

REDEVELOPMENT COMMISSION

JUNE 11, 2013

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President Mike Tapp called the Meeting to order at 4:32 p.m.

PRESENT: Commission Members Mike Tapp, Bryan Harris, Mike Campbell, Brent Tilson, and Non-voting member: Steve Moan

ABSENT: Commission Member Garnet Vaughan

ALSO IN ATTENDANCE: Stephen K. Watson, Attorney and Amanda Leach, Recording Secretary

Old Business:

Worthsville Road Interchange Presentation

City Engineer Mark Richards explained as part of the Agreement with INDOT, periodic updates will be given to the Commission, at this time Mr. Richards introduced KimberLee Peters, Project Manager with INDOT and Adam Burns, Crawford, Murphy and Tilley, the Design Consultant. Ms. Peters explained about the Project Development Process:

- Project Scope and Study Area Determination
- Purpose and Need Identification
- Traffic Analysis and Documentation
- Environmental Studies, Reports and Documentation
- Alternative Analysis and Selection
- Detailed Design
- Right of Way Acquisition
- Final Construction Documents
- Project Construction

Mr. Burns discussed the Project design as explained in the attached Powerpoint presentation and made a part of the record.

Clark-Pleasant Community School Corporation Interlocal Agreement

Mr. Richards reported the School Board approved the agreement at its May 21st meeting, and Mr. Richards and Mr. Watson are requesting approval and delegation of authority to the Officers to execute the agreement, so moved by Mr. Campbell, seconded by Mr. Tilson. **Vote: Ayes. (4-0)**
Motion carries.

Settlement Agreement for Acquisition of Right-of-Way, Clark-Pleasant Community School Access Road

Mr. Richards requested the Commission ratify the signature of President Tapp and the increase amount of \$1,220.00 for a total of \$81,960.00 for the Settlement Agreement for Acquisition of Right-of-Way. Based upon the basis of two appraisals an offer was made by the City, the property owner presented a third appraisal, the City decided in the interest of the project to take

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the average of the three appraisals and counter offer which the property owner accepted, the Mayor and Mr. Tapp have signed the agreement. Mr. Harris moved to ratify the settlement Agreement, seconded by Mr. Campbell. **Vote: Ayes. (4-0) Motion carries.**

New Business:

None.

Department Reports

RDC Attorney – Stephen Watson

- One-Click – the Annual Report was filed via e-mail to Mr. Watson’s attention, a written report will be forwarded to the Commission in the next day or so.
- Caterpillar Logistics / Neovia Logistics incentive project – Mr. Watson requested the Commission to entertain a motion to accept and authorize a Project Agreement with Neovia Logistics consistent with the prior agreement and offer letter from the Mayor’s Office in September 2010, with an execution deadline of October 1, 2013 and authorize the officers to execute said agreement, so moved by Mr. Tilson, seconded by Mr. Harris. **Vote: Ayes. (4-0) Motion carries.**
- Acquisition of Prairie Materials (Tax Assessment Bill) – Mr. Watson reported the spring tax bill was received for this property in the amount of approximately \$16,000 for the year. Prairie Materials is requesting the Commission pay the prorated share of \$500.83. Mr. Watson suggests a Letter Agreement between the Commission and Prairie Materials on this matter. Mr. Harris moved to approve the payment of \$500.83 and execution of a Letter Agreement, seconded by Mr. Tilson. **Vote: Ayes. (4-0) Motion carries.**

Corporation Counsel – Krista Taggart

- Bond Issuance for the Pool Project and Worthsville Road – The City is awaiting a term sheet, upon receipt; a timeline will be prepared for the bond closing. It is a possibility to meet the construction schedule the bond closing may be scheduled for the end of July, which would require a special meeting of the Commission on July 1st prior to the Council meeting.
- Elona Project – Ms. Taggart requested ratification of outside counsel filing suit against Elona Biotechnologies to protect the City’s interests, so moved by Mr. Tilson, seconded by Mr. Campbell. **Vote: Ayes. (4-0) Motion carries.**

Engineers Report – Mark Richards

Worthsville Road Reconstruction Project

- R/W status – Parcels 5, 5A, 5B, 27, and the school access road parcel remain outstanding. Title work updates for Parcels 5, 5A, and 5B are underway and expected to be complete within a few days, then closing will be scheduled. An offer has been accepted by the owner for the land needed to construct the school access road. Settlement for parcel 27 is expected to be made within a week or so; the owner is currently reviewing the new site for the

drainage pond.

