

1. 6:00 P.M. Redevelopment Commission

Documents:

REDEVELOPMENT MEETING AGENDA 5.11.22.PDF
REDEVELOPMENT MINUTES 4.5.2022.PDF
REDEVELOPMENT MINUTES 4.25.2022 EXECUTIVE SESSION.PDF
REDEVELOPMENT CLAIMS.PDF
RD FUND REPORT.PDF
318 MAIN CROSS ST TOTAL EXPENSES.PDF
CHARLESTOWN WAIVER RE DF.PDF
TEMPORARY RIGHT OF ENTRY - 4869-3686-0958.2.PDF
TWG APRIL SUMMARY 4.30.2022.PDF

CITY OF CHARLESTOWN
REDEVELOPMENT COMMISSION MEETING

May 11, 2022

6:00 P.M.

AGENDA

- I. Call to Order**
- II. Determination of a Quorum and Roll Call**
- III. Pledge of Allegiance**
- IV. Approval of Minutes:**
 - a. April 5, 2022
 - b. April 25, 2022 Executive Session
- V. Claims**
- VI. Public Comment**
- VII. Consultant Reports**
 - a. The Wheatley Group
- VIII. Old Business**
 - a. Façade Improvement Program
 - i. 318 Main Cross Street – Bella Snelling – Completion
 - ii. 991 Market Street – Dan Gregory – Extension Request
 - iii. 380 Main Cross Street – Snyder/Baker – New Request
 - b. Depot Street Revitalization Project
 - i. Development Agreement – TWG
 - ii. Temporary Right of Entry – TWG
 - iii. Conflict Waiver – FBT/AFP
 - iv. Sanitary Sewer Relocation Work Order - JTL
 - c. DCE Quality Court Project
 - i. Project Update – TWG

- d. Kleinert Property Donation
 - i. Project Update – TWG
- e. Industrial Park Fire Suppression – TWG

IX. New Business

- a. Joint Executive Session with Sewer Board on May 19th, 6pm – 999 Water Street
- b. Discussion

X. Adjournment

(The above Agenda items may not be all inclusive of items to be discussed at the Redevelopment Meeting)

Minutes

Redevelopment Commission

April 5, 2022

6:00 P.M.

THE REGULAR MEETING OF THE REDEVELOPMENT COMMISSION FOR THE CITY OF CHARLESTOWN WAS HELD ON TUESDAY, April 5, 2022 AT THE CITY COUNCIL CHAMBERS AT CITY HALL.

Ms. Ennis called the meeting to order at 6:00 P.M. Board members present in person: Ms. Donna Ennis, Mr. Derek Coombs, Mr. John Spencer, Mr. BJ Steele, and Ms. Shelby York. Also present was Mayor Treva Hodges, Jill Saegesser and Evan Shive with The Wheatley Group, LLC., and Chris Gardner, Jacobi Toombs & Lanz. Mr. Steele arrived after the start of the meeting.

Minutes

Mr. John Spencer made a motion to approve the Minutes for the regular meeting held on March 1, 2022, seconded by Mr. Coombs. Approved 4-0.

Mr. Coombs made a motion to approve the Minutes for the Executive Session held on March 30, 2022, seconded by Ms. York. Approved 4-0.

Claims

Ms. Ennis asked if there were any questions related to the claims. Mr. Spencer made a motion to approve the claims, seconded by Mr. Coombs. Approved 4-0.

Public Comment

None.

The Wheatley Group Report

Ms. Jill Saegesser gave an update stating that the potential buyer of the former Chase Bank building is going through due diligence and hopes to have a signed purchase agreement within the next 45-60 days; several developers are constructing single-family homes within Pleasant Ridge, with others interested in purchasing available lots, working with a potential industrial prospect to acquire property.

