Area**

The boundaries of the Consolidated River Race/US 33 Economic Development Area as established by Declaratory Resolution 06-2013 and Confirmatory Resolution 17-2013, and enlarged by Declaratory Resolution 66-2013 and Confirmatory Resolution 80-2013 are not modified as a result of the amendment of this Plan. A map of the Consolidated River Race/US 33 Economic Development Area is attached as Exhibit A.

## **Plan Objectives**

The Goshen Redevelopment Commission's (Commission) goals are to enhance the economic health and diversity of the City of Goshen by addressing the underutilization of land and the barriers to its development. In particular, it is the goal of this Plan to facilitate and encourage economic development and new private investment and development in the area. The implementation of this Plan is a public and governmental function that cannot be accomplished through the ordinary operation of private enterprise or by regulatory process because of the lack of local public infrastructure improvements and the cost of providing such infrastructure improvements. Further, the Commission finds that the implementation of this Plan will benefit the public health and welfare of the City of Goshen by providing needed local public infrastructure improvements in the area which, in turn, will promote new private development. With this new development, the Plan is designed to attract new or expand existing private business enterprises in the City of Goshen, increase and enhance job opportunities for the gainful employment of the citizens of the City of Goshen and Elkhart County, and increase the City of Goshen's property tax base.

## **Plan Description**

This Plan is a consolidation of all previously approved Economic Development Plans for the Consolidated River Race/US 33 Economic Development Area, including the Economic Development Plans under the former River Race Corridor Economic Development Area, North US 33 Economic Development Area, and Downtown Economic Development Area. It is the intent of this Plan to retain previously identified projects from previously approved Plans to the extent that such projects have not otherwise been completed. This Plan also identifies additional development and/or redevelopment projects to be undertaken by the Commission.

For each infrastructure project described below, the Commission may fund the costs of real estate acquisition, engineering costs, architectural fees, surveying costs, title fees, design costs, legal costs, accounting costs, financing costs, costs of permits, licenses, approvals or other similar costs in addition to the costs of construction of improvements.

The projects for the Consolidated River Race/US 33 Economic Development Area are set forth below. All new projects as a result of this amendment are designated with a “\*”.

1. \*Renovation or rehabilitation of the Goshen Theater building.
2. \*Construction of a community center and/or amphitheater.
3. \*Demolition of structures and construction of any public infrastructure improvement necessary or desirable to promote development of the former Goshen Inn and Conference Center and former Bread and Chocolate site at 1375 Lincolnway East.
4. \*Demolition of structures and construction of any public infrastructure improvement necessary or desirable to promote development of real estate generally located north of Lincoln Avenue, east of the Elkhart River, south of Pike Street, west of Second Street, south of Clinton Street, and west of Third Street, including the site of the former Elkhart County Jail, including streets, intersection improvements, traffic control devices, bridges, water mains, sewer mains, lift stations, underground utility conduits, public utilities, street lights, sidewalks, bicycle paths, public fire hydrants, storm drainage facilities and landscaping.
5. \*Demolition of structures and construction of any public infrastructure improvement necessary or desirable to promote development of real estate generally located north of Pike Street, south of the railroad, east of Third Street, and west of Main Street, including streets, intersection improvements, traffic control devices, bridges, water mains, sewer mains, lift stations, underground utility conduits, public utilities, street lights, sidewalks, bicycle paths, public fire hydrants, storm drainage facilities and landscaping.
6. \*Demolition of structures and construction of any public infrastructure improvement necessary or desirable to promote development of real estate generally located north of area approximately 200 feet south of Monroe Street, south of Washington Street, east of River Race Drive, and west of Third Street, including streets, intersection improvements, traffic control devices, bridges, water mains, sewer mains, lift stations, underground utility conduits, public utilities, street lights, sidewalks, bicycle paths, public fire hydrants, storm drainage facilities and landscaping.
7. Construction of pedestrian/bicycle trails. This shall include projects at the following location(s):
  - a. \*Northwest Bike Trail generally located from existing trail on Bashor Road and north to commercial area along US 33/Elkhart Road.
  - b. \*Connection of Central City Trail to Monroe Street Trail.
  - c. \*Plymouth Avenue from Third Street to Indiana Avenue.
  - d. Adjacent to US 33/Elkhart Road to the northwestern city limits.
  - e. 9th Street from College Avenue to Lincoln Avenue.
8. Construction of sidewalk improvements. This shall include projects at the following location(s):
  - a. \*Bashor Road at US 33/Elkhart Road.
  - b. \*North side of College Avenue from 9<sup>th</sup> Street to 11<sup>th</sup> Street.
  - c. Plymouth Avenue from Main Street to US 33/Lincolnway East.

- d. Purl Street from Main Street to 10th Street.
  - e. Purl Street from Main Street to River Race Drive.
  - f. Plymouth Avenue from Main Street to Third Street.
  - g. South side of Lincoln Avenue in the east 100- and 200-blocks.
9. Construction of public parking areas. This shall include projects at the following location(s):
- a. \*North of area approximately 200 feet south of Monroe Street, south of Washington Street, east of River Race Drive, and west of Third Street (depending on development), but specifically including area north of Madison Street and south of Jefferson Street.
  - b. \*North of Plymouth Avenue, south of Douglas Street, east of the railroad, and west of 10<sup>th</sup> Street (depending on potential development).
  - c. \*North of Clinton Street, south of Pike Street, east of the Elkhart River, and west of New Street (depending on potential development).
  - d. \*North of Pike Street, south of the railroad, east of Third Street, and west of Main Street (depending on potential development).
10. Construction of road improvements. This shall include projects at the following location(s):
- a. \*Lincoln Avenue from railroad to eastern city limits.
  - b. \*River Race Drive from Jefferson Street to Washington Street, including east/west alleys extending to Third Street.
  - c. \*Steury Avenue.
  - d. 9th Street from College Avenue to Purl Street.
  - e. Logan Street.
11. Construction of intersection improvements. This shall include projects at the following location(s):
- a. 10th Street and College Avenue.
  - b. 9th Street and New York Street.
  - c. 9th Street and Burdick Street.
  - d. 9th Street and Jackson Street.
  - e. 9th Street and Reynolds Street.
  - f. 10th Street and Reynolds Street.
12. Alter or eliminate Chicago Avenues access to US 33/Elkhart Road.
13. Modify Beaver Lane railroad crossing.
14. Reconfigure 10th Street and College Avenue as gateways into Goshen College.
15. Create a Quiet Zone from Goshen College to downtown, including the construction of gates and safety measures along Norfolk Southern Marion Line railroad.
16. Installation or repair of street lights or other lighting needed for safety or security in public right-of-way.
17. Engineer and construct repairs to the Mill Race that are necessary to stabilize the race, to alter the water flow through the race and to improve the aesthetics of the race, race banks and the surrounding area to complement the overall development of the area. This includes the construction of new areas to reduce silt deposits in the Mill Race.

18. Landscaping projects on publically-owned real estate, including planting trees, bushes and flowers, installing planters, and removal of existing landscaping.
19. Improve streetscape along 9th Street from College Avenue to Lincoln Avenue.
20. Purchase and demolition of all billboards, specifically including billboards adjacent to US 33/Elkhart Road from the corporate limits of the City of Goshen on the north and Reliance Road on the south.
21. Construction of a visitor information center and installation of related signage in the downtown.
22. Construction of public parks on publically-owned real estate.
23. \*Construction or installation of trailhead improvements near Powerhouse, including canoe launch.
24. Construction of a water tower within the Consolidated Economic Development Area or, to the extent permitted by Indiana law, serving the Consolidated Economic Development Area.
25. Construction of water mains where there are no existing water mains or where additional water mains are needed to improve water quality or pressure.
26. Replacement of water mains where the water mains are in need of replacement because of age, size, condition or obsolescence.
27. Construction of sewer mains and lift stations where there are no sewer mains.
28. Replacement of sewer mains or lift stations that are in need of replacement due to age, size, condition or obsolescence.
29. Construction of stormwater retention facilities, stormwater detention facilities and stormwater mains where there are not such facilities or where such facilities are inadequate because of age, size, condition or obsolescence. This shall include projects at the following location(s):
  - a. \*Along 9<sup>th</sup> Street corridor.
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30. Construction or repair of public streets, sidewalks and curbs.
31. Installation of information technology infrastructure where no such infrastructure exists or the existing infrastructure is inadequate due to age, size, condition or obsolescence.
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33. Conduct environmental assessments of the real estate that the Commission seeks to acquire.
34. Remediate any contamination on the real estate acquired so that the real estate is suitable for the Commission's intended uses.
35. Improvement of real estate owned by Redevelopment within the Consolidated River Race/US 33 Economic Development Area.

36. Reimburse the City of Goshen for expenditures made by it for local public improvements in or serving the Consolidated River Race/US 33 Economic Development Area.
37. Construction of any public infrastructure improvement necessary or desirable to promote development of real estate within the Consolidated River Race/US 33 Economic Development Area including streets, intersection improvements, traffic control devices, bridges, water mains, sewer mains, lift stations, underground utility conduits, public utilities, street lights, sidewalks, pedestrian/bicycle paths, public fire hydrants, storm drainage facilities and landscaping.

### **Acquisition of Real Property**

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In the event the real estate is acquired by purchase (excluding eminent domain), the price to be offered by the Commission to the property owner may not exceed the amount established by the appraisals required under Indiana Code § 36-7-14-19.

1. The Commission previously approved the possible acquisition of all parcels of real estate to facilitate the redevelopment of the area north of Monroe Street, south of Washington Street, east of the Mill Race, and west of Third Street with the following *exceptions*:
  - a. 212 West Washington Street (Farmers Market, owned by Peterson Weaver LLC and consisting of two (2) parcels containing approximately 1.6 acres).
  - b. 208 West Washington Street.
2. The Commission previously approved the possible acquisition of all parcels of real estate between Third Street and the first north/south alley west of Third Street between Monroe Street and Douglas Street as such real estate becomes available for purchase. In making the determination, the Commission will consider the reasonableness of the purchase price and the funding available to the Commission.
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  - g. North Pleasant Avenue, Dispennett Douglas L (20-11-09-184-007.000-015)
  - h. 215 Pleasant Avenue, Dispennett Douglas L (20-11-09-184-008.000-015)
  - i. 211 Pleasant Avenue, Dispennett Douglas & Genya J (20-11-09-184-009.000-015)
  - j. 212 Pleasant Avenue, Dispennett Douglas L (20-11-09-184-010.000-015)
  - k. 207 Pleasant Avenue, Dispennett Douglas & Genya J (20-11-09-184-011.000-015)
  - l. West Pike Street, Dispennett Douglas L (20-11-09-185-001.000-015)
  - m. 410 West Pike Street, Arnovitz Family Ltd (20-11-09-185-002.000-015)
  - n. 211 New Street, Dispennett Douglas L (20-11-09-185-003.000-015)
  - o. West Pike Street, State of Indiana (20-11-09-185-006.000-015) - entire parcel or a portion
  - p. 219 North Second Street, Quality Properties LLC (20-11-09-262-003.000-015)
  - q. 217 North Second Street, Stover Tommy a & Donna L (20-11-09-262-004.000-015)
  - r. 216 New Street, Hershberger Rentals LLC (20-11-09-262-005.000-015)
  - s. 214 New Street, Kieper Fred D & Kimberly S Ten by Ent (20-11-09-262-006.000-015)
  - t. 212 New Street, Baltazar Investments LLC (20-11-09-262-007.000-015)
  - u. 208 New Street, Troyer Martin Paul & Kris Teena Troyer (20-11-09-262-009.000-015)
  - v. 206 New Street, Troyer Martin Paul & Kris T (20-11-09-262-010.000-015)
  - w. 309 West Clinton Street, Troyer Martin Paul & Kris T (20-11-09-262-011.000-015)
  - x. 213 North Second Street, Salazar Samuel & Beatrice (20-11-09-262-012.000-015)
  - y. 209 North Second Street, Troyer Martin Paul & Kris Teena, Attn: Miller Leroy (20-11-09-262-013.000-015)
  - z. 207 North Second Street, Marks Kevin R & Virginia Mae (20-11-09-262-014.000-015)
  - aa. 205 North Second Street, Bonham Virgil R & Jennifer S (20-11-09-262-015.000-015)
  - bb. 203 North Second Street, Handrich Trisha (20-11-09-262-016.000-015)
  - cc. 201 North Second Street, Hanes Joe R & Kimberly S (20-11-09-262-017.000-015)

- dd. West Lincoln Avenue, ALR Inc c/o Larry Renbarger (20-11-09-327-012.000-015)
- ee. West Lincoln Avenue, ALR Inc c/o Larry Renbarger (20-11-09-327-013.000-015)
- ff. 301 West Lincoln Avenue, Bushwood LLC (20-11-09-402-009.000-015)
- gg. 304 West Pike Street, K & M Investments, LLC (20-11-09-262-018.000-015)

7. In addition to the real estate acquisition listed above, it is anticipated that portions of certain parcels of real estate will be acquired to accommodate certain infrastructure projects identified in this Plan. Redevelopment may provide all or a portion of the funding for such acquisition, but it is anticipated that the acquisition of these parcels will be made by City of Goshen in manner that City normally acquires real estate and/or right-of-way for infrastructure projects.
8. Redevelopment may purchase the right to remove certain billboards within the Consolidated River Race/US 33 Economic Development Area. It is hoped that the billboards can be eliminated without Redevelopment acquiring the real estate upon which the billboard is located. In certain instances, however, acquisition of the real estate may be necessary.
9. The Commission will allow residents of any real estate acquired a minimum of one hundred twenty (120) days to relocate, if needed.

#### **Plan Cost Estimate**

The total cost to accomplish the projects that have been added to the Plan and to acquire the additional real estate is estimated to be \$17,000,000.

#### **Plan Financing**

It is the intention to fund the Plan from the use of tax increment proceeds resulting from the increase in the assessed valuation of new private development in the Consolidated River Race/US 33 Economic Development Area. Other funding sources may be utilized if necessary to complete the projects set forth in the Plan, including, but not limited to, issuance of bonds, lease financing, and grants. It is further understood that tax increment proceeds may be used to reimburse any other initial funding sources.

The costs that may be financed from the tax increment proceeds include, but are not necessarily limited to the cost of any real estate to be acquired, acquisition of right-of-way or easements, costs of materials and labor, and all reasonable architectural, engineering, legal, financing, accounting, advertising, and supervisory expenses related to the development and/or implementation of the Plan.

In order to facilitate the acquisition, construction, renovation and rehabilitation of the Goshen Theater, the Goshen Redevelopment Authority is proposing to finance the project through the issuance of bonds. The Commission will pay for the cost of the project, including any incidental costs associated with the issuance of the Authority's bonds, through a Lease Agreement to be entered into with the Authority.

#### **Amendment of the Plan**

Subject to compliance with the requirements specified in Indiana Code § 36-7-14-17.5, the Commission may amend this Plan for the Consolidated River Race/US 33 Economic Development Area and Allocation Area.

