**MINUTES**

**NEW ALBANY REDEVELOPMENT COMMISSION**

A special meeting of the New Albany Redevelopment Commission was held on Tuesday, May 31, 2011, at 2:30 p.m., at which time a **Public Hearing** was held, in the Assembly Room, Room 331, City-County Building, New Albany, Indiana.

Commission Members present: Kevin Zurschmiede, Vice-President

Edward Hancock, Secretary

Jack Messer

Adam Dickey (arrived at 3:20 p.m.)

Commission Members absent: Irving Joshua, President

Lee Cotner, School Board Advisory Member

Staff Members present: John Rosenbarger, Public Works Projects Supervisor (PWPS)

Cyndi Krauss, Financial/Compliance Manager (FCM)

Sherrie Holmes, Public Facilities Projects Specialist (PFPSS)

Jennie Collier, Redevelopment Clerk (RC)

Jerry Ulrich, Attorney-at-Law

Shane Gibson, City Attorney

Others present: Dan Bates, WindStream Technology

Gary Brinkworth, John G Brinkworth, Inc.

Vern Eswine, Interfaith Community Council

Christine Harbeson, Interfaith Community Council

Heather James, Ice Miller, LLP

Bob Lane, New Albany Housing Authority

Lisa Lee, Ice Miller, LLP

Joshua Poe, New Albany Housing Authority

Craig Walker, Blaylock Robert Van, LLC

Herschel Frierson, Crowe Horwath

Roll Call.

The Vice-President opened the **Public Hearing for comments on the Charlestown Road TIF Project Amendment and the State Street Parking Garage TIF Project Amendment** at 2:35 p.m.

The City Attorney, stated that representatives from Ice Miller and Crowe Horwath were in attendance to answer any questions the Commission members may have.

The Vice President noted that there were no comments from the public for either of the TIF amendments.

The first item of business was to **Award the Rainbow Drive Improvement Project Bid.** The PWPS stated that the Commission received a recap sheet and a memo from the engineer, Gary Brinkworth who recommended awarding to the low bidder, Dan Cristiani Excavating, in the amount of

$1,492,581.93. The PWPS also stated that this bid amount includes the engineer’s recommendation of using Alternate #74 for a Mechanically Stabilized Earth (MSE) retaining wall that is needed for the new bridge.

The Engineer stated that the road will be 6 feet higher than the existing road in the area of the bridge, and that the MSE wall that is needed for the new bridge, will be a landscape block wall instead of a concrete wall. The additional cost of the wall is estimated at $4,600, but there will be a savings of approximately $5,000 in rock. In addition, this type of wall takes less time to build.

Jack Messer made a motion to award the Rainbow Drive Improvement Project to Dan Cristiani Excavating, for the amount of $1,492,581.93, which includes alternate #74. Edward Hancock seconded the motion and it was carried by a vote of 3-0.

The second item of business was to **Adopt Resolution RC-08-11 Confirming Charlestown Road Economic Development Area TIF Amendment**. The City Attorney stated that the amendment was previously passed by the NARC declaratory resolution. The Plan Commission and City Council have both taken action of approval.. The amendment does three things. The first is that it sets the table for an Economic Development Bond issue that would be guaranteed by TIF funds received from the TIF district. The bond issues would be in the range of $3.5 to $3.7 million. The second, is that it creates an activity to upgrade Charlestown Road between Genung and Lynnwood and third, it changes how we approach future development at the Purdue Technology Center with respect to additional buildings. Originally, the TIF project was to come up with a $1,000,000 as match for an EDA grant which is no longer needed. We now have a plan with Purdue to buy leaseholds on which private sector developers would build.

The Director distributed an updated Charlestown Road TIF Project Analysis to the Commission and stated that there was a question asking if we had funds for all the projects in this TIF and the answer is yes. We looked at what was obligated contractually in 2011, and then looked at money in the bank and netted that. We also projected expenditures for projects from 2012 to 2015. We are making a reasonable assumption that WindStream will be making payments on the bond issuance. With this, by the end of 2015, there should be $1.4 million in the bank.