Ms. Saegesser stated that the Renaissance II Project will soon be seeking approval from the Sewer Board, as well as support from the City's Plan Commission/Board of Zoning Appeals in May. Depending upon those approvals, construction could begin as early as May of 2022. The construction time will range from 6 – 9 months. Representatives from ARC plan to attend a future Redevelopment Commission meeting to discuss progress, etc.

Ms. Saegesser stated that The Wheatley Group will continue to worked with the Clerk/Treasurers office to finalize the preparation of the 2021 Annual Report. The report was submitted to the Clerk/Treasurer's office on April 1, 2022 and the Clerk/Treasurer's office uploaded/submitted the report to the Department of Local Government Finance before April 15, 2022

Ms. Ennis asked if anyone had any questions related to the report. There were none.

Old Business

Facade Improvement Program

Ms. Cindy Soliday, owner of the property at 263 Madison Street, presented her final expenditures and before and after photos for approval by the Redevelopment Commission. Ms. Soliday explained that the windows were more expensive than originally quoted due to the fact that there were 10 windows and the quote only included 9 windows. Ms. Soliday also stated that some additional roof repairs were made over the door to the classroom. Mr. Spencer made a motion to approve the reimbursement of \$9,224.50 for the façade improvements made at 263 Madison Steet, seconded by Ms. York. Approved 5-0.

Depot Street Revitalization Project

Ms. Saegesser stated that the Redevelopment Commission received an official letter of intent from a developer interested in the Depot Street property on Friday, December 3, 2021. The City Council and the Redevelopment Commission held a joint Executive Session on January 26, 2022 to gather information about the proposed project. The Commission is conducting due diligence regarding the proposed project and submitted a counter offer to the developer. A counter-offer from the developer is expected soon and a committee meeting will be held to discuss the updated offer.

Ms. Saegesser also presented a legal services agreement from Frost Brown Todd to form a single-site TIF District for this project with a not-to-exceed fee of \$15,000. Mr. Spencer made a motion to approve the legal services agreement with Frost Brown Todd, seconded by Mr. Coombs. Approved 5-0.

DCEC Quality Court Project

Chris Jackson with Cristiani Excavating Co., introduced Josh Hillman as the new Development Manager for Cristiani. Mr. Jackson stated that the original development (60-70 acres) has now expanded to over 300 acres due to the purchase of the adjacent property. Mr. Jackson stated that he hopes to present a revised development agreement to the Redevelopment Commission at the May Redevelopment Commission meeting, with the presentation of the Build Operate Transfer Agreement to review/approval at the June Redevelopment Commission meeting. Mr. Jackson also

stated. that they met with Tony Jackson regarding planning and zoning approvals for the expanded project and that Jacobi Toombs and Lanz is working on the Quality Court design and the traffic study necessary to warrant a traffic signal at Highway 62.

Ms. Saegesser presented a legal services agreement from Frost Brown Todd to de-TIF and form a new TIF District for this project with a not-to-exceed fee of \$18,000. Mr. Coombs made a motion to approve the legal services agreement with Frost Brown Todd, seconded by Ms. York. Approved 5-0.

Kleinert Property Donation

The survey and appraisal work has been completed on the parcel(s) to be donated to the Redevelopment Commission for use as a park. Legal counsel is conducting the necessary title work and will begin drafting the documentation to accept the transfer in cooperation with Mrs. Kleinert.

Industrial Park Fire Suppression

Ms. Saegesser stated that after the test was conducted on February 24, 2022, an Executive Session was held by the Redevelopment Commission at the end of March to discuss issues related to the test and next steps to resolve the issue. Ms. Saegesser discussed that the first action to be considered is the authorization of a preliminary cost estimate/coordination work order from Jacobi Toombs and Lanz. Mr. Coombs made a motion to accept the preliminary cost estimate/coordination work order with Jacobi Toombs and Lanz, seconded by Ms. York. Approved 3-0 with both John Spencer and Donna Ennis abstaining.

