

GOSHEN REDEVELOPMENT COMMISSION

Minutes for the Regular Meeting of February 14, 2017

The Goshen Redevelopment Commission met in a regular meeting on February 14, 2017 at 3:00 p.m. in the City Court Room/Council Chambers at the Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana.

CALL TO ORDER/ROLL CALL

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

Present: Laura Coyne, Felipe Merino, Adam Scharf, Thomas Stump, Vince Turner, and Brett Weddell

Absent: None

APPROVAL OF MINUTES

A request was made by Commissioner Scharf to make the following amendments to the January 17, 2017 meeting minutes:

1. Resolution 06-2017 - The vote should be 4-0 because Commissioner Scharf abstained from voting.
2. Commissioner Scharf would like to delete the first sentence under Presentations (formerly Resolution 08-2017)

A motion was made by Commissioner Weddell and seconded by Commissioner Scharf to approve the minutes of the January 17, 2017 regular meeting, as amended.

The motion was adopted unanimously.

PROPOSALS:

Commissioner Tom Stump read the names of the candidates for the new Arts Coordinator Position and they are as follows: J&B Event Marketing, enFocus, Richard H. Hooton, Miranda Beverly-Gill, Mindy Migedt, Shae Miller, Amy Worsham and Zachary N. Tate.

Introduction by Commissioner Stump of the new member to the Commission, Felipe Merino. Mr. Merino replaces Cathie Cripe on the School Board and the Commission.

UNFINISHED BUSINESS

- a) **Resolution 11-2017 – Ratify John Ward Concrete, Inc. Contract for Lincoln Ave. & Steury Ave. Intersection Improvements & Storm Water Basin**

Mark Brinson, Community Development Director, explained that this contract was awarded to John Ward Concrete Inc. at the January meeting and this Resolution ratifies the signing of the agreement.

A motion was made by Commissioner Weddell and seconded by Commissioner Turner to approve Resolution 11-2017.

The motion was adopted unanimously.

b) Resolution 12-2017- Ratify Contract with Jerry Reed Excavating for Demolition Project at 311 East Kercher Road

Mark Brinson, Community Development Director, explained that this agreement was previously awarded by the Commission and the purpose of this Resolution is to ratify execution of that agreement.

A motion was made by Commissioner Weddell and seconded by Commissioner Turner to approve Resolution 12-2017.

The motion was adopted unanimously.

c) Resolution 17-2017- Approval of Agreement with Abonmarche Consulting to update the Dierdorff Road and Ardmore Ct. Intersection Design

Dustin Sailor, City Engineer, explained that this was the Agreement approved at the January meeting to proceed with the design of the intersection at Dierdorff Road and Ardmore Ct. the purpose of this Resolution is to approve the contract fee of \$11,500.00.

A motion was made by Commissioner Turner and seconded by Commissioner Weddell to approve Resolution 17-2017.

The motion was adopted unanimously.

NEW BUSINESS

a) Resolution 13-2017 – Approve and Authorize Execution of Indemnity Agreement with Goshen Band Boosters for use of Real Estate

Mark Brinson, Community Development Director, presented a request from the Goshen Band Boosters to use the property formerly owned by Western Rubber for overflow parking during the Marching Band Invitational set for Saturday, February 18, 2017.

A motion was made by Commissioner Weddell and seconded by Commissioner Coyne to approve Resolution 13-2017.

The motion was adopted unanimously.

b) Resolution 14-2017 - Approve Request for Engineering to Advertise for Bids for the CR 40 Sanitary Sewer Extension

Dustin Sailor, City Engineer, explained that there was a design review meeting on Friday, February 10th, with JPR. The Engineering Department had a number of comments regarding the design and because of that JPR will not be ready to bid the project this month. There were concerns with utility conflicts on US 33 and the level of those conflicts needs to be worked out before it can be put out to bid. Engineering is requesting that this Resolution be tabled until March.

A motion was made by Commissioner Weddell and seconded by Commissioner Coyne to table Resolution 14-2017.

The motion to table was approved unanimously.

c) Resolution 15-2017 - Approve Request from Engineering to Advertise for Bids for the CR 40 Sanitary Sewer Extension

Dustin Sailor, City Engineer, explained that this project, unlike the previous CR 40 project, will proceed as planned. Engineering met with the designer on Friday, February 10, 2017, and they will be ready to bid on the project Friday, February 17, 2017. This project is critical to Keystone to allow them to complete their second building.

A motion was made by Commissioner Weddell and seconded by Commissioner Coyne to approve Resolution 15-2017.

The motion was adopted unanimously.

d) Resolution 16-2017 - Approve Request from Engineering to Advertise for Bids for Dierdorff Road Reconstruction at Ardmore Ct.

Dustin Sailor, City Engineer, explained that this request refers back to a portion of construction on the subdivision at Waterford Commons, Tract Number 2. There was a portion of the project not included in the plan on Dierdorff Road. The utility poles have been relocated and the gas main that was in conflict with the design has been relocated as well. The design is ready to go out this Friday, February 17, 2017, for bid.

A motion was made by Commissioner Weddell and seconded by Commissioner Coyne to approve Resolution 16-2017.

The Motion passes with a vote of 4-1. Commissioner Adam Scharf voted no.

e. Resolution 18-2017 - Negotiation & Execution of a Contract for Kercher Road Reconstruction from the Railroad to Dierdorff Road

Dustin Sailor, City Engineer, explained that the wording on the Resolution should be changed to Professional Services Contract due to the fact that it is too early in the process.