EXHIBIT A

Consolidated River Race/US 33 Economic Development Area

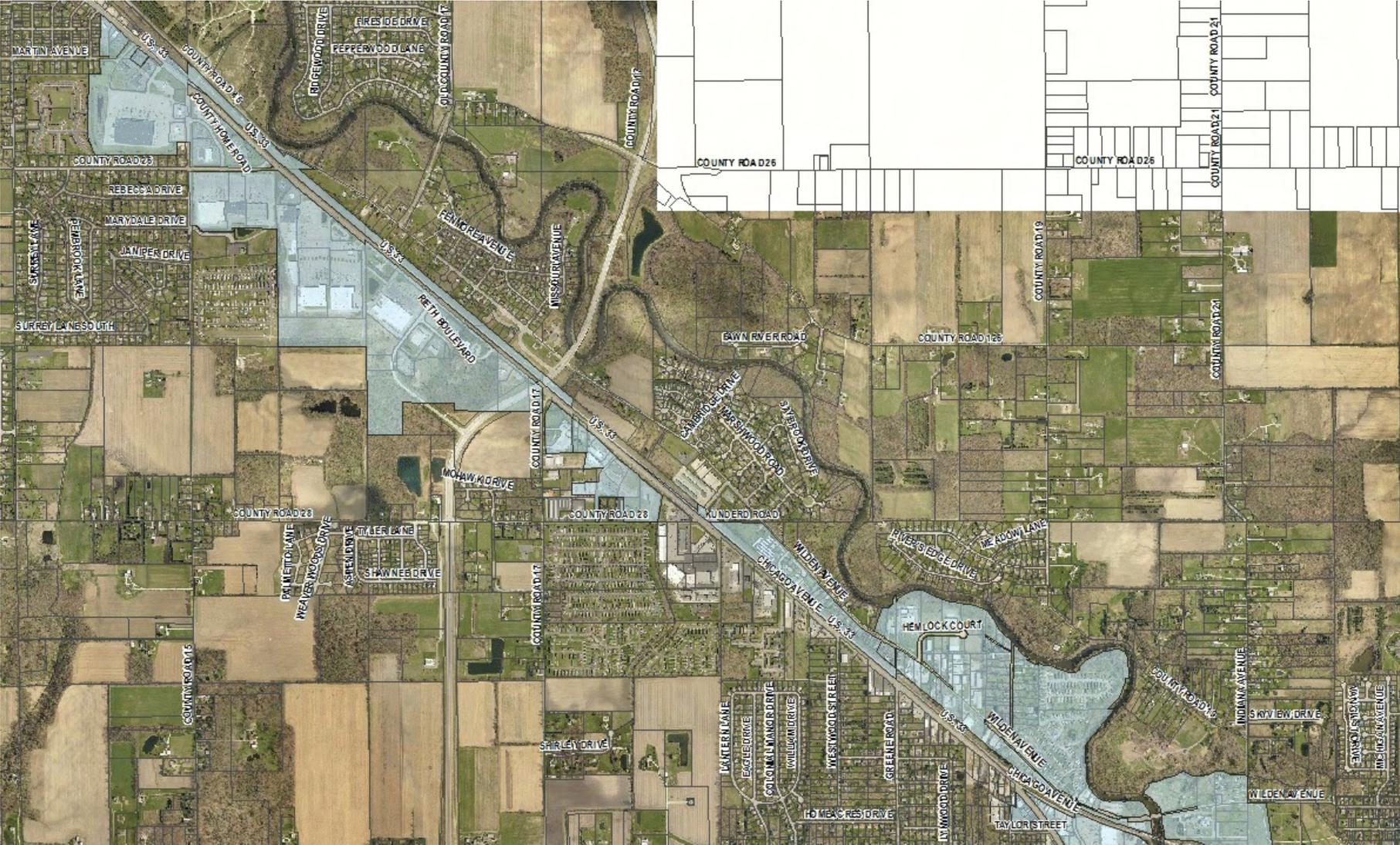
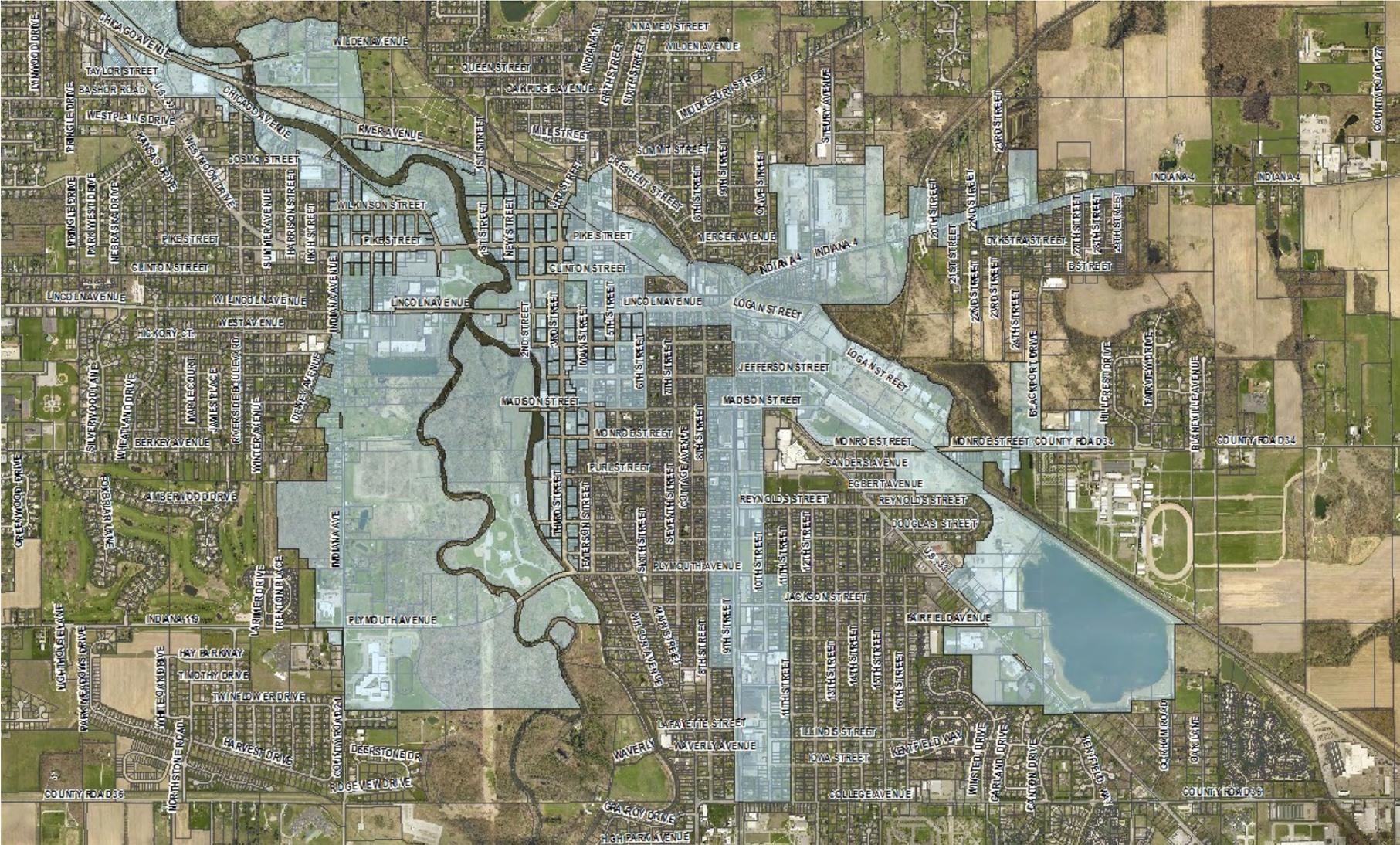
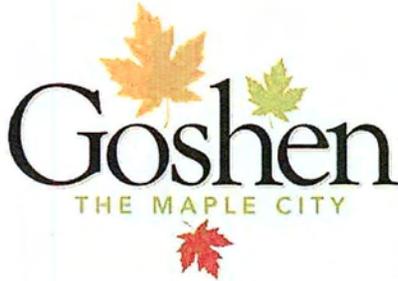


EXHIBIT A

Consolidated River Race/US 33 Economic Development Area





**Engineering Department  
CITY OF GOSHEN**

204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405

Phone (574) 534-2201 • Fax (574) 533-8626 • TDD (574) 534-3185  
engineering@goshencity.com • www.goshenindiana.org

## MEMORANDUM

TO: Redevelopment Commission

FROM: Mary Cripe, P.E.

RE: **KERCHER RD FROM RR TO DIERDORFF - DES. NO. 1400713  
PERMISSION TO NEGOTIATE CE CONTRACT**

DATE: July 12, 2016

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INDOT solicited Requests for Proposals for Construction Engineering (CE) Services for the Kercher Road Reconstruction project from the Railroad to Dierdorff Road. The proposals were due to the Engineering Department on June 3, 2016, and the City received seven (7) proposals. Proposals are being evaluated by a team of three city employees (Khylei Boyer, Becky Hershberger, and Shari Bontrager). The team's review is complete and INDOT has granted approval to begin negotiations with the Lochmueller Group. At this time, we are requesting Redevelopment Commission's approval to proceed with contract negotiations with the Lochmueller Group.

**Kercher Road from Dierdorff to Railroad  
Des. No. 1400713  
Right of Way Services**

Category	A&Z Engineering			American Structurepoint			DLZ			Fleis & VanderBrink			Jones Petrie Rafinski			Lawson-Fisher			Lochmueller Group		
	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3
Past Performance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Capacity of Team to do Work	20	20	0	20	20	0	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
Team's Demonstrated Qualifications	15	30	-45	30	30	15	15	30	30	15	15	0	30	30	15	15	30	30	30	30	15
Project Manager	20	40	20	20	40	20	20	40	20	20	20	0	40	40	40	20	40	20	40	40	40
Approach to Project	15	15	0	30	30	15	15	15	15	0	15	0	30	15	15	15	15	30	15	30	30
Location	5	5	0	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Weighted Sub-Total	75	110	-25	105	125	55	75	110	90	60	75	25	125	110	95	75	110	105	110	125	110
<b>TOTAL of All 5 Scores</b>	160			285			275			160			330			290			345		

No. 1 is Khyler Bayer  
No. 2 is Becky Hershberger  
No. 3 is Shari Bonirager

Scoring Team Leader Signature: Shuli Boyan  
 Title: Project Manager Engineering Dept  
 Date: 06/13/2010

## RESOLUTION 63-2016

### **Award Bid, Authorize Negotiation and Execution of a Contract with Lochmueller Group for Construction Engineering Services for the Kercher Road Reconstruction Project from the Railroad to Dierdorff Road**

WHEREAS INDOT solicited Requests for Proposals for Construction Engineering Services for the Kercher Road Reconstruction Project from the Railroad to Dierdorff Road; and

WHEREAS the City received seven proposals, which have been evaluated, compiled and the results submitted to INDOT for review and approval; and

WHEREAS it is recommended that Goshen Redevelopment Commission award the bid to Lochmueller Group, the highest ranked construction engineering consultant, and authorize Community Development Director Mark Brinson to negotiate and execute a Contract for Construction Engineering Services for the Kercher Road Reconstruction Project from the Railroad to Dierdorff Road.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that:

1. The bid for Construction Engineering Services for the Kercher Road Reconstruction Project from the Railroad to Dierdorff Road is awarded to Lochmueller Group.
2. Community Development Director Mark Brinson is authorized to negotiate and execute a Contract on behalf of the City of Goshen and the Goshen Redevelopment Commission with Lochmueller Group that is consistent with their proposal.
3. The execution of any such Contract shall be presented to the Redevelopment Commission for ratification at a subsequent Redevelopment Commission meeting.

PASSED and ADOPTED on July 12, 2016.

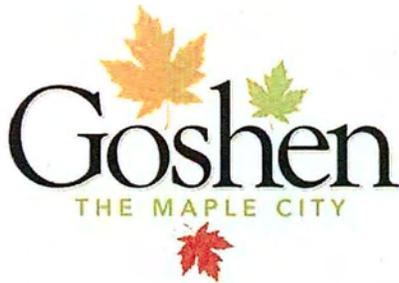
#### **GOSHEN REDEVELOPMENT COMMISSION**

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Thomas W. Stump, President

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Laura Coyne, Secretary



**Engineering Department  
CITY OF GOSHEN**

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engineering@goshencity.com • www.goshenindiana.org

## MEMORANDUM

TO: Redevelopment Commission

FROM: Mary Cripe, P.E.

RE: **NORTHWEST BIKE TRAIL – DES. NO. 138211  
PERMISSION TO NEGOTIATE CE CONTRACT**

DATE: July 12, 2016

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INDOT solicited Requests for Proposals for Construction Engineering (CE) Services for the Northwest Bike Trail project. The proposals were due to the Engineering Department on June 3, 2016, and the City received seven (7) proposals. Proposals are being evaluated by a team of three city employees (Khylei Boyer, Becky Hershberger, and Shari Bontrager). The team's review is complete and INDOT has granted approval to begin negotiations with Lawson-Fisher & Associates. At this time, we are requesting Redevelopment Commission's approval to proceed with contract negotiations with Lawson-Fisher & Associates.

Northwest Bike Trail  
Des. No. 1382811  
Construction Engineering Services

Category	A&Z Engineering			Abonmarehe			American Structurepoint			DLZ			Jones Petrie Rafinski			Lawson-Fisher			Lochmueller Group		
	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3
Past Performance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Capacity of Team to do Work	20	20	0	20	20	0	20	20	20	20	20	0	20	20	20	20	20	20	20	20	0
Team's Demonstrated Qualifications	15	30	0	30	30	0	15	30	0	15	30	30	30	30	15	15	30	30	15	30	0
Project Manager	40	40	-20	40	40	20	20	40	0	20	40	20	40	40	20	40	40	20	40	40	20
Approach to Project	0	15	0	15	30	15	0	30	0	30	15	30	15	15	15	15	15	30	15	30	0
Location	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Weighted Sub-Total	80	110	-15	110	125	40	60	125	25	90	110	85	110	110	75	95	110	105	95	125	25
<b>TOTAL of All 5 Scores</b>	175			275			210			285			295			310			245		

No. 1 is Khylei Boyer  
No. 2 is Becky Hersiberger  
No. 3 is Shari Bontrager

Scoring Team Leader Signature: Khylei Boyer  
 Title: Project Manager - Engineering Dept  
 Date: Oct 13/2010

## RESOLUTION 64-2016

### **Award Bid, Authorize Negotiation and Execution of an Agreement with Lawson Fisher & Associates for Construction Engineering Services for the Northwest Bike Trail Project**

WHEREAS INDOT solicited Requests for Proposals for Construction Engineering Services for the Northwest Bike Trail Project; and

WHEREAS the City received seven proposals, which have been evaluated and compiled and the results have been submitted to INDOT for review and approval; and

WHEREAS it is recommended that Goshen Redevelopment Commission award the bid to Lawson Fisher & Associates, the highest ranked construction engineering consultant, and authorize Community Development Director Mark Brinson to negotiate and execute an Agreement with Lawson Fisher & Associates for Construction Engineering Services for the Northwest Bike Trail Project.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that:

1. The bid for Construction Engineering Services for the Northwest Bike Trail Project is awarded to Lawson Fisher & Associates.
2. Community Development Director Mark Brinson is authorized to negotiate and execute an Agreement on behalf of the City of Goshen and the Goshen Redevelopment Commission with Lawson Fisher & Associates that is consistent with their proposal.
3. The execution of any such Agreement shall be presented to the Redevelopment Commission for ratification at a subsequent Redevelopment Commission meeting.