Ms. Saegesser then discussed the need to engage Landmark Services to complete the Indiana American Water intake document to determine the water pressure and supply necessary for the fire suppression systems to operate effectively. Mr. Coombs made a motion to engage Landmark Services to assist in completion of the evaluation of services for Indiana American Water for a not to exceed fee of \$10,000, seconded by Ms. York. Approved 3-0 with both John Spencer and Donna Ennis abstaining.

Ms. Saegesser then asked for approval for Frost Brown Todd to conduct title work related to the existing pump station and the lines connected to the fire suppression pump. Mr. Coombs made the motion to authorize Frost Brown Todd to conduct the necessary title work related to the fire suppression pump, seconded by Ms. York. Approved 3-0 with both John Spencer and Donna Ennis abstaining.

New Business

Future Meeting Dates

Ms. Ennis stated that a Joint Executive Session with the Redevelopment Commission and the City Council will be necessary to discuss the proposed Depot Street development. Dates for when the Redevelopment Commission members are available were discussed, but a date was not set.

Ms. Ennis also discussed the moving the May Redevelopment Commission meeting to an alternate date due to May 3rd being an election day. The Redevelopment Commission members agreed to holding the regularly scheduled meeting on May 11, 2022 at 6PM.

Discussion

Ms. Ennis asked if there was any additional discussion. Mayor Hodges requested that Frost Brown Todd provide information related to attending meetings electronically outside of Governor Holcomb’s Emergency Order. Ms. Saegesser stated that she would ask Frost Brown Todd to provide this information in the form of an email.

Adjournment

With no further items to discuss, Ms. Ennis asked for a motion to adjourn. Mr. Spencer made a motion to adjourn the meeting, seconded by Mr. Steele. Approved 5-0.

_____	_____
Donna Ennis, President	Date

Attest:

_____	_____
BJ Steele, Secretary	Date

Minutes

Joint Executive Session with the Redevelopment Commission and the City Council

April 25, 2022

AN EXECUTIVE SESSION OF THE REDEVELOPMENT COMMISSION FOR THE CITY OF CHARLESTOWN WAS HELD ON MONDAY, APRIL 25, 2022 at 6:30PM IN THE CITY COUNCIL CHAMBERS.

Redevelopment Commission Board members present Ms. Donna Ennis, Mr. Derek Coombs and Mr. BJ Steele. City Council members present: Mr. BJ Steele, Ms. Ruthie Jackson, Mr. Brian Hester and Bo Bertrum. Also present was Mayor Treva Hodges, Ms. Donna Coomer, Clerk/Treasurer, Mr. Greg Fifer, Redevelopment Commission Legal Counsel for the Depot Street project, Mr. Mike Gillenwater, Legal Counsel for the City Council, Mr. Perry McCall, Legal Counsel for Mayor Hodges, Chris Garder, Jacobi Toombs & Lanz, and Jill Saegesser, Paul Wheatley and Evan Shive with The Wheatley Group.

Discussion Related to Real Property Transaction

The Commission discussed options related to the potential transfer of real property referred to as the Depot Street property.

Adjournment

With no further items to discuss, Ms. Ennis asked for a motion to adjourn. Mr. Steele made a motion to adjourn the meeting, seconded by Mr. Coombs. Approved 4-0.

