

PLAINFIELD REDEVELOPMENT COMMISSION

September 5, 2019

5:30 p.m.

Ms. Andres: All right, we're going to go ahead and get started everybody, thank you. We'll call the Redevelopment Commission meeting to order this evening.

PLEDGE OF ALLEGIANCE

Ms. Andres: We'll start with the Pledge of Allegiance. If you will all, please rise.

DETERMINATION OF QUORUM

Ms. Andres: Thank you all for being here. We'll start with our roll call.

Mr. McPhail- here

Mr. Angle-

Mr. Angle: Here, and I'm sorry for being late. Hopefully I'm not the reason you guys started late.

Ms. Andres: We always like to wait for you. Mr. Anderson is absent today and Ms. Elston is as well.

Mr. Kirchoff- here

Thank you, we do have a quorum, so we'll go ahead and get started.

CONSNET AGENDA

Ms. Andres: The only item on our consent agenda is approval of the minutes from last month's meeting. Do I have any comments or changes to those minutes?

Mr. McPhail: I would move that we approve as presented.

Mr. Angle: I second

Ms. Andres: First and second, all those in favor, aye.

(All ayes)

Ms. Andres: Any opposed? Minutes approved, thank you.

OLD BUSINESS

Ms. Andres: Next on our agenda we've got old business; an update on the Downtown Redevelopment with Mr. Cook.

Mr. Cook: Thank you. I didn't get the nice colorful print out from BF&S that we got last time, but I'll try to get that maybe, you know, every other meeting or so. It gives you a lot more in-depth detail and some graphic updates as well. From the schedule that I distributed out as well, the parking structure, you know, everyday it's changing. They are saying 30% complete; the major activity, the first slab arrived on the 30th of August and the upper level construction will start next week. It looks like those columns are two stories high now and I think it's really changing the skyline of Downtown a bit. It seems to be on schedule and moving at a good clip. The weather has been cooperating, so you know, that's always helpful too. The Town Hall and the Cultural Arts Center; we're making good progress there. The Schematic Design will be presented to the Council at their meeting on the 9th. The Council did tentatively select the

contractor for that. There were four proposals submitted and Bowen Engineering was the recommended contractor for the Town Hall and the CAC at the last Council meeting. We had two really closely scored proposals, so you know, we had four really qualified firms that had presented, so we're kind of comfortable with the selection of Bowen and working through the details of that as well. One sort of change to the program for Downtown; we've pivoted for east/west traffic to Park from Krewson; at least temporarily, between Mill and Center. We are pursuing some of the necessary right-of-way for that; the properties on Mill especially, and we're working on a property that I think some would recognize as "big blue". That'll be a property that will be impacted by the acquisition; by the reconstruction of Park. But that's sort of a quick and easy way to satisfy the need for east/west traffic between Mill and Center. Just a quick update on the Barlow... I think I saw Cam walk in, he'll give you a little more update on that, but demolition is complete. I think there's maybe a couple of piles of bricks still out there. I just walked over to Sal's for lunch the other day and you get an idea of really, how expansive that piece of ground is. Walking by there, you know, it's really changed the experience of coming into Downtown and I think that we're going to hear that. Construction; I think they gave me a start date of the 10th; I don't think it's going to be the 10th, I think it's going to be later this month. But you know, Cam will have some additional updates on the Barlow later in the meeting. Any particular questions about any of our Downtown projects?

Ms. Andres: Todd, I had just a couple. When I look at your Excel spreadsheet, first of all with the Barlow; you have, "Design Development – 75% complete" and then you have another line that says, "Barlow's Plat Design Complete" and that's in October, that's 50% complete. What's the difference between those two?

Mr. Cook: That is a good question, I don't know. Tim, do you have an idea of what they might...?

Mr. Belcher: I would think they've already proceeded almost to full construction documents, but I'm not one hundred percent sure of that. . It could be just an old report.

Ms. Andres: So, just a duplicate?

Mr. Cook: Could be

Mr. Kirchoff: Cam could probably help.

Mr. Starnes: They're at 100% construction drawings.

Mr. Cook: Yeah

Ms. Andres: So, Design Development and Design Complete, those are the same?