PASSED and ADOPTED on July 12, 2016.

**GOSHEN REDEVELOPMENT COMMISSION**

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Thomas W. Stump, President

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Laura Coyne, Secretary

## RESOLUTION 72-2016

### **Authorize Negotiation and Execution of Contract Amendment #5 with RGB Sales, LLC to include Canal Bank Restoration at the Millrace Neighborhood, LLC Site**

WHEREAS the final element to completing restoration at the Millrace Neighborhood, LLC site is to replant the canal bank from Douglas Street to Purl Street; and

WHEREAS since RGB Sales, LLC still has restoration work to complete at the top of the bank, pricing was requested from them to complete the scope of work as described in the attached memo dated June 14, 2016 from Becky Hershberger; and

WHEREAS it is recommended that Goshen Redevelopment Commission authorize Community Development Director Mark Brinson to negotiate and execute Contract Amendment #5 with RGB Sales, LLC that is consistent with the scope of work and for the prices provided as detailed in the memo which is attached to and made a part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that:

1. Community Development Director Mark Brinson is authorized to execute Contract Amendment #5 on behalf of the City of Goshen and the Goshen Redevelopment Commission with RGB Sales, LLC that is consistent with the scope of work and for the prices provided as detailed in the memo which is attached to and made a part of this Resolution.
2. The execution of any such Contract Amendment #5 shall be presented to the Redevelopment Commission for ratification at a subsequent Redevelopment Commission meeting.

PASSED and ADOPTED on July 12, 2016.

#### GOSHEN REDEVELOPMENT COMMISSION

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Thomas W. Stump, President

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Laura Coyne, Secretary



**Department of Community Development  
CITY OF GOSHEN**

204 East Jefferson Street, Suite 2 • Goshen, IN 46528-3405

Phone (574) 537-3824 • Fax (574) 533-8626 • TDD (574) 534-3185  
communitydevelopment@goshencity.com • www.goshenindiana.org

# Memorandum

---

To: Redevelopment Commission

From: Becky Hershberger

Date: June 14, 2016

RE: Authorize the Negotiation and Execution of Contract Amendment #5 with RGB Sales, LLC include for Canal Bank Restoration at the Millrace Neighborhood, LLC Site

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The final element to completing restoration at the Millrace Neighborhood, LLC site is to replant the canal bank from Douglas Street to Purl Street. In 2009, the City hired JFNew to complete a native restoration for the canal banks but the vegetation in this section never took despite multiple attempts by JFNew. This matter will be reviewed by the Legal Department but we would like to move forward with addressing this issue prior to transferring the land as construction of homes on this site will make it nearly impossible to work along the bank itself.

As RGB Sales, LLC still has restoration work to complete at the top of the bank, we've requested pricing from them to complete the following scope of work:

1. Remove existing black erosion control mat and dispose at Elkhart County Landfill;
2. Scrape/regrade/smooth existing soils along the canal bank and add additional topsoil to provide better material to promote vegetation growth;
3. Stabilize soils with a hardy seed mixture designed to provide deep roots and growth in the conditions present on the bank; and
4. Placement of a coconut fiber erosion control blanket and a coconut fiber waddle along the ordinary high water mark to prevent runoff until vegetation is established.

RGB has provided the following pricing to complete this work. Although they will be onsite to address the top of the bank, an excavator will be needed to complete the work along the bank and explains the additional mobilization/demobilization costs.

- Erosion Control Measures - \$14,450
- Excavation of existing mat and disposal at landfill - \$2,050
- Earthwork and grading - \$4,400
- Restoration and seeding - \$3,930
- Mobilization/Demobilization - \$2,000

TOTAL – \$26,830

We are requesting authorization to execute a contract amendment to complete this work.

**RESOLUTION 75-2016**

**Approve and Execute Amendment Number 2 to Agreement  
for the Lease and Development of Real Estate with Goshen Brewing Company**

WHEREAS the City of Goshen and Goshen Brewing Company entered into an Agreement dated October 31, 2013 and amended February 11, 2014 for the lease and development of real estate located at 315 West Washington Street, Goshen, Indiana; and

WHEREAS Goshen Brewing Company would like to include additional real estate to the original agreement located west of the brewery and east of the drive to expand the outdoor seating area; and

WHEREAS the Commission adopted Resolution 57-2016 authorizing the City to negotiate an agreement with Goshen Brewing Company.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that the terms and conditions of the Amendment No. 2 to Agreement for the Lease and Development of Real Estate as attached to and made a part of this resolution are approved.

BE IT FURTHER RESOLVED that the President and Secretary shall execute Amendment Number 2 which shall then be filed and recorded with the Office of the Elkhart County Recorder.

PASSED and ADOPTED on July 12, 2016.

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Thomas W. Stump, President

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Laura Coyne, Secretary

**AMENDMENT NUMBER 2 TO  
AGREEMENT FOR THE LEASE AND DEVELOPMENT OF REAL ESTATE**

THIS AMENDMENT entered into this \_\_\_\_ day of June, 2016 modifies the original Agreement for the Lease and Development of Real Estate executed on October 31, 2013 between **City of Goshen**, a municipal corporation and political subdivision of the State of Indiana acting through the Goshen Redevelopment Commission, hereinafter referred to as "Redevelopment," and **Goshen Brewing Company**, an Indiana for profit company, hereinafter referred to as "Brewery."

**Real Estate**

The real estate to be leased and developed in accordance with the terms and conditions of the original lease and development agreement shall include the real estate shown on the map attached as Exhibit A which was not included in the original agreement.

Redevelopment reserves the right to remove the additional real estate described above from this lease and development agreement for any reason on or before May 31, 2018 by giving Brewery written notice of its intent to withdraw the additional real estate from the lease and development agreement. If Redevelopment has not withdrawn the additional real estate by May 31, 2018, the real estate is permanently included in the real estate subject to the lease and development agreement, including the option to purchase.

Brewery agrees to have a survey prepared for the additional real estate at Brewery's cost at the time Brewery exercises the option to purchase.

In all other respects, the October 31, 2013 lease and development agreement remains unchanged and in full force and effect.

[Signature page follows]

IN WITNESS WHEREOF, the parties have set their hands to this Amendment Number 2 on the dates set forth below.

**City of Goshen**

**Goshen Brewing Company**

\_\_\_\_\_  
Thomas W. Stump, President  
Goshen Redevelopment Commission

\_\_\_\_\_  
Jesse Sensenig, President  
Date: 7/1/16

\_\_\_\_\_  
Laura Coyne, Secretary  
Goshen Redevelopment Commission

Date: \_\_\_\_\_

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF ELKHART    )

Before me the undersigned, a Notary Public, personally appeared Thomas W. Stump, President and Laura Coyne, Secretary of the Goshen Redevelopment Commission of the **City of Goshen**, a municipal corporation and political subdivision of the State of Indiana, and acknowledged the execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

County of residence: \_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_ Printed: \_\_\_\_\_

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF ELKHART    )

Before me the undersigned, a Notary Public, personally appeared Jesse Sensenig, President of **Goshen Brewing Company**, an Indiana for profit company, and acknowledged the execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 1 day of July, 2016.

County of residence: Elkhart  
Notary Public

My commission expires: 5/3/2024 Printed: Lori Hammonds

This instrument was prepared by Larry A. Barks, Goshen City Attorney, Attorney No. 3568-20, City of Goshen Legal Department, 204 East Jefferson Street, Suite 2, Goshen, Indiana 46528, (574) 533-9536.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law (Larry A. Barks).





## **RESOLUTION 76-2016**

### **Accepting the Transfer of Hickory Street Real Estate**

WHEREAS the City of Goshen, Indiana acquired title to the real estate located to the east of 1215 Hickory Street (Hickory Street real estate) from Elkhart County through the tax sale process under the authority of Indiana Code 6-1.1-24 and Indiana Code 6-1.1-25;

WHEREAS the Tax Deed transferring the Hickory Street real estate was dated the 19<sup>th</sup> day of May, 2016 and recorded by the Elkhart County Recorder on the 25<sup>th</sup> day of May, 2016 as instrument number 2016-09775;

WHEREAS the City desires to transfer the Hickory Street real estate to the Goshen Redevelopment Commission to be held and disposed of under Indiana Code 36-7-14-22.5.

NOW, THEREFORE, BE IT RESOLVED that the Goshen Redevelopment Commission accepts the transfer of the Hickory Street real estate from the City of Goshen, Indiana, more particularly described as follows:

Lot number seven (7) in Baker's Second Addition to the City of Goshen, Indiana.

Parcel No. 20-11-08-430-006.000-015

PASSED and ADOPTED by the Goshen Redevelopment Commission on July 12, 2016.

---

Thomas W. Stump, President

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Laura Coyne, Secretary

## RESOLUTION 77-2016

### Ratify Execution of Agreement Amendment #2 with Abonmarche Consultants, Inc. for the Steury Avenue/Lincoln Avenue Road Reconstruction & Drainage Improvement Design Project

WHEREAS in April, 2014, the Redevelopment Commission executed an agreement with Abonmarche Consultants, Inc. to complete roadway and drainage improvements for the Steury Avenue/Lincoln Avenue corridor, as well as an Agreement Amendment in November, 2015; and

WHEREAS the design for this project has continued to evolve and the plan is to now subdivide the land into three (3) parcels; and

WHEREAS City Administration negotiated the terms and conditions of Agreement Amendment #2 with Abonmarche Consultants, Inc. to include the increase of the scope of work and Community Development Director Mark Brinson executed Agreement Amendment #2 on or about July 6, 2016. A copy of Agreement Amendment #2 is attached to and made a part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Goshen Redevelopment Commission approves the terms and conditions and ratifies the execution of Agreement Amendment #2 with Abonmarche Consultants, Inc. and the City of Goshen that is attached to and made a part of this Resolution.

PASSED and ADOPTED on July 12, 2016.

**GOSHEN REDEVELOPMENT COMMISSION**

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Thomas W. Stump, President

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Laura Coyne, Secretary

## AGREEMENT AMENDMENT #2

### Steury Avenue/Lincoln Avenue Roadway Reconstruction & Drainage Improvement Design Project Project No. 2013-0012

THIS AGREEMENT AMENDMENT #2 is entered into on this 30 day of July, 2016, between Abonmarche Consultants, Inc., hereinafter referred to as "Consultant", and the City of Goshen by its Redevelopment Commission, hereinafter referred to as "City".

WHEREAS, the City entered into an Agreement with Consultant dated April 24, 2014, for the "Steury Avenue/Lincoln Avenue Roadway Reconstruction & Drainage Improvement Design Project" for an amount not to exceed Eighty-Nine Thousand Eight Hundred Dollars (\$89,800.00).

WHEREAS, the City entered into an Agreement Amendment with Consultant dated November 16, 2015, to increase the scope of work to include additional surveying and geotechnical work as the project area increased and to complete a wetland delineation to satisfy the US Army Corps of Engineers for an amount not to exceed Twenty-Six Thousand Five Hundred Dollars (\$26,500.00) for a total Agreement cost of One Hundred Sixteen Thousand Three Hundred Dollars (\$116,300.00).

WHEREAS, the City now intends to subdivide the land into three (3) parcels to create parking for the property to the east and to create a development lot to the west of the pond and the subdivision will require a plat to be prepared and variances to comply with the zoning ordinances.

WHEREAS, additional permitting work is required to comply with the USEPA grant fund requirements resulting in the need for additional field work.

WHEREAS, the City desires to contract with Consultant and Consultant agrees to complete the additional survey work and preparation of materials necessary to subdivide the property.

NOW THEREFORE, in consideration of the mutual covenants contained in this amendment and the covenants contained in the original Agreement dated April 24, 2014 and Agreement Amendment dated November 2015 for the "Steury Avenue/Lincoln Avenue Roadway Reconstruction & Drainage Improvement Design Project", the parties agree as follows:

#### **ADDITIONAL SCOPE OF SERVICES**

The following items shall be added to the original Scope of Work for this project:

##### Task #2 - Supplement Field Survey

- Consultant shall perform a tree survey for ECT as part of the USEPA permitting process
- Consultant shall perform additional field survey to locate existing concrete slabs following the removal of salvage items from the property to establish quantities for bid documents.

##### Task #5 - Roadway & Drainage Design and Plans

- Consultant shall redesign the detention basin to no longer extend into Quality Machine's property to avoid acquiring an easement as well as to avoid removal of the various debris found on their property in the location of the basin.

- Consultant shall revise the drainage calculations and analyze the new design in Pond Pack modeling software.

Task #8 - Drainage Easement Legal/Exhibit Drawing

- This task is no longer needed since the detention basin was redesigned to no longer extend into Quality Machine's property.

Task #9 - BZA Variance Process

- Consultant shall assist with the Board of Zoning Appeals (BZA) variance process and prepare the application.
- Consultant shall research the underlying deeds and prepare a legal description including the underlying properties.
- Consultant shall develop the required site plan drawing for submittal to the Planning Department and Board of Zoning Appeals.
- Consultant shall attend the Board of Zoning Appeals public hearing.

Task #10 - Parcel Plat and Description

- Consultant shall prepare one (1) plat and one (1) legal description for the Market parcel where additional right-of-way is needed.
- Consultant shall certify the plat and description by a registered land surveyor for insertion into the overall document prepared by the City Attorney for signature by the property owner.
- Consultant shall order a current title search through Elko Title on behalf of the City.

Task #11 - Rule 12 Boundary Survey (City Parcels and Market)

- Consultant shall perform a Rule 12 Boundary survey on the subject parcels (7 parcels) to define the parcel lines and acreage for subdividing in Task #12.
- Consultant shall prepare a boundary survey drawing certified by a licensed land surveyor and record at the Elkhart County Recorder's Office.

Task #12 - Subdivision Platting Process and Lot Irons

- Consultant shall work with City Staff on preparing the subdivision plat drawing for the proposed lot configuration using the boundary survey work performed in Task #11.
- The subdivision plat drawing shall be prepared in accordance with the City's Subdivision Control Ordinance to reconfigure the common parcel line of the Market and City's property, and create separate parcels for the detention basin and future building site.
- The subdivision plat drawing shall establish the new right-of-way on the City's properties along Lincoln Avenue, and new easements for access, utilities, and parking.
- All proposed lot corners shall be marked with iron rods as required by City/State Laws.
- Consultant shall attend informal meetings with City Staff to discuss the project, and attend the Plan Commission public hearing.

**ADDITIONAL COMPENSATION**

The City agrees to compensate the Consultant for the above additional services based on the Consultant's prices detailed below. The additional cost for all services performed in this Agreement Amendment #2 shall not exceed Nineteen Thousand Eight Hundred Fifty Dollars

(\$19,850.00) for a total contract price of One Hundred Thirty-Six Thousand One Hundred Fifty Dollars (\$136,150.00).

- Task #2 – Increase Contract Amount of \$9,800 to \$13,300
- Task #5 – Increase Contract Amount of \$70,000 to \$74,000
- Task #8 – Decrease Contract Amount of \$950 to \$0
- Task #9 - \$1,800
- Task #10 - \$1,250
- Task #11 - \$3,450
- Task #12 - \$6,800

**SCHEDULE**

All work by Consultant shall be completed by September 1, 2016.

