



**GOSHEN REDEVELOPMENT COMMISSION
AGENDA FOR THE REGULAR MEETING OF March 14, 2023**

To access online streaming of the meeting, go to <https://us02web.zoom.us/j/81223011833>

The Goshen Redevelopment Commission will meet on March 14, 2023 at 3:00 p.m. in the City Court Room/ Council Chambers at the Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana.

1. CALL TO ORDER/ROLL CALL

2. CHANGES TO THE AGENDA

3. APPROVAL OF MINUTES

4. PUBLIC HEARING – Notice to Taxpayers and All Other Persons Affected of Adoption and Content of Amending Declaratory Resolution of the Goshen Redevelopment Commission and Notice of Public Hearing on Resolution

5. NEW BUSINESS

Resolution 07-2023 – Acquisition of Real Estate at 3105 Peddlers Village Road

Resolution 08-2023 – Amended Agreement for the Sale and Purchase of Real Estate at 323 South Sixth Street

Resolution 09-2023 – Resolution Confirming the Amending Declaratory Resolution of the Goshen Redevelopment Commission Amending the Consolidated River Race/US 33 Allocation Area and Amending the Economic Development Plan for the 9th Street Corridor Allocation Area

6. APPROVAL OF REGISTER OF CLAIMS

7. MONTHLY REDEVELOPMENT STAFF REPORT

8. OPEN FORUM

The open forum is for the general discussion of items that are not otherwise on the agenda. The public will also be given the opportunity at this time to present or comment on items that are not on the agenda.

9. ANNOUNCEMENTS

Next Regular Meeting – April 11, 2023 at 3:00 p.m.

10. EXECUTIVE SESSION

Pursuant to the provisions of the Open Door Law and Indiana Code § 5-14-1.5-6.1(b)(2)(D), the Goshen Redevelopment Commission will meet in executive session at the conclusion of the regular meeting for discussion of strategy with respect to the purchase or lease of real property.

GOSHEN REDEVELOPMENT COMMISSION

Minutes for the Regular Meeting of February 14, 2023

The Goshen Redevelopment Commission met in a regular meeting on February 14, 2023 at 3:00 p.m. in the City Court Room/Council Chambers at the Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana.

CALL TO ORDER/ROLL CALL

The meeting was called to order by President Brian Garber. On call of the roll, the members of the Goshen Redevelopment Commission were shown to be present or absent as follows:

Present: Brianne Brenneman, Steve Brenneman, Brian Garber, Andrea Johnson, Brett Weddell and Bradd Weddell

Absent:

APPROVAL OF MINUTES

A motion was made by Commissioner Weddell and seconded by Commissioner B. Brenneman to approve the minutes of the January 10, 2023 regular meeting.

The motion was adopted unanimously.

PRESENTATION– Goshen Community Schools – Manufacturing Academy

(:48) Bob Krug, Goshen Community Schools, thanked the Commission for the funding to buy new equipment. Talked about the expansion of the program the last few years. Told the Commission about the different types of machinery and programs offered. Currently 138 students are enrolled in the program.

Resolution 02-2023 Approve Request to Execute Agreement with Roberts Environmental, LLC for a Phase 1 Environmental Site Assessment at 206 North Main Street

(22:53) Becky Hutsell, Redevelopment Director, the property is currently a private owned parking lot. The owners are offering the property to the City to use as a public parking lot. It was determined a Phase 1 Assessment would be needed as the lot was previously the location of a historic building. The Phase 1 satisfies the due diligence obligation of the City prior to acquisition.

A motion was made by Commissioner Weddell and seconded by Commissioner B. Brenneman to approve Resolution 02-2023.

The motion was adopted unanimously.

Resolution 03-2023 – Amending Declaratory Resolution of the Goshen Redevelopment Commission Amending the Consolidated River Race/US 33 Allocation Area to Create a New Allocation Area within the Consolidated River Race/US 33 Economic Development Area and Amending the Economic Development Plan

(26:00) Becky Hutsell, Redevelopment Director, this resolution is the first step in carving the former Western Rubber parcel out of the Consolidated River Race/US 33 TIF and establishing it as its own allocation area. The new allocation area will be titled the 9th Street Corridor Allocation Area. The next step in the process, if passed by the Commission, will be to submit the resolution to the Goshen Plan

Commission for approval, followed by City Council approval. A Tax Impact Statement will also be prepared to evaluate the impact this development will have on existing City services. A motion was made by Commissioner Weddell and seconded by Commissioner Johnson to approve Resolution 03-2023.

The motion was adopted unanimously.

