**MINUTES**

**NEW ALBANY REDEVELOPMENT COMMISSION**

The regular meeting of the New Albany Redevelopment Commission was held on Tuesday, January 11, 2011, at 2:30 p.m.,in the Assembly Room, Room 331, City-County Building, New Albany, Indiana.

Commission Members present: Irving Joshua, President

Edward Hancock, Secretary

Daniel Chandler

Jack Messer

Stephen Price

Lee Cotner, School Board Advisory Member

Commission Members absent: None

Staff Members present: Carl E. Malysz, Director of Community Development

John Rosenbarger, Public Works Projects Supervisor (PWPS)

Cyndi Krauss, Financial/Compliance Manager (FCM)

Sherrie Holmes, Public Service/Facilities Specialist (PSFS)

Jennie Collier, Redevelopment Clerk (RC)

Shane Gibson, City Attorney

Jerry Ulrich, Attorney-at-Law

Others present:

The President called the meeting to order at 2:32 p.m.

The first item of business on the agenda was a **Review of the Minutes**.

Edward Hancock made a motion to approve the minutes for the November 09, 2010, December 07, 2010 and December 16, 2010 meetings. Daniel Chandler seconded the motion and it was carried by a vote of 3-0-2 (Mr. Price and Mr. Messer abstained).

The President noted for the record that there were no comments from the public.

The second tem of business on the agenda was a review of the **Financial Report**.

The FCM clarified three expenses to the Commission: mileage, Ohio River Greenway and the State Street Parking Garage elevator.

The President asked the staff to provide the Commission with the 2010 State Street Parking Garage financial update for maintenance services at the next regular meeting.

No action was necessary.

The third item of business on the agenda was the **Mainland Properties Status Report and Update.** Jack Bobo, Mainland Properties, Inc., gave a PowerPoint presentation to the Commission that summarized the history/milestones that Mainland Properties, Inc., anticipates for Scribner Place Phase 2 properties.

He informed the Commission that Mainland Properties, Inc., has been in discussions with the Corps of Engineers regarding a levee cut with the installation of a series of panels in a slat system, to be used in the event of a flood. This would allow the riverfront to be more accessible by essentially cutting the levee down to a level that would allow people to view and/or walk directly from the street level to the riverfront. The City would be responsible for the cost.

Mainland Properties, Inc., estimated the cost of building the parking garage at $18.8 million with retail and commercial space above. He asked the Commission to commit $12 million dollars toward the cost for building the parking garage. Mainland Properties, Inc., will pay the additional cost. His firm prepared a financial analysis that estimated $20 million in additional TIF revenues from their development over the next 20 years, therefore, the Commission would receive more than 100% return on their investment. He encouraged the Commission to get their own financial analysis prior to making such a large commitment.

Mike Kopp, Blue Sun Real Estate Services, gave a testimonial to the amount of interest he has received in the development that Mainland Properties, Inc,. has proposed

A general discussion ensued.

The President was concerned whether or not the City’s existing infrastructure (sewers, waterlines, etc.) in this area would be able to accommodate the finished project and if the levee cut would compromise the City in the event of a flood during the construction. The Director stated that the existing infrastructure would accommodate this development. The PWPS stated the proposed levee cut would bring the levee down to approximately the 100 year flood level and that the Corps of Engineers would require that earth remain on site during construction.

The Commission asked what would happen in the event that $12 million was appropriated to help fund the construction of the parking garage and public plaza, but Mainland Properties, Inc., did not follow through on their part to build the structure. Mr. Bobo assured the Commission that the project would not break ground until Mainland Properties, Inc., has complete financing in place. Shane Gibson, City Attorney, stated that if the Commission did a bond issue for this project, the bonds could be retired early if the project was foregone.

No action was taken.

The fourth item of business was **Authorizing Crowe Horwath to Prepare a Preliminary Financial Analysis for the Mainland Properties, Inc., Project.** The Director recommended that the Commission have a financial analysis prepared for the Mainland Properties, Inc., development. The estimated cost is approximately $20,000 - $25,000.

Daniel Chandler made a motion to authorize Crowe Horwath to prepare a preliminary financial analysis for the Mainland Properties, Inc., project. Edward Hancock seconded the motion and it was carried by a vote of 4-0-1 (Stephen Price abstained).

The fifth item of business on the agenda was the **Optional Relocation Program Policies and Procedures**. The Director stated that the Concentrated Code Enforcement is focusing in the Midtown neighborhood. There are funds in the budget for moving expenses, security deposit and first month’s rent for families that are displaced due to the Code Enforcement effort. An agreement has been executed with the New Albany Township Trustee that dictates that the New Albany Township Trustee will pay for approximately one week of emergency shelter and that the New Albany Department of Redevelopment will assist to secure safe housing and cover the costs referenced above. The PWPS estimated a cost of $1,500 - $2,000 per case. There is $44,000 available in the budget. The President stated that the Commission would need to review the costs of this program on an annual basis.

Edward Hancock made a motion to approve the Optional Relocation Program Policies and Procedures with an amended budget of $24,000 and that annual financial reports be provided to the Commission. Daniel Chandler seconded the motion and it was carried by a vote of 5-0.