All other terms and conditions of the April 24, 2014 Agreement and November 2015 Agreement Amendment shall remain the same.

IN WITNESS WHEREOF, the parties have executed this Agreement Amendment #2, in duplicate on the 10<sup>th</sup> day of ~~November~~, 2015.

*July, 2016*

**City of Goshen  
Redevelopment Commission**



\_\_\_\_\_  
Mark Brinson,  
Community Development Commission

**Abonmarche Consultants, Inc.**

  
\_\_\_\_\_  
John W. Linn,  
Principal

## RESOLUTION 78-2016

### Authorize Issuance of Request for Proposals for the Third Street / Jefferson Street Real Estate

WHEREAS the Goshen Redevelopment Commission is interested in requesting proposals for the purchase of the real estate located west of Third Street and east of River Race Drive between the alley north of West Jefferson Street and the alley south of West Jefferson Street; and

WHEREAS a draft of the Request for Proposals for the Third Street / Jefferson Street Real Estate is attached to and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that the Redevelopment Commission authorizes the issuance of a Request for Proposals for the Third Street / Jefferson Street Real Estate to be opened at a subsequent meeting of the Redevelopment Commission.

PASSED and ADOPTED on July 12, 2016.

**Goshen Redevelopment Commission**

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Thomas W. Stump, President

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Laura Coyne, Secretary

# REQUEST FOR PROPOSALS

## THIRD STREET / JEFFERSON STREET REAL ESTATE

The Third Street / Jefferson Street Real Estate (Redevelopment Area) is located west of Third Street and east of River Race Drive between the alley north of West Jefferson Street and the alley south of West Jefferson Street. The Redevelopment Area consists of eleven parcels numbered 1 through 11 on Exhibit A which is attached to this Request for Proposals. Real estate parcels 1 through real estate parcels 11 are identified by parcel number, owner, property address and partial legal description on Exhibit B which is attached to this Request for Proposals.

The Goshen Redevelopment Commission (Commission) offers real estate parcels numbered 2 through 11 for sale.

There are structures on real estate parcels numbered 8, 10 and 11. The Commission will demolish these structures at Commission's expense prior to transferring the real estate to the selected proposer. The Commission will also replace the temporary parking on parcel number 1 with permanent public parking of at least twenty (20) parking places at Commission's expense.

Proposals to acquire and develop parcels numbered 8, 9, 10 and 11 (Group 1), parcels numbered 2, 3, 4, 5, 6 and 7 (Group 2) or both Groups are invited.

### *Project Specifications*

#### Commission's Goals

The Commission's goal for the property is the development of Group 1 and Group 2 for retail, commercial or multi-family residential construction.

A proposal may include any use that would not negatively impact the surrounding area or is inconsistent with the zoning in the area. The exact mix of uses, density and price will be up to the entity submitting the proposal.

Redevelopment seeks to achieve the following objectives by the development of the Redevelopment Area:

- A. Complement the existing buildings and uses in the area.
- B. Develop the parcels in a way that is consistent with the City's Comprehensive Plan.
- C. Enhances City's tax base.

A development agreement will be executed with the entity or entities submitting the successful proposal(s). The Commission would prefer that the construction of the project begin in 2017 but will consider projects that will not begin construction in 2017, depending on the type of development proposed.

## ***Redevelopment Area Description***

### **Land Area and Location**

The Redevelopment Area is located east of Third Street between 211 S. Third Street and 313 S. Third Street in Goshen, Indiana. The State of Indiana will be moving Indiana State Road 15 to this portion of Third Street in Goshen some time in 2018.

### **Utilities**

City water and sewer are available to both Group 1 and Group 2. Any proposed project will be required to construct building water lines and building sewer lines that connect all structures to City water and City sewer at the developer's expense.

### **Zoning**

The Redevelopment Area is zoned B-2, Commercial. The City will retain a fifteen foot right-of-way on the west side of each lot for River Race Drive. Additional dedication of rights of way may be required depending on the development proposed.

### **Environmental Conditions**

A Phase I environmental assessment is being completed for Commission. Once completed, anyone preparing a proposal can review the assessment.

## ***Commission's Roles and Responsibilities***

1. In the event that a proposal is selected that needs rezoning or a variance, Commission will join with the entity submitting the selected proposal in a petition to rezone or obtain a variance so that the zoning is consistent with the submitted proposal provided that the need for the variance or rezoning is described in the proposal submitted.
2. The Commission will demolish the structures on Lots 8, 10 and 11 at the Commission's expense.
3. The Commission will construct a public parking lot on Lot 1 containing at least twenty (20) spaces at the Commission's expense.

## ***Proposal Evaluation Criteria***

Commission will sell the real estate offered for sale to the highest and best proposer using the described evaluation criteria, provided the proposed purchase price equals or exceeds the sum of One Hundred Five Thousand Five Hundred Dollars (\$105,500.00) for Group 1 and Sixty Nine Thousand Five Hundred Dollars (\$69,500.00) for Group 2, or a total of One Hundred Seventy Five Thousand Dollars (\$175,000.00) for both Groups. However, the Redevelopment Commission reserves the right to reject any proposal as provided by Indiana Code 36-7-14-22(f) or all proposals if rejection of all proposals is deemed to be in Commission's best interest.

In determining the highest and best proposal, Commission will consider the following factors:

1. The experience, the financial capacity and the organizational capacity of the entity submitting the proposal to successfully plan, construct and complete the proposed development.
2. The overall quality of the submission and the extent to which the proposed development is consistent with the neighborhood.
3. The market and financial feasibility of the proposal, including the entity's ability to make the proposed improvements with reasonable promptness.
4. The proposed completion date for the project.
5. The size and character of the improvements proposed to be made by the entity submitting the proposal.
6. The effect of the development on traffic in the area.
7. The extent to which the proposed development incorporates elements of sustainable development.
8. Whether adequate parking for the development is included in the plan.
9. The proposed purchase price to be paid to Redevelopment.
10. Whether the entity submitting the proposal is a trust and whether the submission identifies the beneficiary of the trust and whether the settlor is empowered to revoke or modify the trust.
11. Whether the proposal is to purchase one parcel or both parcels.
12. The extent to which the proposal contains requests for additional public investment or incentives.

If no offers are received by September 13, 2016 that exceed the sum of One Hundred Seventy Five Thousand Dollars (\$175,000.00) for both Groups, Commission may select a proposal offering less than the sum of One Hundred Seventy Five Thousand Dollars (\$175,000.00) for both Groups or accept offers for Group 1 that are less than One Hundred Five Thousand Five Hundred Dollars (\$105,500.00) and for Group 2 that are less than Sixty Nine Thousand Five Hundred Dollars (\$69,500.00) but only after Commission accepts additional proposals until Tuesday, October 11, 2016 at 12:00 p.m. (noon). After accepting proposals for the additional period, Commission may select the highest and best proposal using the criteria set forth in this section with no minimum price.

Some or all of the entities submitting a proposal may be requested to discuss their proposals with the Commission or Redevelopment's staff. Entities submitting proposals may be asked to respond to additional questions. Redevelopment staff will make a recommendation to Commission as to which proposal, if any, should be selected. Commission may select a proposal after considering the staff recommendation and the criteria described in this proposal.

A development agreement will be negotiated by Redevelopment's staff and the entity submitting the selected proposal after Commission selects a proposal. The negotiated agreement will be presented to Commission for approval.

### ***Obligations of Entity Submitting a Proposal***

The entity submitting the selected proposal must agree to do each of the following at the submitting entity's expense:

1. Construct the proposed development in compliance with all Indiana Building Codes and City of Goshen Ordinances, Policies and Standards, including Zoning Ordinances, Subdivision Standards,

- Landscaping Ordinances, Construction Site Stormwater Runoff Control Ordinances and Post Construction Stormwater Management Ordinances.
2. The parcels may not be used in a manner that would be reasonably offensive to the owners or users of neighboring real estate or would tend to create a nuisance.
  3. Construct all needed water building lines, sewer building lines and storm water facilities for each structure located on the real estate parcel purchased.
  4. The entity submitting the selected proposal will be required to enter into a purchase agreement incorporating the terms of the Request for Proposals, the terms included in the successful proposal and other provisions negotiated by Redevelopment's staff and the entity submitting the proposal.
  5. Any entity submitting a proposal may condition the proposal upon receiving a variance or re-zoning as described in the proposal.
  6. Dedicate additional right of way, if required, to meet applicable street set back requirements.
  7. Construct sidewalks built to City specifications adjacent to all dedicated public streets.

### *Instructions for Submitting Proposals*

#### Requests for Clarifications and Addenda

1. Entities intending to submit proposals who have questions or are interested in touring the site should contact Mark Brinson, Community Development Director.
2. All requests for clarification to this solicitation must be received at least one (1) week before the opening date to allow for the issuance of any addendums determined by Redevelopment's staff to be necessary. A Proposer shall rely only on written addenda issued by Mark Brinson, Community Development Director. Requests shall be made in writing and may be directed to:

Mark Brinson, Community Development Director  
City of Goshen Redevelopment Commission  
204 East Jefferson Street, Suite 2  
Goshen, Indiana 46528  
Telephone: (574) 537-3824  
E-Mail: markbrinson@goshencity.com

3. Interpretations or clarifications determined necessary by Redevelopment staff will be issued by addenda mailed, e-mailed, faxed or otherwise delivered to all parties recorded by the Redevelopment staff as having received the proposal documents. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

#### Trusts

In accordance with Indiana Code 36-7-14-22, a proposal submitted by a trust (as defined by Indiana Code 30-4-1-1) must identify the beneficiary of the trust and indicate whether the settlor is empowered to revoke or modify the trust.

#### Preparation and Submission of Proposals

1. Cover Letter.

A cover letter on company letterhead must be submitted that is signed by a person authorized to submit and sign the proposal. The cover letter shall include the following:

- a) The entity's name, address, and telephone number;
- b) The name of the person authorized to submit/sign the proposal, his/her title, telephone number and e-mail address;
- c) The entity's Federal ID number; and
- d) The entity's State ID number.

2. Development Team.

A summary of the proposed development team that includes:

- a) Identity of members of the development team including planners, architects, engineers, general contractor and subcontractors.
- b) Biography of each member including their experience in developing similar projects.
- c) Description of the development team's green building, sustainable design and energy performance expertise.
- d) Whether the development team has or intends to form a corporation, a partnership, a joint venture or other type of business association to carry out the proposed development.

3. Financial Information.

A financial statement that is specific enough so that a proper determination can be made of the entity's financial capability to complete the project.

4. Project Proposal Conceptual Explanation.

A conceptual explanation of Project Proposal including:

- a) A plan with as much detail as possible, including land uses, building designs, building elevations and a description of how the development complements and interacts with the surrounding area.
- b) All structural improvements to be made to the parcels, existing structures and new structures to be constructed on the parcels.
- c) Project phasing indicating the conditions upon which construction phases would be based.
- d) A description of the components of the development plan that includes information about the building design, size, density and amenities.

5. Schedule.

A proposed timeline for the redevelopment, including any conditions that must be met before the proposal can become a reality. The schedule should include:

- a) Time needed to obtain financing.
- b) Design completion.
- c) Site preparation.
- d) Start and completion of construction.

6. Price.

Price to be paid for each Group of real estate to which the proposal applies.

7. Proposals.

- a) All proposals shall be submitted in a sealed envelope. No facsimile or email submission will be accepted. The envelope must be labeled with the submitting entity's name and address; and the words "Third Street / Jefferson Street Proposal".
- b) If a proposal is sent through the mail or other delivery system, the sealed envelope shall be enclosed in a separate envelope with the notation "PROPOSAL ENCLOSED" on the face of the outer envelope.
- c) Proposals shall be filed with Mark Brinson, Community Development Director, City of Goshen Redevelopment Commission, 204 East Jefferson Street, Suite 2, Goshen, Indiana 46528.
- d) All proposals submitted become the property of the City and are a matter of public record.
- e) Any entity wishing to make a proposal to purchase either parcel of the real estate offered for sale must submit their sealed, written proposal no later than Tuesday, September 13, 2016 at 12:00 p.m. local Goshen time.
- f) Commission is not responsible for late or lost proposals due to mail service inadequacies, traffic or other similar reasons. Proposals received after the designated time will not be considered in the selection process.
- g) Commission reserves the right to accept or reject any or all proposals and to waive informalities or irregularities in the selection process.
- h) Proposals shall be submitted as follows: three (3) bound copies and one (1) electronic copy on CD-ROM.
- i) Any modifications made to a proposal before submission must be initialed in ink by the submitting entity's authorized representative. A submitting entity may, upon written request, modify or withdraw their proposal at any time prior to the opening date and time. A request to modify or withdraw a proposal must be signed by the same person or persons who signed the original proposal submitted. No proposal may be modified or withdrawn after the opening of the proposals.

Opening of Proposals

The proposals received will be opened in public by Redevelopment at the Redevelopment Commission meeting on September 13, 2016 at 3:00 p.m. in the City Courtroom / Council Chambers located at 111 East Jefferson Street, Goshen, Indiana.

*General Terms and Conditions*

Conflict of Interest / Non-Collusion

- a) All submitting entities must certify that the entity has not entered into a combination or agreement relative to the price to be proposed nor has taken any action to prevent or induce a person from submitting a proposal.

- b) The submitting entity's proposal is made without reference to any other proposal unless specifically indicated to the contrary.
- c) All submitting entities certify that they are not in a situation where the submitting entity's private interest would interfere with its loyalty or responsibilities to Commission or raise questions about such interference. The submitting entity agrees not to accept work, enter into a contract, accept an obligation or engage in any activity, paid or unpaid, that is inconsistent or incompatible with the submitting entity's obligations, or the scope of services to be rendered to Commission. The submitting entity shall warrant that, to the best of their knowledge, there is no other contract or duty on the submitting entity's part that conflicts with or is inconsistent with the services sought to be provided to Commission.
- d) Before a proposal may be accepted, the entity must sign and have notarized the Conflict of Interest / Non-Collusion Affidavit.

#### Applicable Laws.

Any contract resulting from a proposal submitted will be construed in accordance with and governed by the laws of the State of Indiana.

#### Costs for Submitting Proposal

Commission will not be liable for any costs incurred by the respondents in replying to this Request for Proposals. Commission is not liable for any costs for work or services performed by the selected Proposer prior to the award of a contract.

#### Authority to Bind Submitting Entity.

The signatory for the entity submitting a proposal represents that he or she has been duly authorized to execute the proposal documents on behalf of the submitting entity and has obtained all necessary or applicable approvals to make this submission on behalf of entity when his or her signature is affixed to the proposal.