Mr. Cook: We'll try to get a clarification on that.

Ms. Andres: Okay. And then, do you have a sense, in terms of in your update with the Town Hall and CAC, and you talked about the developer being selected; what's the timing and process then, for the remainder of those agreements, in terms of the BOT? Is that several months down the road? What does that kind of timing look like?

Mr. Belcher: Let me explain a little bit of our intent. Again, the Council is still in the decision making process. So, we hope to deliver information to the Council so that they can begin to formulate a decision. And then by the second meeting in September, of the Council, we hope to have enough information in the Council's hands to say go or no go, or hold on, I'd like to change something before we go. That's really where we're at right now. And if it's a go, then we'll probably have a lot of information out and to the public and everybody who would be interested. Because again, we still have to get the Council enough information. Part of the selection of Bowen is helping us get information on the best kind of budget pricing at this stage and those kinds of things. So, they're working feverishly now to try to help us get to having all of the information so that the Council can decide, yep, we're ready to go, or no, we'd like to hold up. And that's sort of what we're going to do here in September. We're hoping from the first meeting to the second meeting, to have that information available for them to make a decision to go forward.

Ms. Andres: Okay, thanks Tim.

Mr. Cook: Anything else?

Ms. Andres: Anyone have any other questions? Thank you for that update.

Mr. Cook: You're welcome.

Ms. Andres: Just in time. Our next update is on the Community Development Corporation with Mr. Starnes.

Mr. Starnes: Yeah, sorry to be running late this evening. I think as Todd touched on, the focus currently is on acquisitions that will make the reconstruction for Krewson and alleviating traffic flow east to west as potentially, Town Hall and CAC get off the ground. It's item number one, so we have been working on that through our real estate consultant. I think the one update since our last meeting that we think is exciting, is we do have, we have accepted an offer, and so we now have under contract as a seller, the 116 Main Street property that had been an acquisition necessary to accommodate electrical infrastructure for the parking structure. There were a couple of lots just across the alley from the structure that were needed for Duke Energy to place some electrical infrastructure; that seller would only sell the entire four parcels including the existing building on Main Street. We have an offer from a realtor in Town who is very excited about being a part of Downtown and the revitalization efforts. He's been engaged and excited. He's going to put his office on the first floor and plans to convert the second floor back to apartments; which is what I think it had been initially, early on. So, a couple of living units; I think he hopes to make some improvements to the kind of pedestrian alley, kind of between that building next door that leads to the parking structure. So, he's again, very excited and it's been a good way to... we'll sell him the building and be able to keep what we needed to accommodate Duke for the parking structure. So, it's worked out fairly well in that regard. So, that's under contract; we're in the 60-day due diligence period on that before we would close on the sale. Any other questions on the... and I think we talked about, in our meeting just yesterday afternoon, we anticipate October being the next kind of quarterly update to the Council and to the Redevelopment Commission. We'll have updated financials and be able to make our presentation then.

Ms. Andres: Perfect, great, thank you.

Mr. Starnes: Thank you

Ms. Andres: That's great news. Anything else with the CDC? Then our next update is on the project agreement with the East and Main Flats.

Mr. Starnes: Let's see, I think the update in terms of the project agreement in particular, and Todd touched on this as well; we have executed a second amendment to the project agreement that contains some of the terms we discussed at the last meeting, here and before the Council. It's an outside closing date of September 15th; I think as of today we're looking to close next Tuesday. Things are shaping up for that pretty well. We sent drafts of ancillary agreements, which I think we talked about last time, but that's the participation agreement that speaks to the Town's participation and ability to recoup some of its investment and a proportional share if the project over-performs. There's a funding agreement that dictates how the proceeds from the East and Main Bonds will be paid into the project. There's a multiparty agreement with the bank and there's a developer's obligation agreement that speaks to making participation payments as well as a minimum taxpayer payment every year. So, I think we're getting close to having those finalized and ready to execute for closing. And we know the developer's private financing is coming together; we've seen loan documentations from Horizon Bank. We have an updated survey that the ground there has been platted, so that will all be transferred back to the developer to initiate that. I know they are anxious to get to work. So, whether that's immediately after closing or soon thereafter, I think we'll see additional activity towards construction this month.

