

GOSHEN REDEVELOPMENT COMMISSION

Minutes for the Regular Meeting of June 14, 2022

The Goshen Redevelopment Commission met in a regular meeting on June 14, 2022 at 3:00 p.m. in the City Court Room/Council Chambers at the Goshen Police & Court Building, 141 East Jefferson Street, Goshen, Indiana.

CALL TO ORDER/ROLL CALL

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

Present: Brianne Brenneman, Brian Garber, Andrea Johnson, Vince Turner, Brett Weddell and Bradd Weddell

Absent: None

Commission President Turner stated that the meeting is also available via Zoom.

CHANGES TO THE AGENDA

Commission President Turner stated there is a request to add Resolution 39-2022 Request to Negotiate and Execute an Agreement with Roberts Environmental Services for Soil Gas Screening at 410 West Pike Street and Resolution 40-2022 Amending Declaratory Resolution of the Goshen Redevelopment Commission Amending the Consolidated River Race/US33 Allocation to Create a New Allocation area within the Consolidated River Race/US33 Economic Development Area and Amending the Economic Development Plan to the agenda.

A motion was made by Commissioner Weddell and seconded by Commissioner Garber to add Resolution 39-2022 and Resolution 40-2022 to the agenda.

The motion was adopted unanimously.

APPROVAL OF MINUTES

A motion was made by Commissioner Weddell and seconded by Commissioner Johnson to approve the minutes of the May 10, 2022 regular meeting.

The motion was adopted unanimously.

PRESENTATION

Housing Market Study – Phillip Roth, American Structurepoint, stated that they were about half way through the study but wanted to share what they have so far.

Paige of American Structurepoint presented a power point to the Commission along with a hard copy of the presentation. She talked of what type and amount of housing that Goshen will need in the future.

NEW BUSINESS

Resolution 30-2022 – Request to Authorize Execution of an Agreement with NuWay Construction for the New Parks Maintenance Facility Building Construction

(21:30) Becky Hutsell, Redevelopment Director, provided the Commission with updated cash balances for the River Race TIF. The amount for the parks facility is included in those totals. Bids were received last winter but were rejected. The project was rebid with some alternations and minor changes. Received two bids this time. In the past, the Commission has stated they would support part of this

project, but now asking the Commission for full project funding. Updated cost estimates for multi-use pavilion have risen and will be removed from the project list for now and that money shifted to the parks building. Project cost is 2.47 million with a completion schedule of September 2023.

(24:49) Commissioner Weddell asked Tanya Heyde, Parks Superintendent, regarding the parks department budget and their participation in this project. He also asked who would be covering project overages. Ms. Heyde also talked of the need for the new facility.

(30:15) Mayor Stutsman, when this project started it was going to be split funding between departments. Have been looking at city budgets to see how to shift money to keep big projects moving and keeping the balances where they need to be. Talked about possible project overages and funding for those. Stated he would appreciate the Commission's support on this.

(34:19) Commissioner Weddell stated that he would like to see the park department have money earmarked for this. He stated that in this rare instance, that he would support this as asked and hopefully the commission will not be asked to cover any overages.

(34:05) Commissioner Turner stated that he agreed with Commissioner Weddell and the parks department having participation in this but understands that the Redevelopment Commission is in a position to have flexibility in funding. Also added that he would like to see this as the exception and not the rule.

A motion was made by Commissioner Weddell and seconded by Commissioner Brenneman to amend the Redevelopment Commission commitment to 100% funding of this project.

A motion was made by Commissioner Weddell and seconded by Commissioner Garber to approve Resolution 30-2022.

The motion was adopted unanimously.

Resolution 31-2022 – Request to Authorize Purchase Agreement for 1689 Reliance Road

(39:00) Becky Hutsell, Redevelopment Director, as part of the County Courthouse Roadway Improvement Project, the City will be purchasing parcels and acquiring portions of others. Two appraisals were completed with an average price of the two of \$222,500. A formal offer was provided to the owners. The terms of the agreement are in the memo in the packet.

A motion was made by Commissioner Weddell and seconded by Commissioner Johnson to approve Resolution 31-2022.

The motion was adopted unanimously.

Resolution 32-2022 – Request for Approval for a Bond Issuance to Fund New South Fire Station in the Southeast TIF

(42:00) Becky Hutsell, Redevelopment Director, at the meeting last month, BKV Group provided a brief presentation of the New South Fire Station study. As part of the study, a preliminary plan with construction estimates totaling 7 million dollars. The Commission had originally committed 4.2 million dollars towards the construction. The construction estimate is closer to 7 million dollars. The next step is a Request for Proposals for the design of the station. In order to keep this process moving, Baker Tilly stated this would qualify a bond. Would be able to pay off in time before the TIF expires.