Donna Ennis, President Date

Attest: _____
BJ Steele, Secretary Date

Accounts Payable Register

Date: 05/06/2022 09:47:36 AM

APV Register Batch - REDEVELOPMENT MEETING 05/11/2022

APVREGISTER.FRX

All History

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK		MEMORANDUM
								CHECK #	DATE	
04/19/2022	99599	OLD NATIONAL WEALTH MANAGEMENT		472001490.000	TIF CENTRAL CHAS ECON DEV AREA	ANNUAL FEES - LEASE RENTAL REVENUE BONDS	800.00	51204	04/19/2022	
04/19/2022	99599	OLD NATIONAL WEALTH MANAGEMENT		472001490.000	TIF CENTRAL CHAS ECON DEV AREA	ANNUAL FEES - TAXABLE LEASE RENTAL REVENUE BONDS	800.00	51204	04/19/2022	
05/03/2022	99725	APPEGATE FIFER PULLIAM LLC		472001490.000	TIF CENTRAL CHAS ECON DEV AREA	LEGAL FEES DEPOT STREET	203.50		/ /	
05/03/2022	99724	JACOBI TOOMBS AND LANZ INC		472001490.000	TIF CENTRAL CHAS ECON DEV AREA	DEPOT STREET PROJECT	3108.00		/ /	
05/05/2022	99813	JACOBI TOOMBS AND LANZ INC		472001490.000	TIF CENTRAL CHAS ECON DEV AREA	ON CALL SERVICES	1884.76		/ /	
05/05/2022	99813	JACOBI TOOMBS AND LANZ INC		472001490.000	TIF CENTRAL CHAS ECON DEV AREA	DEPOT STREET PROJECT	17150.00		/ /	
05/05/2022	99812	WHEATLEY GROUP LLC		472001490.000	TIF CENTRAL CHAS ECON DEV AREA	APRIL SERVICES	7066.66		/ /	
*** GRAND TOTAL ***							31012.92			

Installed by the CITY OF CHARLESTOWN-2012

Fund Report

Date: 05/06/2022 09:48:45

Fund 472

FUNDACCOUNTS.FRX

From 05/01/2022 Thru 05/31/2022

Ordered By Fund Number

FUND TITLE	BALANCE BEG OF YEAR	REVENUE YTD	DISBURSED YTD	BALANCE BEG OF MONTH	REVENUE MTD	DISBURSED MTD	CURRENT BALANCE
472 TIF CENTRAL CHAS ECON DEV AREA	1305226.11	690.20	216882.98	1089033.33	0.00	0.00	1089033.33
*** GRAND TOTAL ***	1305226.11	690.20	216882.98	1089033.33	0.00	0.00	1089033.33

318 Main Cross Street Façade Improvements

Original Façade Work

\$ 1,350.00
\$ 3,746.00
\$ 299.97
\$ 224.91
\$ 12,500.00

\$ **18,120.88**

Additional Work - Requesting Reimbursement

\$ 500.00 window repair
\$ 1,124.00 Drip edge repair/gutter/leak issue
\$ 300.00 Stucco repair on back porch

\$ **1,924.00**

\$ **20,044.88** Total Project Cost

\$ **9,000.00** Approved Façade Reimbursement
\$ **10,000.00** Requested Façade Reimbursement

Amy J. Burnette
Member
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502.581.1087 (f)
aburnette@fbtlaw.com

May 9, 2022

Charlestown, Indiana Redevelopment Commission
304 Main Cross Street
Charlestown, Indiana 47111
Attn: Ms. Donna Ennis, President

Re: Waiver of Conflict and Consent to Representation of DF Development, LLC in
Connection with Depot Street Project

Dear Donna:

Another Frost Brown Todd LLC (“FBT”) client, DF Development, LLC (“DF”), has requested that another FBT attorney assist it with the acquisition from the City of Charlestown, Indiana Redevelopment Commission (the “RDC”) of certain property located on Depot Street in Charlestown, Indiana, as well as the negotiation of a development agreement between DF and the RDC with respect to the redevelopment of such property (the “Project”). FBT currently represents the RDC with respect to other matters, including as bond counsel in connection with the Project. We believe the factual and legal issues that are likely to arise in the work that DF has asked us to do in this representation are unrelated to the factual and legal issues in the work we are doing or are likely to do for the RDC.

Under applicable rules of professional conduct, FBT and I may not be adverse to a current client, even on an unrelated matter, without the informed consent of each affected client. This means that FBT must explain to both clients the material risks of our representing DF in the new matter, and that FBT cannot proceed with the representation unless both clients consent in writing.