Ms. Andres: We're moving, and things are happening.

Mr. Starnes: And I would mention, the piles of bricks are intentional; they've been saved and really, are just staged to potentially be reused as part of the project.

Ms. Andres: Oh, cool, okay. That's good news.

Mr. Starnes: There was some other... let's see, what else did they find? In the demolition they found some other interesting...

Mr. Kirchoff: Was it a bathtub? Something water...

Mr. Starnes: Yeah, the water tank, that's right, the water tank. It was in one of the older building or associated with it that was... I think had been hidden or walled off and they found it. It's metal, I believe, and there's a stamp with a date and some other information. That's going to be in the lobby of the project along with some, I think they plan to do some kind of pictogram or plaque or something about Mr. Barlow and the history there, as part of the common area. So, it could be interesting.

Mr. Belcher: Bonds?

Mr. Starnes: Good point. Of course, we've also talked about the Bonds that are a portion of this project, that we've called the East and Main Bonds and that this organization has previously passed upon resolution. Baker Tilly, the Town's Municipal Advisor, marketed those Bonds for sale. We did get a potential offer from First Merchant's Bank, I believe, that looks like a good offer that just needs to go to a committee; a contingency there that we hope to have sewn up yet this week. And we've moved toward Bond sale, the project agreement gives the Town 21 days after closing, developer closing, to sell those Bonds pursuant to the funding agreement and the terms in that. So, we've got some lead time even after we close to finalize those details and get the Bonds issued, but it looks to be on track.

Ms. Andres: Well, it will be interesting to hear tomorrow, so I look forward to that.

Mr. Starnes: Yes

Ms. Andres: Any other questions for Cam on those updates?

Mr. Starnes: Thank you

Ms. Andres: Thank you

NEW BUSINESS

Ms. Andres: Moving on then, under new business we have A Real Property Tax Abatement request for Rock Creek Partners, LLC.

Mr. Pipkin: Good evening Commissioners. Yeah, the project that you have in front of you is from Rock Creek Partners. They are also involved with Ambrose Property Group. The building that they are looking to construct is going to be at the southwest corner of State Road 267 and East 700 South, which is also known as Camby Road. The building is going to be built on a speculative basis at approximately 189,000 square feet. This is similar to, I believe it's the PLC, either 4 or 5 building on Ronald Reagan Parkway; the smaller one is on the south one. This site is about 16 acres; the estimated building cost is at \$9,450,400. With a 10-year Abatement, they look to save \$793,480. But also, during that 10-year period, they expect to pay \$1,148,720 over the 10-year period. This is in the I-70 Consolidated TIF and that's why this is in front of you today. I do have Chad Miller with KSM Location Advisors with us, representing the owner, if you have any questions.

Ms. Andres: Any questions for Mr. Pipkin?

Mr. McPhail: I'll just make the comment that that's a much bigger site there that has room for additional buildings, but this is the first one that they've brought in for that site.

Mr. Kirchoff: This is actually on the south side of Camby Road.

Mr. McPhail: Yes, yeah

Mr. Kirchoff: Most of their acreage is on the north side.

Mr. McPhail: Yeah

Mr. Pipkin: And some on the south side of I-70 there too.

Mr. Kirchoff: Yes

Mr. McPhail: Yeah

Mr. Pipkin: Okay, thank you very much.

Ms. Andres: Thank you. We'll now have a discussion about the proposed acquisition of 3658 Shady Lane.

Mr. Starnes: Yeah, and this gets to you some items that are on your agenda as new business, I believe, to initiate some of the administrative process related to acquisition. This property... is everybody familiar with that by address, I believe so.

Mr. Kirchoff: This is Galyan's?