The next item of business on the agenda was the **General Services Agreement with Jacobi, Toombs and Lanz.** The PWPS stated that the Board of Public Works and Safety has already executed a similar agreement with Jacobi, Toombs and Lanz because they are the City’s go-to source when it is necessary to troubleshoot problems under their area of expertise.

Stephen Price wanted to know why there was not a bidding process for these services. The Director stated that this agreement is not a specific contract. The agreement details a fee structure in the event that the City must utilize their services.

Edward Hancock made a motion to approve the General Services Agreement with Jacobi, Toombs and Lanz for the 2011 calendar year. Daniel Chandler seconded the motion and it was carried by a vote of 5-0.

The next item of business on the agenda was the **CDBG FY10 Activities.**

Sidewalk Spot Improvements - The PWPS stated that he is still waiting for verification from the Drainage Department as to whether or not East 15th Street is a viable priority for the FY10 construction schedule. Another project will be brought before the Commission if necessary. He requested that this item be reviewed at a later meeting.

North Y Preliminary Engineering - The PWPS requested authorization for preliminary engineering services for the overpass and connecting sidewalks. The sidewalks are currently disconnected from East 8th Street to Grantline Road.

Edward Hancock made a motion to authorize staff to proceed with the North Y preliminary engineering services. Jack Messer seconded the motion and it was carried by a vote of 5-0.

The next item of business on the agenda was the **Green Street Foreclosure Update: Judge’s Order.** Jerry Ulrich, attorney-at-law, stated that our request for foreclosure was denied, however the case is still open. The Judge granted the King’s an extension on their obligation to the Department of Redevelopment. They will be required to pay into an escrow account held by the Department of Redevelopment that will be used to pay for property taxes and home owners insurance. The King’s will also be required to keep the municipal utility bills current.

No action was necessary.

The next item of business on the agenda was the **State Street Foreclosure Update.** The RC summarized the history of the foreclosure process for this property. The FCM stated that the delinquent property taxes were paid by the Department of Redevelopment to remove the property from the tax sale list in November 2010.

Jerry Ulrich, Attorney-at-Law, stated that he did not have this case file present and therefore was not prepared to comment on this case. He will give the Commission a complete update and time line for any future steps that are required to move this case forward.

No action was necessary.

The next item of business on the agenda was the **Brown Starks Neighborhood Center Update.** The Director stated that the New Albany Housing Authority understands that the Redevelopment Commission wants to maintain an interest in the facility. There is nothing else to report at this time. He requested that this item be revisited at another meeting.

No action was necessary.

The next item of business on the agenda was the **Public Service Projects Status Report.**

Rainbow Drive **-** Gary Brinkworth, Engineer, stated that the right-of-way acquisition is almost finalized.

Slate Run Road - Gary Brinkworth stated that the engineering plans should be completed within the next 2 - 3 months. The Director stated that this project will most likely be broken up into two (2) phases due to financial reasons.

Daisy Lane - The President asked the staff if there were any utility issues to report. The PWPS stated that the phone lines will be the last to move and that there were no major utility issues to report.

The next item of business on the agenda was the **NSP 3 Grant Invitation/Application.** The Director stated that the Indiana Housing and Community Development Authority has approximately $8 million in NSP 3 funds. Only eleven (11) of the successful NSP 1 applicants are eligible to apply for the NSP 3 funding. New Albany will submit an NSP 3 grant application for $2 million proposing a continuation of the NSP 1 grant application for the Midtown neighborhood. The application deadline is January 31, 2011.

There was a discussion regarding the former Commission member, Diane Benedetti, remaining on the NSP Project Committee. The Commission agreed to let Mrs. Benedetti remain on the Committee and make regular reports to the Commission. The NSP Committee will now meet once a month during the week preceding the regular Commission meeting.

No action was necessary.

The next item of business on the agenda was the **Emergency Repair Program FY10 - Approval of Subrecipient Agreement.** The Director stated that a new subrecipient agreement with New Directions Housing Corporation for the FY10 Emergency Repair Program needs to be executed. The staff recommended approval.

The FCM stated that the CDBG budgets allows for 20 projects at $5,000 each annually and that New Directions Housing Corporation provides quarterly reports. The Commission requested that the last quarterly report for the Emergency Repair Program be distributed at the next meeting.

Stephen Price made a motion to approve the FY10 Emergency Repair Program subrecipient agreement with New Directions Housing Corporation retroactive to July 1, 2010 through June 30, 2011. Jack Messer seconded the motion and it was carried by a vote of 5-0.

The last item of business on the agenda was the **2010 Ohio River Greenway Annual Report.** Scott Wood, NACPC Assistant Director, stated that the report covers the project progress for the calendar year 2010. Indiana Department of Transportation has committed $2.5 million to the current phase of the project (18th Street to Silver Creek).

No action was necessary.

**Other Business**

The President requested TIF updates be distributed at the next Commission meeting.

There being no further business, the President adjourned the meeting at 4:29 p.m.

**Approved** and **Adopted** this 8th day of February , 2011.

Irving joshua, President

ATTEST:

Edward Hancock, Secretary