EXHIBIT A

Third Street-Jefferson Street Parcels



**EXHIBIT B**

ID	Parcel Number	Owner	Property Street	City State Zip	Acreage	Legal Description
11	20-11-09-413-008.000-015	CITY OF GOSHEN DEPT OF REDEVELOPMENT	213 S THIRD ST	GOSHEN IN 46526	0.25	BARNES 1ST SOUTH 10; TIF 97
10	20-11-09-413-008.000-015	CITY OF GOSHEN	219 S THIRD ST	GOSHEN IN 46526	0.25	BARNES 1ST SOUTH ADD 11; TIF 97
9	20-11-09-413-010.000-015	CITY OF GOSHEN DEPT OF REDEVELOPMENT	W JEFFERSON ST	GOSHEN IN 46526	0.073	BARNES 1ST 48FT W END 30; TIF 97
8	20-11-09-413-011.000-015	CITY OF GOSHEN DEPT OF REDEVELOPMENT	223 S THIRD ST	GOSHEN IN 46526	0.177	BARNES 1ST EX 48FT W END 30; TIF 97
7	20-11-09-452-001.000-015	CITY OF GOSHEN	W JEFFERSON ST	GOSHEN IN 46526	0.049	BARNES 1ST 65FT W END N1 2 31; TIF 97
6	20-11-09-452-002.000-015	CITY OF GOSHEN INDIANA	301 S THIRD ST	GOSHEN IN 46526	0.076	BARNES 1ST N1 2 EX 65FT; W END 31; TIF 97
5	20-11-09-452-003.000-015	CITY OF GOSHEN DEPT OF REDEVELOPMENT	303 S THIRD ST	GOSHEN IN 46526	0.125	BARNES 1ST S1 2 LOT 31; TIF 97
4	20-11-09-452-004.000-015	CITY OF GOSHEN DEPT OF REDEVELOPMENT	1/2 W JEFFERSON ST	GOSHEN IN 46526	0.083	BARNES 1ST 44X80FT NW COR 50; TIF 97
3	20-11-09-452-005.000-015	CITY OF GOSHEN	305 S THIRD ST	GOSHEN IN 46526	0.086	BARNES 1ST 44X85FT NE COR 50; TIF 97
2	20-11-09-452-006.000-015	CITY OF GOSHEN	307 S THIRD ST	GOSHEN IN 46526	0.152	BARNES 1ST S 1 3 22FT 50; N 18FT 51; TIF 97
1	20-11-09-452-007.000-015	CITY OF GOSHEN	S THIRD ST	GOSHEN IN 46526	0.182	BARNES 1ST EX N 18FT 51; TIF 97

## RESOLUTION 79-2016

### Approve Rental Rate Increase for Powerhouse

WHEREAS the Goshen Redevelopment Commission currently charges Seventy Five Dollars (\$75.00) per day for the rental of the Powerhouse building and terrace; and

WHEREAS in an effort to more sufficiently cover the maintenance costs of the Powerhouse building, it is recommended that the rental rate be increased beginning January 1, 2017 to One Hundred Dollars (\$100.00) per day.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that the Redevelopment Commission approves the rental rate increase for the rental of the Powerhouse building and terrace to One Hundred Dollars (\$100.00) per day beginning January 1, 2017.

PASSED and ADOPTED on July 12, 2016.

**Goshen Redevelopment Commission**

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Thomas W. Stump, President

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Laura Coyne, Secretary

## RESOLUTION 80-2016

### Approve and Authorize Execution of Settlement Agreement for Right of Way Acquisition of 2601 Woodland Drive for State Road 15 and Kercher Road Intersection Improvement Project

WHEREAS right-of-way acquisition for permanent and temporary right-of-way was required for the parcel located at 2601 Woodland Drive for the State Road 15 and Kercher Road Intersection Improvement project; and

WHEREAS the City has been working with the property owners for almost two years and a settlement agreement has now been reached; and

WHEREAS permission is requested to enter into the Settlement Agreement for the right of way acquisition of 2601 Woodland Drive with Jack M. Gibson and Ann Watson Singer Gibson that is attached to and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that the terms and conditions of the Settlement Agreement for the right of way acquisition of 2601 Woodland Drive between Jack M. Gibson and Ann Watson Singer Gibson and the City of Goshen that is attached to and made a part of this Resolution are approved and Community Development Director Mark Brinson is authorized to execute the Settlement Agreement on behalf of the City of Goshen and the Goshen Redevelopment Commission.

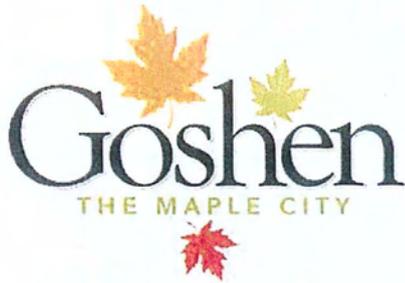
PASSED and ADOPTED on July 12, 2016.

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Thomas W. Stump, President

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Laura Coyne, Secretary



Engineering Department  
CITY OF GOSHEN

204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405

Phone (574) 534-2201 • Fax (574) 533-8626 • TDD (574) 534-3185  
engineering@goshencity.com • www.goshenindiana.org

## MEMORANDUM

TO: Redevelopment Commission

FROM: Mary Cripe, P.E.

RE: **SR 15 AND KERCHER ROAD INTERSECTION IMPROVEMENT PROJECT  
PROJECT NO. 2012-0017**

DATE: July 12, 2016

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Right-of-way acquisition for permanent and temporary right-of-way was required for the parcel located at 2601 Woodland Drive. The City has been working with the property owner for almost two years, and at this time, a Settlement Agreement has been reached, pending the Redevelopment Commission's approval.

There have been several requests from the property owner with regards to concerns with the location of the roadway in proximity to their house and garage, removal of their landscaping buffer, and increase in the traffic noise.

At this time, we are requesting the Redevelopment Commission's review and consideration for approval of the attached Settlement Agreement.

Thank you.

## SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT is entered into effective the 17th day of June, 2016, between the City of Goshen, Indiana (“Goshen”), a municipal corporation and political subdivision of the State of Indiana, acting by and through the Goshen Redevelopment Commission, and Jack M. Gibson and Ann Watson Singer Gibson (collectively “Gibson”).

WHEREAS, Goshen filed a Complaint for Appropriation of Real Estate in the Elkhart Circuit Court under Cause No. 20C01-1503-PL-64 (“condemnation litigation”) on March 19, 2015, to obtain permanent and temporary rights to portions of certain real estate owned by Gibson, which is commonly known as 2601 Woodland Drive, Goshen, Indiana, and more particularly described in Exhibit A attached hereto and incorporated herein by reference (“Real Estate”), all pursuant to Goshen’s Kercher Road and State Road 15 Project (Project No. 2012-0017);

WHEREAS, on April 23, 2015, Gibson appeared by counsel in the condemnation litigation and was granted an extension of time by the Court to file any objection to Goshen’s Complaint to and including May 23, 2015;

WHEREAS, since May 23, 2015, Goshen and Gibson have informally agreed to extend the deadline to file any objections to Goshen’s Complaint while said parties negotiated a settlement of Gibson’s total just compensation due to Goshen’s appropriation in this case;

WHEREAS, based on a number of factors and considerations, including but not limited to, the costs to cure determined by Goshen’s appraiser, Neal R. Worden, and asserted by Gibson based on their landscape architect at Jones Petrie Rafinski, the parties have determined it would be in

their respective best interests for Goshen to take the entirety of Gibson's Real Estate to settle the condemnation litigation;

WHEREAS, the parties have agreed that Goshen will purchase the entirety of Gibson's Real Estate for Two Hundred Fifty Thousand Dollars (\$250,000.00), with Ann Watson Singer Gibson retaining a life estate in a portion of the Real Estate; and

WHEREAS, no other defendant in the condemnation litigation has any interest in the Real Estate.

NOW THEREFORE, in consideration of their mutual agreements, covenants and conditions herein, and other valuable consideration, the parties agree as follows:

1. Goshen agrees to acquire the entirety of Gibson's Real Estate for the total sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) in two separate transactions:
  - a. Simultaneously with the execution of this Settlement Agreement, the parties will enter into an Agreed Judgment in the pending condemnation litigation in the Elkhart Circuit Court under Cause No. 20C01-1503-PL-64, whereby Gibson will be paid Three Thousand Five Hundred Eighty Dollars (\$3,580.00) for a portion of their Real Estate; the Agreed Judgment will be substantially in the form attached hereto as Exhibit B and incorporated herein by reference.
  - b. Within ninety (90) days of the execution of this Settlement Agreement, Goshen will purchase the portion of Gibson's Real Estate remaining after the fee simple appropriation in the condemnation litigation ("Remaining Real Estate") for Two Hundred Forty-Six Thousand Four Hundred Twenty Dollars (\$246,420.00), subject to a life estate in Ann Watson Singer Gibson ("Life Tenant").
2. The following covenants and conditions shall apply to the purchase of Gibson's Remaining Real Estate by Goshen:

- a. Gibson and/or the Life Tenant shall pay the real estate taxes and assessments on the Remaining Real Estate until the end of the Life Tenant's life tenancy.
- b. A closing will be held within ninety (90) days of the effective date of this Settlement Agreement unless the parties agree to a later date in writing. Goshen will pay the cost of the closing agent, title insurance (if any), document preparation, and recording fees.
- c. Gibson shall deliver to Goshen at the closing a warranty deed conveying to Goshen merchantable title to the Remaining Real Estate free and clear of all liens and encumbrances, except conditions of record including, but not limited to zoning restrictions, taxes, easements, and assessments, and subject to a life estate in Ann Watson Singer Gibson.
- d. Possession and occupancy of the Remaining Real Estate shall remain with the Life Tenant until the end of her life tenancy.
- e. Gibson shall assume the risk of loss until the closing at which time the Life Tenant shall assume the risk of loss. The risk of loss shall remain with the Life Tenant until the end of the Life Tenant's life tenancy.
- f. Gibson warrants that Gibson will convey a good and merchantable title to Goshen, subject to a life estate in the Life Tenant. Goshen accepts the Remaining Real Estate AS IS, without warrant of habitability, subject to the covenants of the Life Tenant in paragraph no. 3 below.
- g. Goshen has made its own inspection of the Remaining Real Estate and relies solely upon Goshen's own observation in deciding to purchase the Remaining Real Estate. Goshen does not rely upon any representation of Gibson or any agent of Gibson.

3. The duties and responsibilities of the Life Tenant in the Remaining Real Estate are as follows:

- a. To exercise the ordinary care of a prudent person for the preservation and protection of the Remaining Real Estate, including keeping the Remaining Real Estate in the condition it was when the tenancy began, general wear and tear excepted.
- b. To make all the ordinary repairs necessary to preserve the Remaining Real Estate and prevent its going to waste.
- c. Life Tenant is not required to rebuild improvements on the Remaining Real Estate destroyed without her fault.

- d. Life Tenant is not required to make any extraordinary repairs or replacements to the Remaining Real Estate or the improvements thereon. "Extraordinary repairs or replacements" include any repair or replacement with a cost exceeding Five Thousand Dollars (\$5,000) unless such repair or replacement is the result of Life Tenant's gross negligence.
  - e. To pay all the ordinary taxes and assessments on the Remaining Real Estate during the continuance of her life estate term. However, special assessments for permanent improvements are not chargeable against the Life Tenant solely, they are to be equitably prorated between the remainderman and the Life Tenant.
4. Life Tenant may surrender her life estate in the Remaining Real Estate to Goshen at any time, which will extinguish her duties and responsibilities under Paragraph No. 3 of the Settlement Agreement.
  5. As part of its Kercher Road and State Road 15 Project, Goshen, at its expense, will be responsible for the reconstruction of the asphalt driveway and the reworking of the irrigation system at the Remaining Real Estate per the work description in Neal R. Worden's appraisal dated April 13, 2016.
  6. Upon execution of this Settlement Agreement, Goshen through its employees, agents and contractors, will have immediate access to the Real Estate to begin relocation of utilities, which relocation work will entail excavation work and removal of trees and other landscaping or improvements.
  7. Goshen and Gibson, and each of their successors, heirs, assigns, agents, and representatives, hereby release and forever discharge each other from any and all claims, demands, liabilities, causes of action, obligations, and damages whatsoever, whether or not now known, arising out of the condemnation litigation.

8. The parties acknowledge that this Settlement Agreement is a settlement of disputed claims and is not an admission of liability by any of the parties.
9. Goshen and Gibson each acknowledge and represent that this Settlement Agreement is signed without reliance upon any agreement, promise, statement, or representation by or on behalf of any party, except as set forth herein. Each of the parties acknowledges that no other party nor any agent or attorney of such other party has made any promises, representations, or warranties, whether express or implied, which are not contained in this Settlement Agreement. Each party has read this Settlement Agreement and the documents which will be signed in connection with it, and has had them fully explained by counsel, and is fully aware of their contents and legal effect.
10. This Settlement Agreement has been knowingly and voluntarily signed by the parties on advice of their respective counsel, and assumes all risks for claims which have arisen before or which will arise hereafter, whether known, unknown, foreseen or unforeseen, arising from the subject of this Settlement Agreement.
11. All parties agree to cooperate fully and execute any and all supplementary documents and to take all additional actions which may be necessary or appropriate to give full force and effect to the basic terms and intent of this Settlement Agreement.
12. This Settlement Agreement shall be construed in accordance with and governed by the laws of the State of Indiana.

13. In the event that legal action is brought to enforce or interpret the terms of and conditions of this Settlement Agreement, the proper venue for such action will be in a court of competent jurisdiction in Elkhart County, Indiana.
14. In the event that any provision of this Settlement Agreement is found to be invalid or unenforceable, then such provision shall be reformed in accordance with applicable law. The invalidity or unenforceability of any provision of this Settlement Agreement shall not affect the validity or enforceability of any other provision of this Settlement Agreement.
15. All provisions, covenants, terms and conditions of this Settlement Agreement apply to and bind the parties and their agents, heirs, representatives, successors and assigns, and shall survive the closing transaction on the Remaining Real Estate by the parties, specifically including but not limited to the duties and responsibilities of the Life Tenant in Paragraph No. 3 of this Settlement Agreement.
16. In any action of any kind relating to this Settlement Agreement, the prevailing party shall be entitled to collect reasonable attorneys' fees and costs from the non-prevailing party in addition to any other recovery to which the prevailing party is entitled.
17. This Settlement Agreement constitutes the entire agreement between the parties and supersedes all other agreements or understanding between Goshen and Gibson.

IN WITNESS WHEREOF, the parties have set their hands to this agreement.

“Gibson”

“Goshen”

City of Goshen, Indiana, by the  
Goshen Redevelopment Commission

Ann Watson Singer Gibson  
Jack M. Gibson, by POA  
Ann Watson Singer Gibson

BY:

\_\_\_\_\_  
Mark Brinson, its  
Community Development Director

Ann Watson Singer Gibson  
Ann Watson Singer Gibson

## EXHIBIT A

### Parcel No. 1:

Lot Number Twenty-two (22) in Martin Manor Addition, located in the Northeast corner of Section 28, Township 36 North, Range 6 East, as appears of record in Plat Book 3, Page 116 in the office of the Recorder of Elkhart County.

Subject to all conditions and restrictions which are incorporated in the Plat of said addition.

Subject to an easement over the South five (5) feet of said Lot and over the West five (5) feet of said Lot for utility purposes.