Dan Bates, WindStream Technologies, gave a short summary of WindStream.

The Director stated that there is less than 10 acres in the Purdue Technology Center that can be sold off to commercial developers.

There was a general discussion regarding the area design and purpose.

Jack Messer made a motion to adopt Resolution RC-08-11 Confirming Charlestown Road Economic Development Area TIF Amendment. Edward Hancock seconded the motion and it was carried by a vote of 3-0.

The next item of business on the agenda was to **Adopt Resolution RC-09-11 Pledging Tax Increment Financing from the Charlestown Road TIF District to WindStream Technologies, LLC.** The Director

stated that this Resolution pledges TIF revenue from the Charlestown Road TIF District to WindStream. The Director introduced Lisa Lee with Ice Miller, LLP.

Ms. Lee gave a brief summary of Resolution RC-09-11.

Edward Hancock made a motion to adopt Resolution RC-09-11 Pledging Tax Increment Financing from the Charlestown Road TIF District to WindStream Technologies, LLC. Jack Messer seconded the motion and it was carried by a vote of 3-0.

The next item on the agenda was to **Adopt Resolution RC-10-11 Confirming State Street Parking Garage Economic Development Area TIF Amendment.** The Director stated that the Commission previously passed a Resolution amending this TIF for two projects. The first was the Farmer’s Market Project and the second was land acquisition for the Bicentennial Park. Action of approval has been taken by both the Plan Commission and the City Council with an amendment because the Council was concerned with the Farmer’s Market Project until receiving further details. This Resolution has been amended to focus only on the Bicentennial Park Project regarding acquisition and design. The Baptist Tabernacle was deleted as an approved project.

Jack Messer made a motion to adopt Resolution RC-10-11 Confirming State Street Parking Garage Economic Development Area TIF Amendment. Edward Hancock seconded the motion and it was carried by a vote of 3-0.

The next item of business on the agenda was the **Brown Starks Neighborhood Center**. Shane Gibson, City Attorney, stated that this has been before the Commission previously and that the New Albany Housing Authority owns the land and wants ownership of the building to lease it to Interfaith. The Commission donated funds to the project through the Neighborhood Corporation 10 to 12 years ago. The Corporation is on the verge of dissolving its assets. The Commission wanted to have some kind of security interest in the property which is proving difficult for the Housing Authority to close on the deal. HUD is saying, that if this was the arrangement, it would be a requirement for us to contribute to the maintenance and operations.

Bob Lane, New Albany Housing Authority, stated that the acquisition is with non-HUD funds. HUD is saying that the Housing Authority needs to make a Declaration of Trust with a longevity of a minimum of twenty (20) years. They’ve had discussions with Interfaith and both agree to execute a lease for thirty years, for Interfaith to provide low-mod services to the citizens of New Albany.

The City Attorney stated that he thinks that this is the right thing so that the Housing Authority can close on the purchase with the Redevelopment Commission having no ownership interest. A motion is needed to remove or rescind the original language that was requested to be included in the Purchase Agreement. The Commission needs to authorize him to prepare a Resolution and to authorize the approve of the final Purchase Agreement.

A motion was made to give the City Attorney authority to approve a final Purchase Agreement. In addition, the Redevelopment Commission acknowledges that they will no longer have an interest in the property and that a thirty (30) year lease will be executed between the NAHA and Interfaith was made by Jack Messer. Edward Hancock seconded the motion and it was carried by a vote of 3-0.

The next item on the agenda was the **Common Wage Committee Selection for 2011.**  The PFPSS stated that because public facility projects, will be letting out for bid this year, the Commission must appoint a representative to the Common Wage Hearings. Eddie Hancock had served as the past representative.

Jack Messer nominated Eddie Hancock to continue to serve as the Commission representative at these hearings. Kevin Zurschmiede seconded the nomination and the Commission was in consensuses.

There being no further business, the President adjourned the meeting at 3:27 p.m.

**Approved** and **Adopted** this 12th day of July , 2011.

 Irving joshua, President

ATTEST:

Edward Hancock, Secretary