- Utilities – Duke Energy has begun installation of the new poles and should complete this installation in early to mid-July. Work began at the east end of the project near I-65, and installation of utility poles is proceeding to the west.

Enterprise Pipeline – no update.

BP Pipeline has provided a draft Reimbursement Agreement for removal of its pipeline within the limits of the road project. The draft agreement is under review by the Law Department. The reimbursement amount is estimated to be \$220,568 exclusive of replacement of the pipeline easement. BP will submit invoices monthly as expenses are incurred, and will submit a final invoice within 90 days following completion of the work. Because the pipeline is inactive, the work will be limited mainly to pipeline removal. In order to protect the interests of BP, the City must also provide a replacement easement outside the limits of the expanded R/W; this easement location has been reviewed by BP and has been found to be acceptable. Structurepoint will prepare the description and exhibit, and will appraise the easement, all on behalf of the City in advance of making the final grant.

Indiana American Water Company and Vectren will begin relocation once acquisition of Parcel 5/5A/5B is complete.

AT&T – no update.

Sanitary Sewers – a conflict between the bridge at Grassy Creek and two sanitary force mains has been identified. The force mains will have to be relocated either by constructing the pipes deeper along the same alignment, or re-routing the pipes around the southern bridge wing walls. Although it is a more expensive solution, re-routing the pipes to the south is the preferred option because of accessibility. The contractor has been asked to provide a price to perform this work. Because the cost is expected to exceed the threshold established for administrative approval of change orders, it is expected that the matter will be brought to the Commission at the July 9 meeting for consideration.

- Concrete Plant Demolition – INARNG continues removal of personal property from the site. Demolition of the structures is expected to begin within the next week or so. The critical task is removal of the material silos to allow installation of the Duke Transmission lines.
- Contractor – The contractor has installed warning signs for the project. The contractor and excavation sub-contractor are reviewing utility relocation work to determine the optimal location to begin storm sewer work. Until utility work has been completed in an area, road project work cannot begin. The estimated date for contractor mobilization and start of work is the first or second week of June. When land acquisition for the CPSC access road is complete, the contractor will be released to start this construction work, as well.

Interchange Area Planning Project

The Master Plan Steering Committee met on Thursday, May 23rd to review the initial draft of the Land Use Plan. Copies of the plan were distributed and members of the committee were asked to respond with comments by May 31st. Copies of the plan will also be forwarded to members of the Commission. Further refinement of the master plan will be the focus at the meeting scheduled for June 27th, 8:00 – 9:30 am at CDS. The project schedule calls for completion of the plan in July.

Finance Department – Adam Stone

- Finance Report – Mr. Stone stated everyone received a copy of the monthly Fund Balance Report and Statement Activity Report, no questions were raised.
- 2014 Proposed Budget – Mr. Stone reported the 2013 Budget totaled \$45,350; the proposed 2014 Budget has a significant decrease totaling \$18,850. Mr. Campbell proposed increasing the member's per diem rate from \$50.00 per meeting to \$100.00 per meeting. Mr. Stone went through the budget categories
 - 111 – decrease to \$0.00 (\$4,650.00 – in house staff now)
 - 113 – increase to \$9,500.00, reflecting proposed \$100 per diem
 - 221 – same \$150.00
 - 331 – decrease of \$23,000.00 to \$12,000.00 (change in reorganization of work)
 - 332 – same \$100.00
 - 333 – increase to \$500.00 to adjust for the open projects that are slated
 - 334 – same \$500.00
 - 449 – same \$100.00

Mr. Campbell moved to approve the budget for 2014 as presented totaling \$22,850.00, seconded by Mr. Harris. **Vote: Ayes. (4-0) Motion carries.**