### Parcel No. 2:

A part of Lot Number 23 as the said Lot is known and designated on the Plat of Martin Manor Addition, a subdivision in Elkhart County, Indiana; said Plat being recorded in Plat Book 3, page 116 in the Office of the Recorder of Elkhart County and being more particularly described as follows:

Beginning at a rebar marking the Southeast corner of said Lot Number 23; thence North 00 degrees 01 minute 48 seconds West along the East line of said Lot Number 23 a distance of 141.91 feet (recorded as 141.85 feet) to the Northeast corner of said Lot Number 23; thence Southwesterly along the North line of said Lot Number 23, being on the arc of a 547.96 foot radius curve to the left, concave to the Southeast, a distance of 12.24 feet (chord bearing South 79 degrees 46 minutes 04 seconds West, chord distance 12.24 feet) to a rebar; thence South 04 degrees 57 minutes 23 seconds East a distance of 140.26 feet to the point of beginning of this description containing 855 square feet or 0.02 of an acre, more or less, being subject to all easements, restrictions and public rights of way of record.

## RESOLUTION 81-2016

### Authorize Negotiation and Execution of a Contract for Garage Door Replacement At Garage on Plymouth Avenue (south of Western Rubber)

WHEREAS three (3) quotes were requested to replace the garage doors on the Redevelopment-owned garage on Plymouth Avenue just south of the former Western Rubber property; and

WHEREAS two (2) quotes have been received and the third is anticipated to be received in advance of this meeting; and

WHEREAS it is recommended that the Goshen Redevelopment Commission award the contract to \_\_\_\_\_, and authorize Community Development Director Mark Brinson to negotiate and execute a Contract for replacement of the garage doors on the garage on Plymouth Avenue just south of the former Western Rubber property.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that:

1. The quote for replacement of the garage doors on the garage on Plymouth Avenue just south of the former Western Rubber property is awarded to \_\_\_\_\_.
2. Community Development Director Mark Brinson is authorized to negotiate and execute a Contract on behalf of the City of Goshen and the Goshen Redevelopment Commission with \_\_\_\_\_ that is consistent with their quote.
3. The execution of any such Contract shall be presented to the Redevelopment Commission for ratification at a subsequent Redevelopment Commission meeting.

PASSED and ADOPTED on July 12, 2016.

#### GOSHEN REDEVELOPMENT COMMISSION

---

Thomas W. Stump, President

---

Laura Coyne, Secretary



**Department of Community Development  
CITY OF GOSHEN**

204 East Jefferson Street, Suite 2 • Goshen, IN 46528-3405

Phone (574) 537-3824 • Fax (574) 533-8626 • TDD (574) 534-3185  
communitydevelopment@goshencity.com • www.goshenindiana.org

# Memorandum

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To: Redevelopment Commission

From: Becky Hershberger

Date: July 12, 2016

RE: Request to Negotiate and Execute a Contract for Garage Door Replacement at Garage on Plymouth Avenue (south of Western Rubber)

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The Redevelopment owns the garage on Plymouth Avenue just south of the former Western Rubber property. The above photo shows the current condition of the garage doors for this building. We requested three (3) quotes to have the doors replaced and have received two (2) and are expected the third by Tuesday. It is anticipated that this project will cost approximately \$3,000 based on the first two quotes. We will be bringing a recommendation to the meeting on Tuesday once the final quote is received and requesting authorization to proceed with a contract for this work.



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# Memorandum

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To: Redevelopment Commission

From: Becky Hershberger

Date: July 12, 2016

RE: Discussion – 409 S. 3<sup>rd</sup> Street Rental Property

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The Redevelopment Commission owns the property at 409 S. 3<sup>rd</sup> Street and it is currently an occupied rental. Property Management Services has indicated that there is a roof leak and received quotes to have it repaired. The flat rubber roof needs replaced as well as a section of the shingled pitch roof and the lowest quote received was \$3,625.36.

Prior to giving Property Management notice to proceed, we are requesting feedback from the Commission regarding long-term plans for this property. In 2015, our rental income for this property was \$3,719.00. It will take a full year of rental income to break even on the proposed roof repair. The current lease with the tenant runs through the end of March 2017 and the properties on both sides of this rental have been demolished in the past 2 years. If the Commission wishes to demolish it within the next year, our plan would be to temporarily patch the leaks with tarps while we look for an alternative rental for the tenants. If the Commission wishes to keep the rental viable, we will give Property Management authorization to proceed with the repairs.





## RESOLUTION 82-2016

### Approve Design Exception for South Link Road Project

WHEREAS it has been determined that maintenance of the drainage basins #1, #2 and #3 in the South Link Road Project would be easier if fencing was not installed around the drainage basins; and

WHEREAS the omission of the 4,435 feet of chain link fence and 3 gates results in a savings of approximately \$71,683.75; and

WHEREAS it is requested that the Redevelopment Commission approve the Level Three Design Exception to omit the fencing and gates surrounding the drainage basins #1, #2 and #3 in the South Link Road Project that is attached to and made a part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that the Level Three Design Exception to omit the fencing and gates surrounding the drainage basins #1, #2 and #3 in the South Link Road Project that is attached to and made a part of this Resolution is approved.

PASSED and ADOPTED on July 12, 2016.

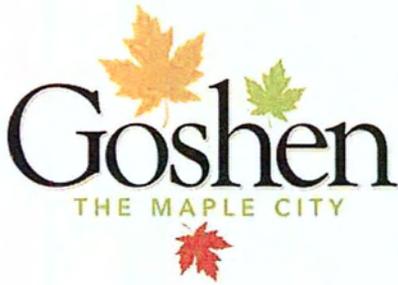
**Goshen Redevelopment Commission**

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Thomas W. Stump, President

---

Laura Coyne, Secretary



**Engineering Department  
CITY OF GOSHEN**

204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405

Phone (574) 534-2201 • Fax (574) 533-8626 • TDD (574) 534-3185  
engineering@goshencity.com • www.goshenindiana.org

## MEMORANDUM

TO: Goshen Redevelopment Commission

FROM: Goshen Engineering

RE: **SOUTH LINK ROAD FROM SR 15 TO REGENT STREET  
CONTRACT NO. R-34132  
DESIGN EXCEPTION TO OMIT FENCING AROUND DRAINAGE BASINS**

DATE: July 12, 2016

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Attached please find a Level Three Design Exception to omit the fencing and gates surrounding the drainage basins #1, #2 and #3 in the South Link Road project. The geotechnical investigation report indicates that the underlying soils of the all drainage basins are highly permeable and allow for rapid percolation of the storm water in the retention basin into the subsoil below, as long as the bottom of the basin is above the groundwater level for percolation to be possible, which is the case for Basins #1 and #2.

The groundwater level for Basin #3 rose slightly above the bottom of the excavation at the planned elevation shortly after the excavation was completed. As such, we are proposing the fill in Basin #3 with percolating soils to just above the ground water level elevation and plan on planting emerging wetland vegetation.

Maintenance of the drainage basins will be much easier with the Street Department's mowers, if the fencing was not installed.

The omission of the 4,435 feet of chain link fence and 3 gates results in a savings of approximately \$71,683.75.

We are requesting the Redevelopment Commission's consideration and approval of this Level Three Design Exception to omit the installation of the fencing and gates surrounding the three drainage basins.



# EXHIBIT 1

## DESIGN EXCEPTION ANALYSIS

**Project No.:** 1005734  
**Des No.:** 1005734  
**Description:** South Link Road  
**Location:** Goshen, Indiana  
**Consultant:** JPR

**1. PROJECT DESCRIPTION:**

The proposed design project includes new road construction of South Link Road at a point approximately 1,332 feet north of the intersection of SR 15 and C 40 E; thence easterly approximately 1,700 feet on new alignment of South Link Road to the existing intersection of South Link Road and Regent Street, in Sections 27 and 28, Township 36 North and Range 6 E, in Elkhart Township, City of Goshen, Elkhart County Indiana

**2. DESIGN FEATURE:**

A level 3 design exception for omitting of the chain link fencing and gates surrounding drainage basins #1, #2, and #3, shown in Attachment #1.

The geotechnical investigation report indicates that the underlying soils of the all drainage basins are highly permeable and allow for rapid percolation of storm water in the retention basin into the subsoil below, as long as the bottom of the basin is above groundwater level for percolation to be possible, which is the case for Basins #1 and #2.

It is understood that the groundwater level for Basin #3 rose up slightly above the bottom of the excavation at the planned elevation shortly after the excavation was completed. As such, the City intends to fill in basin #3 with percolating soils to just above the ground water level elevation and proposes planting emerging wetland vegetation.

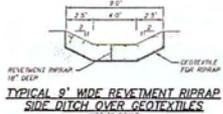
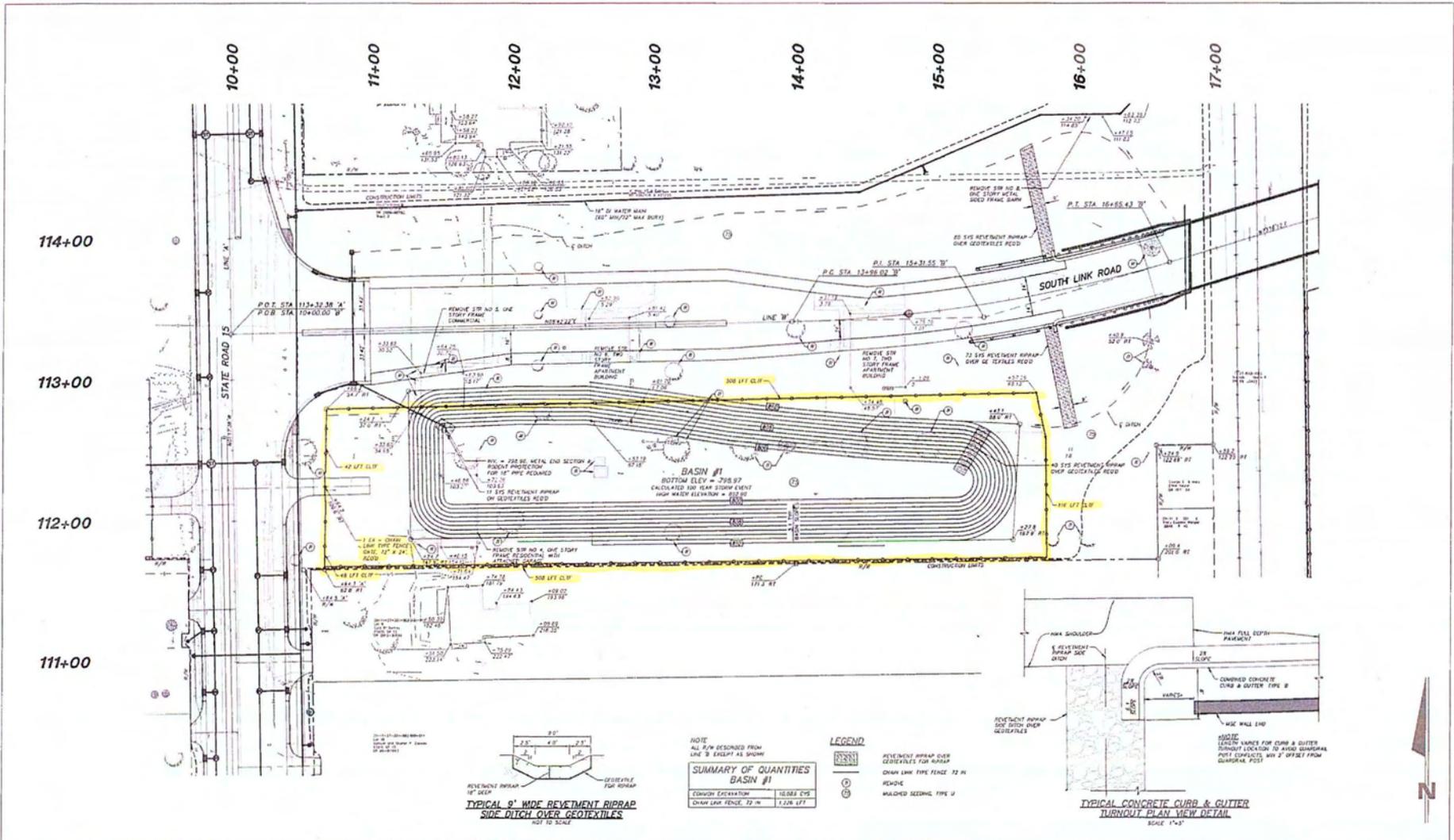
The geotechnical investigation report and on-site observations during construction supports the presences of underlying soils with a high percolation rate at the location of the basins for this project. As such, it can be anticipated that the time period when storm water ponding would occur in the basins will be significantly reduced.

**3. CONSTRUCTION COSTS:**

Omitting 4,435' of chain link fence and 3 gates results in a savings of approximately \$71,683.75.

72" Chainlink Fencing	4,435 LFT @ \$15.25	=	\$67,633.75
72" x 24' Chain Link Gates	3 Each @ \$1,350.00	=	\$4,050.00
<hr/>			
TOTAL =			\$71,683.75



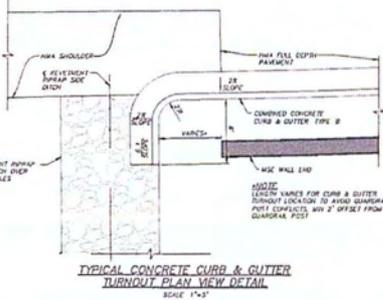


NOTE  
ALL R/W DESIGNED FROM  
LINE B ELEVATION AS SHOWN

SUMMARY OF QUANTITIES BASIN #1	
CONCRETE EXCAVATION	10.000 CYS
CHAIN LINK FENCE, 32 IN	1,238 LFT

LEGEND

	RIPPRAP APRON OVER GEOTEXTILES FOR RIPRAP
	CHAIN LINK FENCE, 32 IN
	RIPPRAP
	WASHED BEDDING, TYPE II



**JPR** JONES PETRIE RAFINSKI  
 PROFESSIONAL ENGINEERS & ARCHITECTS  
 411 South Lakeside Blvd  
 South Lakeside, OH 44088  
 P 419.222.0300



DESIGNED	MEW	DRAWN	DWK
CHECKED	CRP	CHECKED	MEW

RECOMMENDED FOR APPROVAL: *Mark E. Wilcox* 8/11/2011  
 DESIGN ENGINEER DATE

CITY OF GOSHEN  
 SOUTH LINK ROAD  
 DRAINAGE DETAILS  
 BASIN #1

HORIZONTAL SCALE	1" = 30'	BROGGE FILE	
VERTICAL SCALE	1" = 30'	DESIGNATION	1005734
SURVEY BOOK		SHEETS	34 of 107
CONTRACT	R-34132	PROJECT	1005734





## RESOLUTION 83-2016

### Approve and Authorize Execution of Change Order No. 3 with Phend & Brown, Inc. for the South Link Road Project

WHEREAS construction has begun on the South Link Road Project;

WHEREAS Change Order No. 3 proposes to omit the fencing and gates surrounding the drainage basins #1, #2 and #3 and the installation of emerging wetlands vegetation in drainage basin #3 for the South Link Road project; and

WHEREAS Change Order No. 3 decreases the contract by \$66,459.75. A copy of Change Order No. 3 will be attached to and made a part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Goshen Redevelopment Commission approves the terms and conditions of Change Order No. 3 with Phend & Brown, Inc. and the City of Goshen that will be attached to and made a part of this Resolution and Community Development Director Mark Brinson is authorized to execute Change Order No. 3 on behalf of the City of Goshen and the Goshen Redevelopment Commission.