In deciding whether to consent, the RDC should consider how our representation of DF as described above could or might affect the RDC. The proposed representation of DF in connection with the Project and the existing matters where we represent the RDC are wholly unrelated and will be handled by different FBT lawyers. For these reasons, we do not believe that there is any material risk that our commitment and dedication to the RDC’s interests will be adversely affected and we believe that we can provide competent and diligent representation to both the RDC and DF in their unrelated matters. FBT will not represent either the RDC or DF in connection with any claim, dispute or litigation that might arise between the RDC and DF in connection with the Project.

Any privileged, sensitive, proprietary or other confidential information of a non-public nature acquired by us as a result of our representation of the RDC will not be shared with our lawyers who may be involved in the proposed new matter for DF. Similarly, without DF’s consent, we will not share with the RDC any such information regarding DF acquired by FBT lawyers while representing DF.

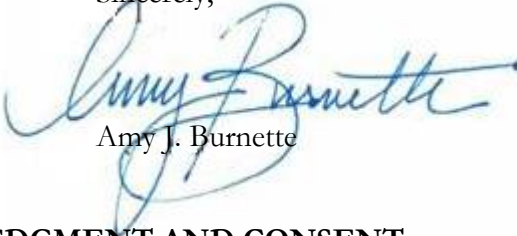
Charlestown, Indiana Redevelopment Commission

May 9, 2022

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Please review this conflict waiver request carefully. Please let me know if the RDC has any questions prior to reaching a decision on this issue. If the RDC is willing to consent after appropriate review, please sign the enclosed copy of this letter in the space provided below and return it to me. We very much appreciate the privilege of serving the RDC.

Sincerely,



Amy J. Burnette

ACKNOWLEDGMENT AND CONSENT

The City of Charlestown, Indiana Redevelopment Commission understands the nature of the conflict of interest and agrees to waive the conflict, consenting to FBT's representation of DF in this matter as described above.

City of Charlestown, Indiana Redevelopment Commission

By: _____
Donna Ennis, President

000000.0001516 4876-5716-2265v1

**AUTHORIZATION FOR TEMPORARY ENTRY UPON PRIVATE PROPERTY FOR
SURVEY, GEOTECHNICAL ENGINEERING INVESTIGATION AND
ENVIRONMENTAL ASSESSMENT ACTIVITIES RELATED TO THE
FOREST EDGE APARTMENT PROJECT**

Project:	Denton Floyd Real Estate Group Forest Edge Apartment Project
Owner:	Charlestown Redevelopment Commission
Parcel Nos.:	10-18-09-600-118.000-004, 10-18-09-600-116.000-004, 10-18-09-600-118.000-004, 10-18-09-600-046.000-004, 10-18-09-600-047.000-004
Owner Address:	304 Main Cross St., Charlestown, IN, 47111
County:	Clark

This instrument is authorization and permission for the Denton Floyd Real Estate Group through its employees, agents, and contractors to enter upon the above referenced property (the “**Property**”) for the purpose of (i) performing a topographic survey across the proposed Forest Edge Apartment Project site, (ii) to enter upon the Property for the purpose of performing a geotechnical investigation of the subsurface soils present, and (iii) to performing soil borings, soil sample collections, installation of temporary monitor wells for groundwater collections, and groundwater sample collections. The undersigned acknowledges that the geotechnical investigation and Phase II Environmental Assessment may result in tire tracks/rutting caused by soft/wet conditions due to the weather of the season and will result in areas with bare dirt cover due to the drilling operations.

CHARLESTOWN REDEVELOPMENT COMMISSION

By: _____
Name: _____
Title: _____

Date May ____, 2022

This Temporary Right-of-Entry shall cease at the completion of the assessments.
The Contractor shall be responsible for repair of any areas damaged during the assessments.

April Activity Summary

Presented to: Charlestown Redevelopment Commission
April 30, 2022

Business Development/Marketing

- The potential buyer of the Chase building is going through due diligence.
- Working with a potential industrial prospect to acquire property within the City.

