

GOSHEN REDEVELOPMENT COMMISSION

Minutes for the Special Meeting of January 30, 2018

The Goshen Redevelopment Commission met in a special meeting on January 30, 2018 at 5:30 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: Andrea Johnson, Jose Elizalde, Adam Scharf, Thomas Stump, Vince Turner and Brett Weddell

Absent: None

OLD BUSINESS

Resolution 77-2017 – Approve and Authorize Execution of Agreement with Scott Sivan – River Art, LLC for the Lease and Development of Real Estate

(4:32) Commissioner Stump reviewed with the Commissioners modifications to the agreement shown in the updated Agreement provided to the Commission at the meeting.

Motion was made by Commissioner Weddell and seconded by Commissioner Turner to Amend Resolution 77-2017 and to approve the changes to the agreement with Scott Sivan –River Art, LLC as presented.

The motion was adopted unanimously.

(8:00) Larry Barkes, City Attorney, explained the version last reviewed and what went out in the packet is different. The red lined copy was not provided in the packet.

(8:38) The Commissioners discussed the updated Agreement.

Commissioner Stump opened the floor to questions from the audience.

(34:49)Dr. Elaine Bigler, owner of the property at 210 W. Washington Street. Her concern is accessing the east/west alley when project is done or during all the construction. Dr. Bigler is also worried about utilities and sewage during construction. When these changes are happening, it's going to influence if her office can be open.

(39:47) Rick Crowder, owner of the law office on Third Street, shares the same concerns as Dr. Bigler regarding utilities and had sewer issues. He has fiber optics from New Paris Cable and it is vital to his operations to keep that internet line intact. Additional concerns are any temporary restrictions to and including the east/west alley since it is the only access to his parking at the west. He also uses the west door to his building for ADA and tenants park in that lot and he wants to ensure they do not lose access.

A motion was made by Commissioner Turner and seconded by Commissioner Weddell to approve Resolution 77-2017.

The motion was adopted unanimously.

Resolution 04-2018 – Approval of a Task Order Based Agreement with Traffic Engineering Consultants (TEC) for Traffic Analysis Services related to the River Race Redevelopment Area

(44:26) Dustin Sailor, City Engineer – explained that after last meeting Engineering went back and held a meeting with TEC. Who has intimate knowledge of City of Goshen's traffic. The firm is not taking new clients at this time, but agreed to come back and work with us. They are not only contracting for redevelopment but a task order based agreement to be shared with city of Goshen and Redevelopment. BOW has approved this with a not to exceed fee of \$5,000.00 for review of Third Street and the River Race corridor.

A motion was made by Commissioner Scharf and seconded by Commissioner Turner to approve Resolution 04-2018.

The motion was adopted unanimously

NEW BUSINESS

(48:20) Commissioner Stump stated that the two resolutions have to do with incentives that the City is going to provide to Lippert and D-Act-Z, the two companies listed on the agreement, if it is determined by the City Council that it is in the City's best interest to annex the properties. It is not the decision of this Commission whether or not to annex the properties. It is our decision at this point, to decide what we will do for them and what they will do for us, if the annexation is approved. We will only hear comments relevant to our role in the process regarding these two agreements. The time to talk about the actual annexation is at the City Council Meetings.

Resolution 05-2018 – Approval of Annexation agreements with Lippert Components Mfg. Inc.

(50:36) Larry Barkes, City Attorney explained that both resolutions are the same except the names and that their roles are flipped. The agreement is designed that whichever developer goes first they will provide the funding for the water main to go from the present location on College east to US 31 and then south and come back west on Century Drive to connect to our existing water main. The second part is an extension of sanitary sewer east from its location to the east side of the D-act-Z property on College. The third is improvements to College Avenue adding curb and gutter and a 10' sidewalk on one side of the road. All of this will be funded initially by the first developer. If the second then begins, they will contribute their portion of the funds to the other developer. In the longer term, we are agreeing to set up an Economic Development Area, a TIF, to then reimburse for the costs from the funds, TIF generated by these projects specifically. The period of time is determined by how much development occurs. We will reimburse 50% of any new revenue generated per year to pay back the developer.

(54:10) Commissioner Stump opened the floor to the Audience

(54:18) – Diane Yoder, Goshen County Resident- prepared a statement about the annexation as well as the land being developed and asked for leave to be able to plead her case. She explained that she read the annexation contract and believes that it should not proceed, at the very least the process should be slowed down. There are unanswered questions about the sidewalks and she has questions about the ditches and whether they were under the jurisdiction of the County. She commented on how high the water table is and that the soil is very sandy causing flooding issues. This is the reason this land has never been developed. She feels the City needs to evaluate if this project is cost effective. Expanding city is not always a good thing and she is not in favor of the annexation.

(56:40) Commissioner Stump reiterated his original statement that we are here to talk about the financial agreements and not the pros and cons of the annexation. That should be addressed at the City Council Meeting.

(57:40) – Steve Barton, a resident at Spring Brooke. He wanted to address the storm water retention. The existing Lippert plan on east side of rail road tracks is not keeping runoff from their facilities in good repair. There is a lot of spilling into the drainage ditch and this should be addressed. He explained that he realizes that Lippert is a significant community partner and he is not trying to prevent this, but he would like to ensure they are kept in line.

(1:00:24) Pamela Wieshupt – wondered why are the commission was voting on something before it's been approved by city council.