PASSED and ADOPTED on July 12, 2016.

**GOSHEN REDEVELOPMENT COMMISSION**

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Thomas W. Stump, President

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Laura Coyne, Secretary

## RESOLUTION 84-2016

### Authorize Negotiation of a TIF Reimbursement Agreement for the Waterford Commons Business Park

WHEREAS the developers of the Waterford Commons Business Park PUD – Tract 2 have submitted a tentative timeline for the construction of the Business Park; and

WHEREAS the developers have requested to negotiate a TIF reimbursement agreement for the installation of the infrastructure (water, sanitary sewer, storm sewer and roadway) for the project; and

WHEREAS it is anticipated that a TIF reimbursement agreement can be negotiated and submitted to City Council for approval prior to the August Redevelopment Commission meeting; and

WHEREAS it is requested that the Redevelopment Commission authorize City staff to negotiate and execute a TIF Reimbursement Agreement for infrastructure with the developers of the Waterford Commons Business Park PUD – Tract 2 project.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that Community Development Director Mark Brinson is authorized to negotiate and execute a TIF Reimbursement Agreement on behalf of the City of Goshen and the Goshen Redevelopment Commission with the developers of the Waterford Common Business Park and the execution of any such Agreement shall be presented to the Redevelopment Commission for ratification at a subsequent Redevelopment Commission meeting.

PASSED and ADOPTED on July 12, 2016.

**GOSHEN REDEVELOPMENT COMMISSION**

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Thomas W. Stump, President

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Laura Coyne, Secretary

# RESOLUTION 85-2016

## Authorize Advertising for Bids for the Waterford Commons Business Park PUD – Tract 2 Project

WHEREAS the developers of the Waterford Commons Business Park PUD Tract 2 are working towards a TIF reimbursement agreement for the installation of infrastructure and would like to commence the construction of the infrastructure in August, 2016; and

WHEREAS the City of Goshen Engineering Department is requesting permission to advertise for bids for this project before the end of July, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that permission to advertise for bids for the Waterford Commons Business Park PUD – Tract 2 project is authorized.

PASSED and ADOPTED on July 12, 2016.

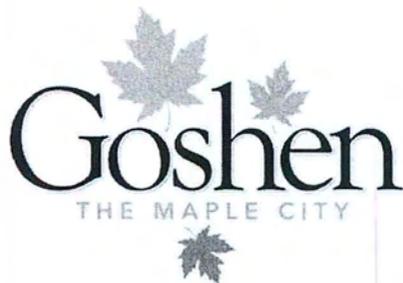
**GOSHEN REDEVELOPMENT COMMISSION**

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Thomas W. Stump, President

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Laura Coyne, Secretary



**Engineering Department  
CITY OF GOSHEN**

204 East Jefferson Street, Suite 1 • Goshen, IN 46528-3405

Phone (574) 534-2201 • Fax (574) 533-8626 • TDD (574) 534-3185  
engineering@goshencity.com • www.goshenindiana.org

## MEMORANDUM

TO: Redevelopment Commission

FROM: Mary Cripe, P.E.

RE: **WATERFORD COMMONS BUSINESS PARK PUD – TRACT 2**

DATE: July 12, 2016

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The developers of the Waterford Commons Business Park PUD Tract 2 are working towards a TIF reimbursement agreement for the installation of the infrastructure (water, sanitary sewer, storm sewer, and roadway) and would like to commence with the construction of the infrastructure in August 2016. We are requesting permission from the Redevelopment Commission to advertise for bids for the project with the anticipated timeline:

Friday, July 22 and 29 – Advertised for bids.

Monday, August 8 – Bids due and developer to provide payment before August 9 at 3pm.

Tuesday, August 9 – Redevelopment to award bid.

Monday, August 15 – Commence Construction.

The tentative project schedule is attached for the overall development of the Waterford Commons Business Park PUD Tract 2.

Thank you.



**Planning & Zoning Department  
CITY OF GOSHEN**

204 East Jefferson Street, Suite 4 • Goshen, IN 46528-3405

Phone (574) 534-3600 • Fax (574) 533-8626 • TDD (574) 534-3185  
planning@goshencity.com • www.goshenindiana.org

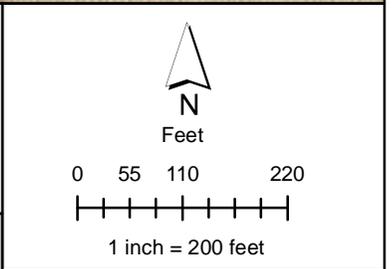
Waterford Commons Business Park: Tract 2  
Tentative Timeline\*\*  
June 23, 2016

- June 29 – Plan Commission filing deadline for major subdivision (primary approval), rezoning & PUD major change
- June 29 (noon) – Tech Review filing deadline for individual site plan review (for July 21 meeting) – requires site, landscape, lighting plans (or July 20 deadline for August 11 Tech Review)
- July 12 – Redevelopment approval of reimbursement agreement
- July 15 – Plans and bid specifications submitted to City for review (one week before final due date)
- July 18 – Board of Works Meeting, permission to advertise bids
- July 19 – Plan Commission meeting
- July 21 – Tech Review meeting for individual site plan review (this includes PUD final site plan review)
- July 22 – Plans & bid specifications ready
- July 22 & 29 – Bids advertised
- July 22 – Submit final subdivision for staff review (Planning/Engineering/Fire)
- August 2 – Council meeting (rezoning & PUD major change)
- August 8 – Board of Works Meeting, subdivision drainage plan & acceptance/dedication of ROW/easements (this is dependent on when final subdivision is submitted)
- August 8 – Bids due and developer to provide payment before August 9 at 3:00 pm
- August 9 – 3:00 pm, Redevelopment awards bid
- August 9 – Final subdivision plat signed by staff (assuming Board of Works has approved & all requirements of primary approval are met)
- August 10 – Final subdivision plat picked up and recorded, property may transfer after plat is recorded
- August 11 – Recorded plat copies provided to City
- August 12 – Zoning clearance forms signed for individual sites (assuming all site plan approvals are in place); this allows building permits to be obtained provided all building requirements are met
- August 15 – All permits in place to begin construction (water, sewer, SWPPP)
- August 15 – Start construction

**\*\*PLEASE NOTE: Timeline does not factor in any required revisions and may vary based on the actual date submittals are made. It does not include building plan review.**



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**65706 SR 15**

**The City of Goshen**  
 Department of  
 Planning & Zoning  
 204 East Jefferson Street, Goshen, Indiana 46528  
 Phone: 574-534-3600 Fax: 574-533-8626

2015  
 Aerial Photo

# GOSHEN REDEVELOPMENT COMMISSION

## Register of Claims

The Goshen Redevelopment Commission has examined the entries listed on the following Itemized Expenditure Reports for claims entered from June 15, 2016 through July 7, 2016 and finds that such entries are allowed in the total amount of \$296,941.36.

APPROVED on July 12, 2016.

Goshen Redevelopment Commission

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Laura Coyne

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Thomas Stump

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Vince Turner

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Brett Weddell

---

Adam Scharf

# GOSHEN REDEVELOPMENT COMMISSION

## Itemized Expenditure Report

**Claims from 6/15/16 through 7/7/16**

Invoice Date	Payee	Description	Claim #	Line Number	Amount
5/18/2016	Weaver Consultants Group	RR Drive Project - Millrace Neighborhood Field Compa	1477	480-560-00-431.0502	\$705.00
5/27/2016	DLZ Indiana, LLC (04710)	South Link Road & Bridge Construction Project	1471	473-560-00-431.0502	\$24,199.00
5/31/2016	Brads-Ko Engineering & Surveying (01065)	RR Drive Project - Co-Housing Site Fill Detailed Analysi	1475	480-560-00-431.0502	\$682.50
6/3/2016	Mark Brinson (06374)	Meal Reimbursement - Regional Cities Meeting w/Mayo	1458	406-560-00-432.0301	\$70.95
6/9/2016	Keramida, Inc.	RR Drive Project - Millrace Co-Housing Phase I	1465	480-560-00-431.0502	\$2,000.00
6/10/2016	CHA Consulting, Inc. (06860)	9th Street Multi-Use Path Project	1473	230-510-00-444.2020	\$11,439.52
6/20/2016	Jerry Reed's Excavating, LLC (05793)	RR Drive Project - Demolition of 417 South 3rd Street	1476	480-560-00-442.0000	\$7,000.00
6/20/2016	Stiver's Lawn Care (06577)	Redevelopment Property Monthly Mowing	1468	406-560-00-431.0502	\$4,251.66
6/23/2016	Goshen, City of (for Redevelopment Payroll)	Cell Phone Stipend	1463	406-560-00-413.0700	\$25.00
6/23/2016	Goshen, City of (for Redevelopment Payroll)	FICA	1463	406-560-00-413.0100	\$402.76
6/23/2016	Goshen, City of (for Redevelopment Payroll)	Health Insurance	1463	406-560-00-413.0501	\$1,529.97
6/23/2016	Goshen, City of (for Redevelopment Payroll)	Medicare	1463	406-560-00-413.0200	\$94.19
6/23/2016	Goshen, City of (for Redevelopment Payroll)	PERF	1463	406-560-00-413.0300	\$922.46
6/23/2016	Goshen, City of (for Redevelopment Payroll)	Wages	1463	406-560-00-411.0130	\$6,373.35
6/24/2016	American Structurepoint, Inc. (03093)	Marion Branch Quiet Zone Project	1467	480-560-00-431.0502	\$345.00
6/24/2016	Bank of New York Mellon Trust Company, NA (053	Taxable Tax Increment Revenue Bonds of 2008	1461	324-560-00-438.0101	\$65,000.00
6/24/2016	Bank of New York Mellon Trust Company, NA (053	Taxable Tax Increment Revenue Bonds of 2008	1461	324-560-00-438.0201	\$102,690.00
6/24/2016	NIPSCO (00014)	211 E. Madison Street - Final Utilities Billing	1474	406-560-00-435.0101	\$36.78
6/24/2016	NIPSCO (00014)	211 E. Madison Street - Final Utilities Billing	1474	406-560-00-435.0201	\$32.10
6/26/2016	RGB Sales, LLC	RR Drive Project - Matthews site removal of dirt and stu	1466	480-560-00-442.0000	\$3,275.00
6/28/2016	Bank of New York Mellon Trust Company, NA (053	Paying Agent Fees - Redevelopment Authority Econom	1469	324-560-00-438.0300	\$1,350.00
6/28/2016	City of Goshen (0200)	Transfer to Bond Paying Agent Fees Line - 324-560-00-	1470	473-560-00-452.0000	\$1,350.00
6/29/2016	Appraisal Services (04812)	Appraisal of 109 West Pike Street - 3 Unit Apartment	1460	480-560-00-431.0502	\$850.00
6/29/2016	NIPSCO (00014)	324 W. Washington Street - Utilities	1474	406-560-00-435.0101	\$58.63
6/29/2016	NIPSCO (00014)	324 W. Washington Street - Utilities	1474	406-560-00-435.0201	\$32.10
6/30/2016	DLZ Indiana, LLC (04710)	Northwest Bike Trail Project	1459	480-560-00-431.0502	\$12,299.75
6/30/2016	DLZ Indiana, LLC (04710)	South Link Road & Bridge Construction Project	1471	473-560-00-431.0502	\$40,452.91
7/7/2016	Indiana Association of Cities & Towns (00180)	Annual Dues - Redevelopment Association of Indiana	1472	406-560-00-439.0301	\$125.00

Invoice Date	Payee	Description	Claim #	Line Number	Amount
7/7/2016	Goshen, City of (for Redevelopment Payroll)	Cell Phone Stipend	1464	406-560-00-413.0700	\$25.00
7/7/2016	Goshen, City of (for Redevelopment Payroll)	FICA	1464	406-560-00-413.0100	\$402.76
7/7/2016	Goshen, City of (for Redevelopment Payroll)	Health Insurance	1464	406-560-00-413.0501	\$1,529.97
7/7/2016	Goshen, City of (for Redevelopment Payroll)	Medicare	1464	406-560-00-413.0200	\$94.19
7/7/2016	Goshen, City of (for Redevelopment Payroll)	PERF	1464	406-560-00-413.0300	\$922.46
7/7/2016	Goshen, City of (for Redevelopment Payroll)	Wages	1464	406-560-00-411.0130	\$6,373.35
				<b>Total:</b>	<b>\$296,941.36</b>



# July, 2016 Redevelopment Staff Report

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**PROJECT: USEPA REVOLVING LOAN FUND (RLF) GRANT AWARDS**

## PROJECT DESCRIPTION

The City has received a revolving loan fund (RLF) grant (\$1,000,000) to be used for remediation projects from the USEPA. The funding is to be used for sites throughout Goshen to facilitate environmental cleanup and redevelopment projects. The RLF grant period expires July 31, 2016. At this point, we have applied for an extension from the USEPA for the project due to the obstacles we've encountered with the salvage yard acquisition. Discussions with the USEPA have indicated that we will be granted an additional 12 months.

## PROJECT UPDATE

We have loaned \$650,000 from the City to the Commission to utilize for the salvage yard property at 828/922 E. Lincoln Avenue. The last round of sampling is complete and the design work for the project is nearing completion. We are finishing all administrative documents and will keep the Commission updated on the project timeline. We still have a portion of funding available for petroleum impacted projects and are continuing to look for options for that funding.

---

**PROJECT: GOSHEN THEATER RENOVATION**

## PROJECT DESCRIPTION

Goshen Theater, Inc. is acquiring and renovating the Goshen Theatre building to serve as an Arts and Entertainment facility downtown.

## PROJECT UPDATE

The Elkhart County Community Foundation has announced that they will be awarding \$150,000 to the Goshen Theater project to fund building improvements and provide operating support.

Several projects been completed to allow the theater to be functionally used for performances. The most recently completed project was the replacement of the stage rigging. In addition, the Goshen Parks Department is renovating a space on the main floor to off dance classes for kids with disabilities.

Goshen Theater, Inc. has developed a renovation and operating plan for the project and has presented a funding request to the Commission. The Commission has given preliminary approval to issue bonds that would provide \$4 million in funding for the project. The funding commitment from the Commission is contingent on Goshen Theater, Inc. raising and additional \$9.7 million from other sources. A decision on funding from the Elkhart County Community Foundation and the Regional Development Authority should be made by August.

---

**PROJECT: NORTHWEST BIKE TRAIL CONNECTOR**

## PROJECT DESCRIPTION

The Northwest Bike Connector route will connect the northwest Goshen neighborhoods to the US 33 Commercial district, extending west along Bashor Road from US 33 to CR 17 and then north to US 33. Project is scheduled for a November 2017 letting date.

PROJECT UPDATE

Approval has been given for the environmental document, and DLZ is working on the Additional Information (AI) for the modified route. Right-of-way acquisition will commence in the Fall 2016, with construction anticipated in 2018.

The City received proposals from seven (7) engineering firms for the Construction Engineering (CE) phase of this project. City staff reviewed the proposals and requesting to enter into negotiations with Lawson Fisher.