Mr. Starnes: Yes, right, it is owned by Pat Galyan currently. It is north of... was it Goodwill that's there, just to the south; there on the east side of Town. I believe this was initially discussed with the Council in an Executive Session as a strategic acquisition for a few reasons. I believe initially, we were going to work on it as the CDC to make an acquisition there for that purpose to facilitate future use and I think in combination with Town owned land to the north of it. As we discussed the matter with the current owner/the seller, he is discounting the purchase price for the Town and seeking a tax benefit of the difference between the appraised value pursuant to an appraisal that he's had done, and the purchase price that he's asking for. The CDC is organized as a 501c4, which donations to, are not tax deductible. So, it was kind of referred back to the Town and the RDC as a potential acquisition vehicle that the entity within the Town that would make the acquisition as funded by the Ronald Reagan TIF. So, Andy and I were tasked with, sort of what's the process to make that happen. We prepared a timeline that would initiate that today. There are a few steps that would have to happen. The Economic Development Plan for the Ronald Reagan TIF would need to be amended. At least, only so far as to add that parcel as an acquisition target. State law requires that anything acquired using TIF proceeds be identified in the Plan, so we would have to make that change. Of course, that's a multi part process that I think we're all familiar with, in terms of amending the Plan. It would start with a Declaratory Resolution here; go to the Plan Commission, to the Council and then back here for a public hearing and a Confirmatory Resolution; pursuant to our timeline, at your next meeting, it would fit in that. I think we also conclude that an additional appropriation would be needed. We could run a public hearing on that in the same meeting and approve that, to appropriate Ronald Reagan TIF proceeds to make the acquisition at, I believe, \$1 million. So, that's the purchase price that's been agreed upon. The process; again, there's administrative steps, and I think that's what we wanted to clear, that you're all aware of and understanding how that would move through the process. It looks like it would initiate, potentially, tonight, should you choose to pass that Declaratory Resolution and then conclude in October with a Confirmatory Resolution, to then clear the way to make the...

Mr. Angle: Does the Confirmatory happen at Town Council?

Mr. Starnes: No, the Confirmatory comes back here. Yeah so, from here it travels to the Plan Commission, and we've got a proposed order on the Plan Commission agenda that would... I think really, what the Plan Commission determines is whether or not this is consistent with the overall Master Plan.

Mr. Angle: Oh, okay.

Mr. Starnes: So, they have their check in and then it would go to the Council on Monday.

Mr. Angle: Okay

Mr. Starnes: And the Council passes its own Resolution saying that it's consistent with sort of what they understand to be the best interest of the Town, essentially. And then it would come back and have a Confirmatory Resolution, following a public hearing, by the Redevelopment Commission.

Mr. Angle: Perfect, thank you.

Mr. Starnes: Yes

Mr. McPhail: You know too, Cam, I think to try to keep this thing without a lot of clouds in the air, I think it's the intent, once we get through this process, is to transfer it to the CDC so they can manage it. There's a tenant in the building that has, I think, almost two years left on their lease. And that give us plenty of planning time to look at this facility as an extension of our Parks Department.

Mr. Kirchoff: Kent, we talked yesterday too; we have a property manager that we've contracted with through the CDC. So, he's managing all of our properties for us, and he ironically has managed this building in the past anyway.

Mr. McPhail: Is that right?

Mr. Kirchoff: Yeah

Mr. McPhail: Well, I'll be doggone.

Mr. Kirchoff: So, it does... it just all fits.

Mr. Starnes: Yeah, that's in place. The property manager for the CDC collects rent; is sort of the first responder for any complaints about the property or maintenance issues or repairs that are needed. It's been a good relationship as to the other holdings the CDC has, so I think from a management standpoint that might be something to consider if terms of ownership would be granted to the CDC afterwards. But in order to preserve the tax benefits to the seller of the discounted price, it would have to be a public acquisition because donations to a town or a town body are tax deductible, it just wouldn't be for the CDC. So, it's added some time... the CDC, as we know, can act more quickly being not a public body in terms of the Town, so it has added some time to have to go through the steps, but of course, they're dictated by State law, so in order to have a legal transaction we wanted to outline kind of how that would proceed.

Ms. Andres: Well, that's helpful to know. And thanks Kent, for that clarification in terms of what next steps would be because having a tenant there and how to manage it was probably one of my bigger concerns at this point in the process.

Mr. Kirchoff: We thought you'd like to get the phone calls at midnight when the air conditioner breaks.