- Annual Letter to the Auditor per Ind. Code §36-7-14-39(b)(4) is due before July 15th, notifying the fiscal bodies in the area as to whether any assessed value that is captured will be released and/or kept due to financial reasons. Mr. Stone would recommend NOT releasing any assessed value and delegate to the Finance Department to process the required letter to the Auditor prior to the July 15th deadline. Mr. Watson stated that the Commission has historically determined to capture 100% of the assessed value. After consideration of the information presented, Mr. Tapp moved to determine that the Commission needs to capture 100% of the assessed value, seconded by Mr. Harris. **Vote: Ayes. (4-0) Motion carries.** Mr. Tilson moved to authorize the Finance Department to process the Annual letter to the County Auditor per Ind. Code §36-7-14-39(b)(4), seconded by Mr. Tapp. **Vote: Ayes. (4-0) Motion carries.**
- Mr. Stone stated he has a payment request from Peterson Construction. Payment request #24, 1) \$1,114.00 dated May 31st for utilities; 2) \$16,118.10 split between utilities and carpentry (CDS Planning Division confirms work has been conducted). Mr. Tapp moved to authorize the Finance Department to work with the Trustee to process the two outstanding invoices totaling: \$1,114.00 and \$16,118.10, seconded by Mr. Harris. **Vote: Ayes. (4-0) Motion carries.**

Mayor

None

Claims Docket:

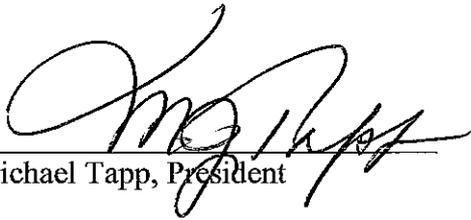
Mr. Campbell moved to accept and approve the June Claim docket as presented, seconded by Mr. Tilson. **Vote: Ayes. (4-0) Motion carries.**

Any other business to come before the Commission

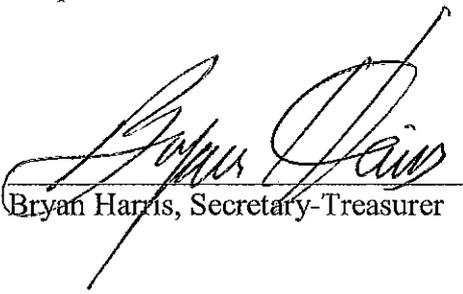
None

Adjournment

With no further business, the meeting adjourned at 6:04 p.m.



Michael Tapp, President



Bryan Harris, Secretary-Treasurer

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RECAP OF MOTIONS

Approval and delegation of authority to the Officers to execute an Interlocal Agreement with Clark-Pleasant	So moved by Mr. Campbell, seconded by Mr. Tilson. Vote: Ayes. (4-0) Motion carries.
Settlement Agreement for Acquisition of Right-of-Way, Clark-Pleasant Community School Access Road	So moved by Mr. Harris to ratify the Agreement, seconded by Mr. Campbell. Vote: Ayes. (4-0) Motion carries.
Caterpillar Logistics / Neovia Logistics - motion to accept and authorize a Project Agreement consistent with the prior agreement and offer letter from the Mayor's Office in September 2010, with an execution deadline of October 1, 2013 and authorize the officers to execute said agreement	So moved by Mr. Tilson, seconded by Mr. Harris. Vote: Ayes. (4-0) Motion carries.
Motion to approve payment of prorated share of taxes due (\$500.83) and execution of a Letter Agreement with Prairie Materials.	So moved by Mr. Harris, seconded by Mr. Tilson. Vote: Ayes. (4-0) Motion carries.
Ratification of outside counsel to file suit against Elona Biotechnologies to protect the City's interests	So moved by Mr. Tilson, seconded by Mr. Campbell. Vote: Ayes. (4-0) Motion carries.
2014 Proposed Budget Approval	So moved by Mr. Campbell, seconded by Mr. Harris. Vote: Ayes. (4-0) Motion carries.
Determination of the Commission's need to capture 100% of the assessed value,	So moved by Mr. Tapp, seconded by Mr. Harris. Vote: Ayes. (4-0) Motion carries
Authorize the Finance Department to process the Annual letter to the Auditor per Ind. Code §36-7-14-39(b)(4),	So moved by Mr. Tilson, seconded by Mr. Tapp. Vote: Ayes. (4-0) Motion carries.
Authorize the Finance Department to work with the Trustee to process payment Request #24 to Peterson Construction for the two outstanding invoices totaling: \$1,114.00 and \$16,118.10	So moved by Mr. Tapp, seconded by Mr. Harris. Vote: Ayes. (4-0) Motion carries.
Accept and approve the June Claim docket as presented	So moved by Mr. Campbell, seconded by Mr. Tilson. Vote: Ayes. (4-0) Motion carries.