The additional survey work has been acquired, and DLZ is processing the data to assemble the revised planned route. NEPA documentation has been started for the Additional Information (AI) for the environmental documentation.

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**PROJECT: MILLRACE TOWNHOMES AND FLATS**

PROJECT DESCRIPTION

The Redevelopment Commission approved a development agreement with developer David Mathews to construct townhomes along the millrace. Approximately 25 townhomes and flats will be constructed on the parcel situated north of Purl and south of Madison.

PROJECT UPDATE

The rezoning process of the land has been approved by the Plan Commission and City Council. In addition, the primary subdivision and site plan have also been approved by the Plan Commission.

In order to achieve environmental closure for the site, we have completed two rounds of sampling for the green space available for each residential unit. We received the data and all but one of the lots met closure standards for unrestricted residential closure. All remediation required by the IBP has been completed and we have submitted documentation to them to receive closure for the site. Matthews has indicated that they intend to break ground this month.

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**PROJECT: MILLRACE NEIGHBORHOOD, LLC DEVELOPMENT**

PROJECT DESCRIPTION

The Redevelopment Commission has selected the Millrace Neighborhood, Inc. as the developer for the parcel along the race located south of Purl and north of Douglas. This will consist of approximately 12 single family homes, featuring a common area that encourages interaction between residents.

PROJECT UPDATE

The rezoning and subdivision process is now complete for this development. They have been granted authorization to start the process of extending NIPSCO services into the development and grading to satisfy NIPSCO has been completed. The site work is substantially complete except for the area along the canal bank and the remediation completion documentation has been submitted to the Indiana Brownfields Program and they are working on a Site Status Letter to the City as the appropriate closure document and a Comment Letter to Millrace Neighborhood, LLC as the potential purchaser. It is expected that the City will be able to transfer the land to the developer within the next few months.

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**PROJECT: DOWNTOWN VAULT CLOSURE PROGRAM**

PROJECT DESCRIPTION

The Commission approved \$60,000 to fund the Downtown Vault Closure Program. The purpose of this program is to provide matching funds to close vaults located under sidewalks in the central business district.

PROJECT UPDATE

The Downtown Vault Closure Program will continue through 2016.

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**PROJECT: NORFOLK SOUTHERN RAILROAD CROSSING SAFETY IMPROVEMENTS PHASE II**

PROJECT DESCRIPTION

Federal Highway Safety Improvement Project (HSIP) funding was applied for the installation of new warning devices at two at-grade railroad crossing to improve safety and meet minimum Federal Railroad Administration (FRA) standards. The two crossings include: Jefferson Street and College Avenue.

PROJECT UPDATE

Norfolk Southern has completed the design engineering, and the construction funds would become available in July 2016.

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**PROJECT: RAILROAD QUIET ZONE FROM KERCHER ROAD TO LINCOLN AVENUE**

PROJECT DESCRIPTION

Establishment of a Quiet Zone along the Norfolk Southern Railroad Marion Branch from potentially CR 40 to Lincoln Avenue.

PROJECT UPDATE

Here is the updated schedule for the implementation of the Quiet Zone:

- August 2017 – Traffic counts to be done at each of the railroad crossings.
  - November 2017 – Submit the Public Authority Application (PAA) to Federal Railroad Administration (FRA) for review, which typically takes 12 months.
  - July 2018 – Madison Street will become a local street and safety improvements can be implemented at this crossing, which is anticipated to cost approximately \$400,000.
  - Spring 2019 – Installation of signs and delineators at the railroad crossings.
  - June 2019 – Railroad Quiet Zone is anticipated to be “in-service”.
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**PROJECT: NINTH STREET TRAIL FROM COLLEGE AVENUE TO PURL STREET**

PROJECT DESCRIPTION

New bicycle and pedestrian trail construction along Ninth Street from College Avenue and Purl Street. The project is scheduled for a January 2019 letting.

PROJECT UPDATE

We are working through the alignment of the trail with Norfolk Southern about moving the power poles into an easement on Norfolk Southern's property. The design consultant is preparing a cross section to submit to Norfolk Southern for review and approval/denial.

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**PROJECT: STEURY AVENUE RECONSTRUCTION AND STORMWATER DETENTION AREA**

PROJECT DESCRIPTION

This project has grown out of the recent improvements along the Steury Avenue corridor with the expansion of GDC, Lions Head, the Goshen Street Department and the Goshen Central Garage. The roadway corridor no longer supports the additional vehicle loads and has been chip and sealed to extend the service life of the current pavement. The intersection of Steury Avenue and State Road 4 has small turning radiuses, which causes semi-traffic serving the corridor to make wide swings onto and off of Steury Avenue and State Road 4. Drainage is effectively non-existent along the roadway corridor and there are limited opportunities to improve the drainage without looking outside the corridor. In addition to the functionality of the roadway, the roadway's appearance does not reflect the investment the adjoining companies have made on their properties.

The current plan is to reconstruct Steury Avenue from State Road 4 north 1,450-feet to the first roadway bend to the right. The new roadway cross section will have a thicker pavement section to support the additional vehicle traffic and curb and gutter to control stormwater water runoff. A new storm sewer will be constructed that directs stormwater to State Road 4 where several properties will be purchased, on the south side of State Road 4, to allow for the placement of a detention pond. The new detention pond will have an overflow release to Rock Run Creek.

PROJECT UPDATE

Per the court, the previous tenant is to vacate the property by June 10<sup>th</sup>. At that time, anything remaining becomes the possession of the City.

To date, we have completed all necessary design sampling and have received approval from the USEPA and Indiana Brownfield Program for our remediation plan. Abonmarche has made a few modifications to the design and plans have been submitted to the City for final review and approval. It is anticipated that staff will meet with Abonmarche and ECT in the coming weeks to review final details and confirm the project timeline.

Administrative documents for the USEPA grant are nearly complete. Within the past two months, we've submitted the necessary documentation to the State Historic Preservation Office, we've completed an Endangered Species Analysis, finalized our Community Relations Plan, prepared our Analysis of Brownfields Cleanup Alternatives and plan to have a 30 day public comment period beginning next week. We will also be holding a neighborhood meeting this month. We've received necessary approvals from the US Army Corps of Engineers and also DNR for Construction in the Floodway. We've been granted BZA approval for our work in the floodway, as well.

An extension request has been submitted to the USEPA and we have been provided with verbal confirmation that we will be granted an additional 12 months. We are awaiting the written approval of our request.

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**PROJECT: SOUTH LINK ROAD CONSTRUCTION**

PROJECT DESCRIPTION

South Link Road will be extended from SR 15 east to Regent Street, and will include an overpass over the railroad tracks along with a traffic signal at the new intersection with SR 15. This is an extension of the existing Waterford Mills Parkway constructed in 2010 from CR 27 to Regent Street. The construction completion date is July 2017.

PROJECT UPDATE

Frontier is currently relocating their facilities. Comcast and Quality Cablevision relocations will start later this month. All utility relocation will be complete by September 2016.

Phend & Brown will be working on the roadway improvements along the west side of SR 15 while traffic is maintained on temporary pavement along the east side of SR 15. JCI Construction is starting the construction on the foundation and MSE wall construction.

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**PROJECT: INTERSECTION IMPROVEMENT AT STATE ROAD 15 & KERCHER ROAD**

PROJECT DESCRIPTION

A partnership between the Indiana Department of Transportation (INDOT), Elkhart County and the City of Goshen has been formed to improve the intersection of SR 15 and Kercher Road. Improvements will include a left turn lane, through lane, and a right turn lane on every approach to the intersection along with a 10-foot sidewalk/trail to provide connectivity to the Winona Trail along the railroad. The construction along Kercher Road will commence at Islandview Drive and extend to the Winona Greenway Trail/Railroad.

PROJECT UPDATE

A purchase agreement has been made for the last parcel of land required for the construction of this project. Elkhart County will be advertising for bids for this project in July 2016, and construction will commence in mid-August 2016. The City is working with INDOT on an Interlocal Agreement for the funding partnership and the permitting of the project.

With the new construction schedule for the South Link Road project, the schedule for this project has been modified, too. Construction is anticipated to begin during the Summer 2016 on the east side of SR 15 along with the new traffic signal equipment and the storm water detention facility in the southwest quadrant of the intersection. This construction will allow for traffic flow, especially truck traffic, to flow through the intersection much easier. Kercher Road west of SR 15 will be reconstruction in 2017, when the Kercher Road/CR 38 bridge is closed for construction. Construction is anticipated to be complete in Fall 2017.

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**PROJECT: KERCHER ROAD RECONSTRUCTION FROM RAILROAD TO DIERDORFF ROAD**

PROJECT DESCRIPTION

Improvements to Kercher Road from the Railroad to Dierdorff Road will include one lane in each direction and a center left turn lane, curb and gutter along with storm sewer, and a 10-foot sidewalk/bicycle trail along the south side of the roadway. The intersection at Pine Manor Drive and Industrial Park Drive will be aligned to allow for safe turning movements. This project has a letting date of February 2018.

PROJECT UPDATE

We are currently in the Environmental Document phase of this project, and anticipate the public hearing date to be in August 2016. Right-of-way acquisition will commence in Fall 2016, and there are 56 parcels requiring land acquisition.

The City received proposals from seven (7) engineering firms for the Construction Engineering (CE) phase of this project. Currently, city staff are reviewing and requesting permission to commence with negotiations with Lochmueller Group.

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**PROJECT: KERCHER ROAD RECONSTRUCTION FROM DIERDORFF ROAD TO US 33**

PROJECT DESCRIPTION

Improvements to Kercher Road from Dierdorff Road to US 33 will include one lane in each direction and possibly a center left turn lane, curb and gutter along with storm sewer, and a 10-foot sidewalk/bicycle trail along the south side of the roadway. This project has a letting date of February 2020.

PROJECT UPDATE

FMIS approval was granted by Federal Highway Administration for the Preliminary Engineering (PE) portion of this project. A scoping meeting was held on Tuesday, May 24, with INDOT and DLZ representatives. DLZ is currently working on the Stage 1 plans.

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**PROJECT: KERCHER ROAD RETENTION AREA**

PROJECT DESCRIPTION

Development of a plan for a stormwater retention area on the north side of Kercher Road, just east of the railroad tracks. This project will address some of the flooding problems in the Goshen Industrial Park.

PROJECT UPDATE

The Kercher Road retention area project is underway. The contractors anticipate being completed with the pond within the next several weeks. The area will be stabilized once earthwork is complete.

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**PROJECT: PLYMOUTH AVENUE FOXBRIAR DRIVE WATER MAIN LOOP**

PROJECT DESCRIPTION

The project will loop an existing dead-end water main on Foxbriar Drive into the existing water main on Plymouth Avenue. The water main loop will improve fire flow and water quality for the residential homes and businesses in the area.

PROJECT UPDATE

The water main extension is designed, but a right-of-way/easement issue was encountered. The design calls for the placement of the new water main to be beneath the existing pedestrian path, along the south side of Plymouth Avenue. There is insufficient language to permit the water main to be placed within the existing easement; therefore, a new easement is required. Brads-Ko Engineering and Surveying has completed the easement description. Goshen Legal Department has completed the agreement and the Goshen Engineering Department has acquired the easement.

An INDOT permit will be sought and the project will go to bid in the spring of 2016 for construction in the spring/summer of 2016.

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**PROJECT: HORN DITCH TWO-STAGE FROM COUNTY ROAD 31 TO COLLEGE AVENUE (C.R. 38)**

PROJECT DESCRIPTION

The industrial corridor between Kercher Road and College Avenue has been plagued with flooding from the drainage basin funneled into the Horn Ditch even before development occurred in the area. In 2005, the City and County developed a plan to take the existing ditch banks along Horn Ditch between County Road 31 and College Avenue and widen them to allow for the containment of the 100 year flood. Flood containment eliminates property damages and increasing the value of the industrial land. At the time, consensus between all the property owners could not be obtained and the project was shelved. Plans currently being developed by Supreme Corporation to consolidate operations have initiated new discussion and renewed interest in the two-stage ditch project.

The engineering estimate was \$1.3 million with a total project budget of \$1.7 million dollar being considered for negotiation purposes. Public funding of \$1 million dollars has been developed with another seven hundred thousand to come from private business along Horn Ditch. Businesses that participated in the construction project were offered reimbursement through TIF revenues from new development that occurs in the area.

PROJECT UPDATE

Construction of this project is complete. The next step in this project is to establish the new floodplain boundaries along this ditch corridor. Per an e-mail received from the County Surveyor on 1/04/16, Mr. Doriot is working with DNR to begin the mapping and submittals necessary to redefine the floodplain boundary.

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**PROJECT: FORMER WESTERN RUBBER SITE**

PROJECT DESCRIPTION

No development plans are in place for the parcel at this time. The remediation activities are complete at the site and we have received environmental closure.

PROJECT UPDATE

Staff is discussing the property with potential purchasers and will bring a proposal to the Commission at the appropriate time.

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**PROJECT: GOSHEN INN - 1375 LINCOLNWAY EAST**

PROJECT DESCRIPTION

The former Goshen Inn, located at 1375 Lincolnway East, has been vacant for a number of years and has become a blighted property. The property was scheduled to be sold at tax sale by the County, but an agreement between the County and the Goshen Board of Works allowed the County to transfer the property to the City through the issuance of tax sale certificates. This agreement was approved by the Board of Works in May of 2013, but the actual issuance of tax certificates was delayed due to appeals by the property owner.

Although the Board of Works has the authority to sell the property, it must follow the statutory process which requires the property to be sold to the highest bidder. The Redevelopment Commission by statute has much more flexibility to sell property and can establish a request for proposals that includes specific selection criteria. By selling the property through the Redevelopment Commission, project proposals to be more broadly evaluated to determine which proposal has the most positive impact on the community, regardless of the offering price.

PROJECT UPDATE

The City has received the deed for this property and we now have title. Work is being completed to properly secure the building and keep it safe. The Commission issued Request for Proposals and five (5) were received at the June 2016 meeting. Interviews will be held with the Committee and selected proposal groups in the coming weeks and it is anticipated that a recommendation will be made to the Commission in July or August.

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**PROJECT: DOWNTOWN UPPER STORY FEASIBILITY STUDY**

PROJECT DESCRIPTION

The City of Goshen, Indiana Landmarks and Downtown Goshen Inc. are working together to complete a feasibility study for the development of upper story spaces in the downtown. The Redevelopment Commission has contributed a \$3,000 grant to help fund the project.

PROJECT UPDATE

An intern for Indiana Landmarks has completed an inventory of all upper story spaces in the buildings that face Main Street in the downtown. The feasibility phase of the project is currently underway.

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**PROJECT: JOHNSON CONTROLS EMERGENCY RESPONSE REMEDIATION PROJECT**

PROJECT DESCRIPTION

In January 2015, the presence of asbestos was confirmed at the former Johnson Controls property. IDEM requested USEPA assistance in addressing the threat to the adjacent neighborhood and USEPA has begun the process of implementing an emergency response at the site.

PROJECT UPDATE

USEPA has fenced off the property, posted signs regarding the presence of asbestos containing materials (ACMs) and have secured all debris piles with either plastic tarps or a foam material. They have submitted their Action Plan for approval regarding remediation activities and anticipate beginning cleanup efforts this summer.