(43:55) Dan Sink, Fire Chief, stated that they started looking at call volumes about four years ago and looking to relocate the College Avenue station due to overlap in coverage. Talked about why there is a need for a new station and ISO ratings.

Questions and discussion regarding new stations, funding and staffing.

A motion was made by Commissioner Johnson and seconded by Commissioner Weddell to approve Resolution 32-2022.

The motion was adopted unanimously.

Resolution 33-2022 – Request for Permission to Issue an RFP for Design of the New South Fire Station (59:00) Becky Hutsell, Redevelopment Director, this is the next step in the process for the New South Fire Station.

A motion was made by Commissioner Weddell and seconded by Commissioner Brenneman to approve Resolution 33-2022.

The motion was adopted unanimously.

Resolution 34-2022 – Request for Approval of an Amended Development Agreement with Last Dance, LLC

(60:00) Becky Hutsell, Redevelopment Director, provided the Commission with a hard copy of an agreement with blue lined changes so can see what has been changed. At the time this project was originally developed, it was anticipated the overall project cost would be approximately 15 million. Bids were opened in April of this year and were substantially higher than anticipated at over 25 million. A map was provided showing the full development plans. Explained the changes in the development agreement. Ms. Hutsell explained each of the three contracts.

Commissioner Turner asked Dustin Sailor how this project is beneficial to the city and Mr. Sailor responded that this plan does manage the stormwater in a comprehensive way and makes land available for development that would not be accessible without this project.

(1:14:20) Ryan Thwaites, Last Dance, stated that when this project began, thought they would be bonding for 10 million dollars in addition to the 5.3 million from the city. The bond amount is now 24 million which is 2.5 times what was originally thought. This is a big commitment and is happy for the partnership with the city. He is requesting that Project 1 be capped at what the bid came in with the 5%. For project 2 & 3 would like the authority to approve any additional costs above what is bonded for. If everything goes as planned and the assessments are correct, in 25 years we will still be 9 million dollars short.

1:20:16 Commissioner Turner asked Dustin Sailor, Director of Public Works, his position and he responded that there is a concern about this and is happy to have this discussion during construction. Will have a full time construction inspection trying to minimize overruns.

(1:22:20) Mark Brinson, Deputy Mayor, stated that these requests were made during negotiations and stated the administration would not support this change. This puts the city at risk since this is being built as a public project.

(1:23:45) Mayor Stutsman, first of all this is a good project and we support it and are excited about it. As with every negotiation, I understand why they are making this request but our job is to protect the taxpayer. Goshen has a history of bonding with repayments and we do that with the contingencies so we don't get stuck paying higher costs. We are in weird times and this is why we are going further that we have gone before, going from a 20 to 25 year bond repayment. Before 25 years, the road will need to be redone. The city also is responsible for fire/police coverages. With moving the College Avenue project to a LPA MACOG project, it will save the developer 3.2 million dollars.

Commissioner Turner asked the Commission if they wanted to add these requests to the agreement and no one responded that they did.

Commissioner Weddell stated that any changes made to the development agreement would need to go to City Council for approval and if any changes are made by them, the agreement then comes back to Redevelopment for approval.

Mayor Stutsman commented that the Redevelopment Commission is taking 5.3 million from the Southeast TIF and do not have money for overages. The money would have to come from civil city. Please think about where the money is coming from.

A motion was made by Commissioner Weddell and seconded by Commissioner Brenneman to amend the Agreement in the packet to the version handed out at the meeting.

After discussion, on call of the roll, the motion was carried by the following vote:

Ayes: Brianne Brenneman, Brian Garber, Andrea Johnson, Vince Turner, Brett Weddell

Nays: None

A motion was made by Commissioner Brenneman and seconded by Commissioner Johnson to approve Resolution 34-2022 as amended.

After discussion, on call of the roll, the motion was carried by the following vote:

Ayes: Brianne Brenneman, Brian Garber, Andrea Johnson, Vince Turner, Brett Weddell

Nays: None

Resolution 35-2022 – Request to Authorize Execution of an Agreement with HRP Construction, Inc. for Contract #1

(1:29:00) Becky Hutsell, Redevelopment Director, two bids were received on May 9, 2022 and the lowest bid was from HRP Construction for \$5,354,383.00. The bids were structured to allow for a material contingency line within the base bid and a 5% contingency from the developer. Substantial completion date is September 1, 2023 and is subject to material availability. Requesting approval contingent upon City Council approval of the Amended Development Agreement and the bond closing.