Motion was made by Commissioner Weddell and seconded by Commissioner Turner to change Resolution 18-2017 to Professional Services Contract and the motion to change the title was adopted unanimously.

Dustin discussed the need to determine if there are any unmarked grave sites close to the intersection at Kercher Road and Dierdorff Road. The best way to determine if there are grave sites is to use ground penetrating radar. In addition there will also need to be survey work done. He indicated that there was an initial bid on this project at \$11,480.00 and that this amount does not include the survey cost. There was discussion by the Commission on whether or not it was necessary to keep the dollar amount in the Resolution, due to the fact that we were still in the bidding process.

A motion was made by Commissioner Scharf and seconded by Commissioner Weddell to amend the Resolution to omit the "not to exceed" and dollar amount in the body of the resolution.

The motion to amend was adopted unanimously.

A motion was made by Commissioner Weddell and seconded by Commissioner Coyne to approve Resolution 18-2017.

The motion was adopted unanimously.

f. Resolution 19-2017- Request to Negotiate and Execute an Agreement with Clark Farms Aggregates for Soil Disposal for the Salvage Yard Project

Becky Hershberger, Brownfield Coordinator, explained that the salvage yard property has been identified as a brownfield and as such any contaminated soil that leaves that site must go to a certified landfill. Extensive testing has been done on the property and there are some areas that are not contaminated and do not meet the brownfield

requirements but the soil itself is not ideal (rocky and areas of debris) and will not allow growth in the future. There is some soil that will need to go to the landfill even though it is not technically contaminated. Clark Farms has approached Redevelopment as they are in the process of reclaiming their gravel pit and would be interested in accepting our material for a lesser price (anything considered non-contaminated). She indicated that quotes have been requested from two other gravel pits in Elkhart County within comparable distance, because of trucking costs associated with the bid. Neither were interested in the material. Part of the quote requires that they will not take it to any other site and that it will remain in their pit. Clark has quoted \$13.00 per ton and the land fill is \$18.60 per ton, which is a substantial savings. There is approximately 4,500 tons of material taking in to account that all of that tests clean in the field. She indicated that there will be consultants there at the site making the final determinations and making sure there is no impacted soil taken anywhere other than the landfill. Redevelopment is requesting approval to enter into an agreement with Clark Farm Aggregates to take any non-contaminated, but not usable soil, to their pit as opposed to the County Landfill.

The Commission expressed its concern in taking the soil somewhere beside the landfill. There was opposition in allowing Clark Farms to take the soil to their facility due to future liability to the City. Commissioner Stump is concerned with the liability the City may incur if something happened in the future with the contaminated soil on Clark Farms property. Commissioner Stump suggested that it would be better to have the soil sent to the landfill and alleviate any liability they City may incur.

A motion to table Resolution 19-2017 was made by Commissioner Coyne and seconded by Commissioner Scharf.

The motion to table Resolution 19-2017 was agreed upon unanimously.

Discussion on Hartzler invoices:

Dustin Sailor, City Engineer, explained that the original agreement between the Redevelopment Commission and Mr. Hartzler was for \$81,622.00, which was for the restoration of the side yard of his property. Mr. Hartzler submitted an invoice at the end of 2015 for \$17,000.00. The contractor that was hired for this project was not able to satisfy Mr. Hartzler as far as yard restoration and subsequently the grading was taken out of the contract. The contract was amended to an agreed upon restitution of \$92,788.19 which brings a total of \$75,749.61 still owed on this agreement and Mr. Hartzler has all of the receipts for the work that has been done on the property. Mr. Hartzler claims that there are additional things he would like to have done to the property, but he is only asking for the remaining agreed upon amount. There was discussion among the Commissioners and since the amendments to the original agreement were due to the contractor not fulfilling his part of the contract, the Commission agreed to compensate for the additional cost. It was decided, by the Commission, to approve the final amount to be paid to Mr. Hartzler of \$75,749.61

Discussion on 9th Street:

Dustin Sailor, City Engineer, explained that Engineering had a 9th Street focus meeting prior to coming to the Redevelopment Commission meeting. The focus meeting was in preparation for the meeting next week to discuss the bike path and multi-use pedestrian path between Purl Street and College Avenue. This project is a transportation enhancement fund project and the original plan was based on the Shrewsbury Development which included a corridor plan. There are two option plans to present to the public and after that meeting hopefully we can proceed with one of those plans after the public meeting. The meeting is scheduled for Wednesday, February 21st at 8th Street Mennonite Church.

APPROVAL OF REGISTER OF CLAIMS

A motion was made by Commissioner Weddell and seconded by Commissioner Coyne to approve payment of the Register of Claims totaling **\$349,760.16**.

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

Traffic study: Dustin Sailor, City Engineer, explained there was a meeting with consultant and it was determined that the study should be sent to INDOT first before bringing it to the Commission. At this time he is waiting for a response from INDOT and as soon as he gets it he will bring it to the Commission

ANNOUNCEMENTS

It was announced that the next regular meeting is scheduled for March 14, 2017 at 3:00 p.m.

ADJOURNMENT

A motion was made by Commissioner Weddell and seconded by Commissioner to Coyne to adjourn the regular meeting at 4:09 p.m.

APPROVED on March 14, 2017.

GOSHEN REDEVELOPMENT COMMISSION

Thomas W. Stump, President

Laura Coyne, Secretary