Ms. Andres: No, thank you.

Mr. Starnes: Water heater's out, you know.

Ms. Andres: Any other questions or discussion on the Shady Lane property? Great, thank you Cam.

RESOLUTIONS

Ms. Andres: So, on our agenda tonight we have two Resolutions. The first of which is Resolution No. 2019-16 – Resolution Approving Real Property Tax Abatement for Rock Creek Partners, LLC. Any further discussions? If not, I'll entertain...

Mr. Kirchoff: Yeah, I guess I'd like maybe Andrew or someone... can someone walk us through that process; who all this approval needs to go through based on our conversations this morning in another meeting I was involved in; on the Rock Creek.

Mr. Klinger: I guess it depends on what you mean.

Mr. Kirchoff: Well, this is a preliminary approval?

Mr. Klinger: Right, yeah, there's a lot of steps to come. So, this is... with a Tax Abatement, because it's in a TIF District, it comes to the Redevelopment Commission. And really, you're just looking at, is it going to negatively impact existing indebtedness with the Bonds or whatever. Which I'm not sure if we even have any in this particular TIF at this point. Then it will go to the Council. So, the Council will actually conduct a hearing on the Tax Abatement and then would eventually adopt it. So, it's actually a two-meeting process with the Council. There would be a Declaratory Resolution... we haven't had that yet, right? That would be this coming Monday, I believe. And then we would come back for a second meeting with the Council for a public hearing and then approval on the abatement piece. Then there are all of the Plan Commission approvals. It is zoned, but would be a development plan approval process as well. So that will still come to the Plan Commission and go through that process. So yes, there's a lot more steps to come; this is one of the very early steps on it, in terms of this particular project.

Mr. Kirchoff: Okay, thank you.

Mr. Klinger: Does that help?

Mr. Kirchoff: Thank you

Mr. McPhail: Given that explanation, I would move that we approve Resolution 2019-16.

Mr. Angle: I'll second

Ms. Andres: We have our first and second. All those in favor, aye.

(All ayes)

Ms. Andres: Any opposed? No opposed, so the Resolution passes. Thank you. Next, we have Resolution No. 2019-17 – Resolution of the Town of Plainfield Redevelopment Commission Declaring an Amendment to the Declaratory Resolution and the Economic Development Plan for the Ronald Reagan Corridor Economic Development Area, and Certain Matters Related Thereto.

Mr. Kirchoff: So moved

Mr. Angle: Second

Ms. Andres: First and second, all those in favor, aye.

(All ayes)

Ms. Andres: Any opposed? None stated, thank you.

WISHES TO BE HEARD/ADJOURNMENT

Ms. Andres: Any wishes to be heard from our audience this evening?

Ms. Englehart: Good evening, my name is Ann Englehart and I'm with Avon Community School Corporation. Members of the Redevelopment Commission, Avon Community Schools is grateful for the Redevelopment Commission's recognition of the property tax impact of the apartment complex at Double Creek Flats, which is located in a TIF District. Avon currently serves 26 students from those apartments but does not receive property tax revenue to support capital improvements, transportation, bus replacement or the technology needs of students. In response to our concerns about the impact of residential development in a TIF, in 2018 the RDC

provided \$250,000 to Avon for the purposes of increasing science, technology, engineering, math, and other STEM activities in Avon, so thank you. These funds were used to improve programming for our students in STEM and workforce related courses; 210 desktop computers, 170 laptops were purchased to modernize multiple labs and classrooms from elementary through high school. This translates to improvements in pre-engineering, engineering, business, biomedical technology, coding and computer science programs. With RDC funds students are able to participate in their courses on newly upgraded computer equipment. Avon also introduced "Achieve 3000", a literacy instruction for English language learner students that improves their ability to read at grade level. The RDC's actions are helping Avon students explore their interests and develop STEM and workforce skills that will serve our community well. As you plan for the RDC budget, we request those funds, \$250,000 to be continued, and if approved, request those funds to be directed at our efforts to constantly improve school safety. This includes increasing the quality and quantity of our security cameras throughout campus including athletic facilities, event parking, seating areas, entrances/exits to buildings, additional equipment, hardware/software needs, communications equipment, and installation project management. This will benefit our schools as well as our first responders that would be called to address any safety concerns at Avon. We appreciate your support of our schools and of our students. Thank you. And I have a copy if you would like one.