Larry Barkes explained that it was passed at the first reading by the City Council. He further explained that it is not unusual or improper to first go to Redevelopment and then Council. It is more common than the other way. As far as the Statute both have to occur and no requirement for one before the other. Both have to pass before final reading at Council.

(1:01:37) Pamela Wieshupt – felt it was not fair to not allow comments from the public as each of the three boards have different members. Encouraged members to take the time to talk to residents and understand the human impact of the decisions are going to make.

1:02:39) – Jim Fisher. Springbrooke. What is the cost to City for sidewalk. Have you done bids? Why wouldn't you get those first?

Larry Barkes – explained that we have agreed to bid it and construct it so that they meet our standards for TIF reimbursement, but the initial funds come from the developers. We then reimburse them for those costs from the new TIF revenue generated from this development alone.

(1:04:37)- Kurt Yoder, New Paris. His question was regarding the ditch it will be a major issue if not maintained.

(1:05:34) Glenn Null –Goshen – He was curious as to why a 50% kickback is needed for this project to move forward. Most people have to pay and don't get a kickback later. Why does a company as successful as Lippert need this reimbursement?

(1:06:40) Larry Barkes – the reimbursement is a result of the public infrastructure being funded. Ultimately we repay 100%. The City reimburses 50% of new TIF generated funds. All infrastructure is the public portion of it. Not on their site. Historically, cities paid it up front. We don't have that kind of funding available now so it's a different approach to having public infrastructure build.

(1:08) Steve Salsbury – County Road 36, Goshen. He talked to Elkhart county earlier today about the ditch. They said county has to approve the runoff and anything done to the road and any improvements would be expensive. What happens if approved and Lippert backs out?

(1:13: 28) Back to Commission for further questions and comments.

(1:34:21) – John Simon with Lippert. We hired Abonmarche for this project. Abonmarche is looking at water and sewer requirements for the site. They have tested flow and pressure to determine that a lesser infrastructure will work initially for a single building. If additional buildings are built, additional infrastructure may be needed.

(1:49) – A motion was made by Commission Scharf and seconded by Commissioner Johnson to amend the agreement for items 7 and 8 to say subject to Goshen engineering review and recommendation and Council and

Commission approval of the agreement on the interior roadways regarding the reimbursement by TIF if they become public in the future.

Yes: Johnson, Weddell, Turner, Scharf

No: Stump

Passes 4-1

(1:56:13) further comments from the audience.

(2:04) A motion was made by Commissioner Turner and seconded by Commissioner Weddell to approve Resolution 05-2018 as amended.

Yes: Weddell, Turner, Stump

No: Johnson, Scharf

Passes 3-2.

(2:05:05) Resolution 06-2018 – Approval of Annexation agreements with D-Act-Z, LLC

A motion was made by Commissioner Weddell and seconded by Commissioner Turner to amend Resolution 06-2018 to make the change in the title from Lippert to D-Act-Z, LLC.

The motion was adopted unanimously.

A motion was made by Commissioner Weddell and seconded by Commissioner Scharf to amend Resolution 06-2018 to change section 7 and 8 to reflect the same as the previous resolution

Yes: Johnson, Weddell, Turner, Scharf

No: Stump – no.

Passes 4-1.

(2:07:46) Larry Barkes – this agreement is exactly the same as the previous resolution. If D-Act-Z develops the property first, they will have the same obligations as Lippert.

(2:08) Questions and comments from the audience

(2:10:55) Back to Commission.

A motion was made by Commissioner Turner and seconded by Commissioner Weddell to approve Resolution 06-2018 as amended.

Yes: Weddell, Turner, Stump

No: Johnson, Scharf

Passes 3-2.

Resolution 07-2018 – Authorize the negotiation and execution of a Contract with Cut Cost Construction, Inc. for construction of a new office space in the Redevelopment Department

Mark Brinson explained that the commission received a memo from Becky showing Redevelopment current space. We went through relocation last fall but we were short one office. Carla is in an open area and adjacent to a conference room. We requested three quotes to build a partition wall and door to give privacy and sound barrier. We received two bids and the lowest bid was \$2,668.00 from Cut Cost Construction. We are recommending moving forward with this quote.

A motion was made by Commissioner Weddell and seconded by Commissioner Turner to approve Resolution 07-2018.

Yes: Johnson, Weddell, Turner, Scharf, Stump

ANNOUNCEMENTS

Next Regular Meeting – February 13, 2018 at 3:00 pm

OPEN FORUM

(2:15) Commissioner Stump – suggested that Commissioner Scharf talk to Larry or Mark ahead of time instead of waiting until the meeting. It is a waste of people's time and it drags out all the minute details during the meeting.

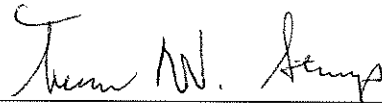
A motion was made by Commissioner Turner and seconded by Commissioner Weddell to adjourn the Special Meeting of January 30, 2018.

The motion was adopted unanimously.

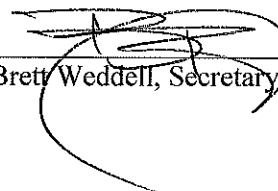
The Special Meeting of January 30, 2018 was adjourned at 7:43 p.m.

APPROVED on February 13, 2018.

GOSHEN REDEVELOPMENT COMMISSION



Thomas W. Stump, President



Brett Weddell, Secretary