Project Coordination

- The survey work and the appraisal work have been completed for the Kleinert property to be donated to the Commission for use as a park. Legal counsel is conducting the necessary title work and is in the process of drafting the documentation to accept the transfer in cooperation with Ms. Kleinert.
- The Renaissance II Project has received the necessary variance(s) and approval from the sewer board. The final approval will be from the City's Plan Commission in May. Construction could begin as early as May of 2022. The construction time will range from 6 – 9 months. Representatives from ARC plan to attend the next Redevelopment Commission meeting to discuss progress, etc., assuming that all approvals have been received.
- The BOT for the Quality Court improvements began with the acceptance of the proposal from GM Development at the July 15, 2021 Commission meeting. The GM Development team has met to discuss schedule and next steps. The traffic study began in March of 2022 and negotiations with staff from the River Ridge Development Authority and the City's Redevelopment Commission met to discuss agreements necessary to assist financially with the installation of the traffic signal. The updated site plan is still being finalized and the developer has closed on the adjacent property. Frost Brown Todd has submitted a letter of engagement to De-TIF the Quality Court area and establish a new TIF to include the Quality Court area and the recently acquired property adjacent to the area. Several meetings have been held with the parties involved and the revised development agreement has been drafted and is going through review. The revised project and development agreement will be presented to the Redevelopment Commission at the June meeting.
- Several developers are constructing single-family homes within Pleasant Ridge, with others interested in purchasing available lots.
- Façade Program – To date \$72,822.58 has been awarded to improve the façades at 807 High Street, 600 Pike Street, 775 Main Street, 359 Market Street, 318 Main Cross Street, 263 Madison Street, 324 Main Cross Street and 991 Market Street. The façade improvements at 600 Pike

Street, 807 High Street, 324 Main Cross Street, 359 Market Street and 263 Madison Street have been completed and the funds have been distributed. The property owner at 318 Main Cross Street completed the proposed improvements and will attend the May Redevelopment Commission meeting to discuss final expenses and request approval for reimbursement. A new application has been received and will be presented for approval by the Redevelopment Commission for 380 Main Cross Street.

- Received an official letter of intent from a developer for the Depot Street property on Friday, December 3, 2021. The City Council and the Redevelopment Commission held a joint Executive Session on January 26, 2022 to gather information about the proposed project. The Commission is conducting due diligence regarding the proposed project and submitted a counter-offer to the developer. The Redevelopment Commission received a final counter-offer from the developer and the Redevelopment Commission presented its final counter-offer. The final counter-offer from the City includes the demolition of the remaining structure on the property that is currently leased by the North Clark Outreach Center. The lease ending date is June 30, 2022. The development agreement has been drafted and is currently under review by Greg Fifer with Applegate Fifer Pulliam (AFP), the attorney representing the Redevelopment Commission on this specific project. Representatives from JTL and AFP are working on behalf of the Redevelopment Commission to go through the parcel consolidation and alley/utility/ROW vacation in preparation for the transfer of the property at closing.
- Continued discussions related to fire protection at the Industrial Park. A test was conducted on February 24, 2022. More discussion was held at an Executive Session on March 30, 2022. Actions taken at the April 5, 2022 meeting were as follows: authorization of Jacobi Toombs and Lanz to work with the companies involved and prepare options with preliminary cost estimates for consideration; the authorization of Landmark Services to assist in completing the intake document required by Indiana American Water to determine the water pressure/supply necessary for their fire suppression systems; and the authorization of Frost Brown Todd to order title work related to the fire pump and related distribution lines. The title work has been completed and the other work/coordination is currently underway.

TIF/Financial

- Completed the 2021 Annual Report and submitted it to the Clerk/Treasurer's office. The Clerk/Treasurer's office uploaded/submitted the report to the Department of Local Government Finance before April 15, 2022.