A motion was made by Commissioner Weddell and seconded by Commissioner Garber to approve Resolution 35-2022.

The motion was adopted unanimously.

Resolution 36-2022 – Request to Authorize Execution of an Agreement with Niblock Excavating, LLC for Contract #2

(1:32:34) Becky Hutsell, Redevelopment Director, requesting authorization for Contract #2 with Niblock Excavating, LLC in the amount of \$11,779,850.00 with a substantial complete date of

December 31, 2022 and is also subject to material availability. Additional 5% contingency from the developer be placed in escrow as part of the bond to cover project overages if they arise. Requesting approval contingent upon City Council approval of the Amended Development Agreement and the bond closing.

A motion was made by Commissioner Weddell and seconded by Commissioner Brenneman to approve Resolution 36-2022.

The motion was adopted unanimously.

Resolution 37-2022 – Request to Authorize Execution of an Agreement with HRP Construction, Inc. for Contract #3

(1:34:00) Becky Hutsell, Redevelopment Director, three bids were received and the lowest bid of \$7,270,000.00 received from HRP Construction. Additional 5% contingency from the developer be placed in escrow as part of the bond to cover project overages if they arise. A substantial completion date of September 1, 2023 subject to material availability. Requesting approval contingent upon City Council approval of the Amended Development Agreement and the bond closing.

The motion was adopted unanimously.

Resolution 38-2022 – Request to Authorize Execution of an Agreement with Elkhart County Gravel for No. 53 Compact Aggregate

(1:34:00) Becky Hutsell, Redevelopment Director, typically we do not bid aggregate material separately but contractors are being limited on the quantity they can purchase. Due to the fact that this project required 22,000 tons, the bids were solicited directly from the supplier. Requesting approval contingent upon City Council approval of the Amended Development Agreement and the bond closing.

A motion was made by Commissioner Weddell and seconded by Commissioner Garber to approve Resolution 38-2022.

The motion was adopted unanimously.

Resolution 39-2022 – Request to Negotiate and Execute an Agreement with Roberts Environmental Services for Soil Gas Screening at 410 West Pike Street

(1:38:20) Becky Hutsell, Redevelopment Director, Phase 1 and Phase II have been completed and the due diligence requirements are satisfied. As preparing for demolition, it has been recommended that a series of samples be taken below the slab to ensure we are not exposing anything beneath the concrete once removed. A cost of \$5700.00

A motion was made by Commissioner Weddell and seconded by Commissioner Brenneman to approve Resolution 39-2022.

Resolution 40-2022 – Amending Declaratory Resolution of the Goshen Redevelopment Commission Amending the Consolidated River Race/US 33 Allocation to Create a New Allocation Area within the Consolidated River Race/US 33 Economic Development Area and Amending the Economic Development Plan

(1:40:00) Becky Hutsell, Redevelopment Director, part of the process for the Indiana Avenue Apartments which is now part of the River Race TIF. These parcels will be carved out and will create a new allocation area called the Indiana Avenue Allocation Area.

A motion was made by Commissioner Johnson and seconded by Commissioner Garber to approve Resolution 40-2022.

The motion was adopted unanimously.

APPROVAL OF REGISTER OF CLAIMS

A motion was made Commissioner Weddell and seconded by Commissioner Brenneman to amend the register of claims to \$236,813.74.

The motion was adopted unanimously.

A motion was made by Commissioner Weddell and seconded by Commissioner Garber to approve the Register of Claims as amended.

MONTHLY REDEVELOPMENT STAFF REPORT

Redevelopment Director Becky Hutsell offered to answer any questions about the monthly report: however the Commission did not have any questions.

OPEN FORUM

Commissioner Weddell stated that there are interested parties in the building at 233 South Main Street and suggested to start the Request for Proposal process for the property.

ANNOUNCEMENTS

It was announced that the next regular meeting is scheduled for July 14, 2022 at 3:00 p.m.

ADJOURNMENT

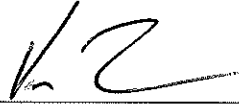
A motion was made by Commissioner Garber and seconded by Commissioner Johnson to adjourn the meeting.

The motion was adopted unanimously.

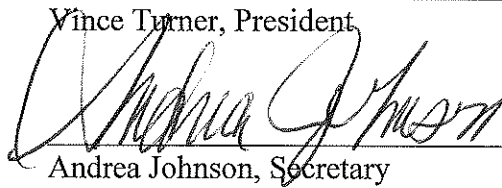
The regular meeting was adjourned at 4:48 p.m.

APPROVED on July 14, 2022

GOSHEN REDEVELOPMENT COMMISSION



Vince Turner, President



Andrea Johnson, Secretary