Ms. Andres: Great, thank you very much for that and thank you for letting us know what the proceeds went to. That's always really helpful to hear all of the great things that are going on within your schools and the way it was used. So, thank you very much for that.

Ms. Englehart: Sure

Mr. Kirchoff: Thanks, Ann.

Ms. Andres: Anyone else wish to be heard this evening from the audience?

Ms. Martin: Good evening, my name is Christy Martin and I am President of the Oriole Advocates. The Oriole Advocates are a group comprised of Avon-Washington Township residents who care deeply about Avon Schools; seek to learn about key aspects of the School District; educate our friends and neighbors and advocate within our community to ensure our children receive the best education possible. As was shared by Avon Schools, we want to express our appreciation for the support that the RDC showed the past year in providing funding for STEM and technology support. As several of you know, the Oriole Advocates have been present at multiple meetings the past few years, specifically focused on the impact of residential development located in TIFs. We continue to advocate for funding, specifically as a result of the Double Creek Flats Apartments, which are located in a TIF and bring 30 students to Avon Schools. The property taxes generated from that development do not come to Avon schools to support transportation, capital improvement needs, or technology needs for those students. Each year the Plainfield RDC continues to pass through significant assessed value which benefits Plainfield Schools. My question is why wouldn't the RDC take a consistent approach each year to support the Plainfield students who reside in Washington Township, as you take with those who reside in Guilford Township. Again, I want to thank you for your previous support of Avon Schools and let you know that we appreciate all that you're doing to support Avon.

Ms. Andres: Okay, thank you very much for coming. Does anyone else wish to be heard this evening? Seeing no one else stand, our next meeting is scheduled for Monday, October 7th at 5:30.

Mr. Kirchoff: Are we ever going to go back to 6:00 p.m. when we used to meet, instead of 5:30 p.m.? We met last time at 5:30 p.m. because the Plan Commission had been moved up to 6:30 p.m. We typically met at 6:00 p.m.

Ms. Andres: I feel it was always at 5:30 p.m. Since I've been on it's been 5:30 p.m.

Mr. Kirchoff: Really?

Ms. Andres: Yes

Mr. Kirchoff: Okay, sorry.

Mr. Angle: I like 6:00 p.m.

Ms. Andres: Is that... what time is the Plan Commission meeting? At 7:00 p.m.? I don't have any concerns with meeting at 6:00 p.m., does anybody else?

Mr. McPhail: You know, we don't have a Council meeting that night, right.

Mr. Kirchoff: We have Plan Commission.

Mr. McPhail: Right, but you know...that gives us an hour, right.

Mr. Kirchoff: Yeah, that should be plenty of time.

Mr. McPhail: It will be easier for those having to commute from the Town.

Ms. Andres: It certainly would be.

Mr. Kirchoff: And for staff, I mean, we could throw them quicker into the Plan Commission meeting rather than sitting around waiting for the Plan Commission to start.

Ms. Andres: Sure

Mr. Angle: I move we change the time to 6:00 p.m.

Mr. Kirchoff: Well, let me ask first of all, have we public noticed the whole year at 5:30 p.m.?

Mr. Klinger: I believe so

Mr. Kirchoff: Oh, okay.

Mr. McPhail: We've still got time to change that though, don't we?

Mr. Klinger: It can be changed, yeah, but it has already been noticed at 5:30, I believe, is the standard time, and it's been noticed so we would have to publish new notices changing the time. But it's a 48 hour notice, so...

Mr. McPhail: Yeah. I would second the motion to 6:00 p.m.

Ms. Andres: All those in favor?

(All ayes)

Ms. Andres: Any opposed to moving? Well then, great. We will convene then at 6:00 p.m. on Monday, October 7th. Todd, if you want to maybe make a special note to let Jessica and John know of that change in time so that they are aware. Great, and with that, we are adjourned. Thank you everybody for coming today.



Jennifer Andres, President



Lance Angle, Secretary