Resolution 04-2023 – Resolution Confirming the Resolution of the Goshen Redevelopment Commission Adopted on December 13, 2022, entitled “Amending Declaratory Resolution of the Goshen Redevelopment Commission Creating a New Housing Allocation Area within the Southeast Development Area and Housing Program”

(31:00) Becky Hutsell, Redevelopment Director, this is the final RDC resolution that confirms the removal of parcels previously included in the Consolidated Southeast TIF and established them as a new Southeast Residential Allocation Area. This resolution details the process that has been completed to date. The next step is City Council for approval.

A motion was made by Commissioner Weddell and seconded by Commissioner B. Brenneman to approve Resolution 04-2023.

The motion was adopted unanimously.

Resolution 05-2023 - Authorization to Execute Contract for Right-of-Way Services with American Structurepoint for College Avenue Reconstruction Phase 1

(34:40) Becky Hutsell, Redevelopment Director, City staff has negotiated with American Structurepoint for right-of-way professional services for the Reconstruction of College Avenue from US 33 to Norfolk-Southern Chicago Line. The maximum payable amount for the LPA-Consulting Contract shall not exceed \$252,225. The City of Goshen is responsible for 20% of the contract amount, or \$50,445.

A motion was made by Commissioner Weddell and seconded by Commissioner Johnson to approve Resolution 05-2023.

The motion was adopted unanimously.

Resolution 06-2023 – Request for Permission to Issue a Request for Proposals for Professional Engineering and Right-of-Way Services for College Avenue Reconstruction Phase 3

(34:40) Becky Hutsell, Redevelopment Director, explained the details of the project. Total projects costs are estimated to be 7.9 million with the grant funds providing 80% of the anticipated cost. The estimated cost for the design and right-of-way professional services is estimated around \$770,000, with the city’s portion being approximately \$154,000. The Engineering Department is requesting permission to issue the Request for Proposals for the professional engineering and right-of-way services.

A motion was made by Commissioner Weddell and seconded by Commissioner Johnson to approve Resolution 06-2023.

The motion was adopted unanimously.

DISCUSSION

Ozinga Bike Path

(39:00) Becky Hutsell, Redevelopment Director, the layout done by Goshen Engineering for a bike path connection from the Monroe Street path to Fidler Pond Park. Appraisals have been obtained for the parcels from the Ozinga property and the old Johnson Controls site. A grant opportunity at the state level would may be available to the Park Department which would cover 80% of the project. Would like to secure the right-of-way before the properties are sold and developed.

After discussion, the Commission stated their support for this project.

River District Bike Path

(43:14) Becky Hutsell, Redevelopment Director, since we have possession of the Dispennett property, now would be the time to acquire the needed right-of-way needed to for the bike path.

After discussion, the Commission stated their support for this project.

APPROVAL OF REGISTER OF CLAIMS

A motion was made by Commissioner Weddell and seconded by Commissioner Johnson to approve the payment of the Register of Claims totaling \$3,100,091.92.

The motion was adopted unanimously.

MONTHLY REDEVELOPMENT STAFF REPORT

Redevelopment Director Becky Hutsell offered to answer any questions about the monthly report; however the Commission did not have any questions.

OPEN FORUM

Becky Hutsell, Redevelopment Director, stated next month will have the development agreement with Cherry Creek.

Currently reviewing the appraisals for the RFP's and waiting on a final appraisal for the former D & T building. Our intention is to retain the western portion of the parking lot that will be redone with the Jefferson Street project.

Ms. Hutsell talked about the different options in structuring the RFP's. Discussion between Commission members and staff regarding lease options, lease to purchase or purchase.

Question regarding repayment from Scott Sivan and Ms. Hutsell stated that we are working on it.

ANNOUNCEMENTS

It was announced that the next regular meeting is scheduled for March 14, 2023 at 3:00 p.m.

ADJOURNMENT

A motion was made by Commissioner Johnson and seconded by Commissioner B. Brenneman to adjourn the meeting.

The motion was adopted unanimously.

The regular meeting was adjourned at 4:03 p.m.

APPROVED on March 14, 2023

GOSHEN REDEVELOPMENT COMMISSION

Brian Garber, President

Brianne Brenneman, Secretary

NOTICE TO TAXPAYERS AND ALL OTHER PERSONS AFFECTED OF
ADOPTION AND CONTENT OF AMENDING DECLARATORY
RESOLUTION OF THE GOSHEN REDEVELOPMENT COMMISSION AND
NOTICE OF PUBLIC HEARING ON RESOLUTION

Taxpayers of the Goshen Redevelopment District and all other persons affected hereby are notified that the Goshen Redevelopment Commission ("Commission") adopted Declaratory Resolution No. 02-2012 (as amended to date), as confirmed by its Confirmatory Resolution No. 26-2012 (as amended to date) after a public hearing (collectively, "Area Resolution") establishing, consolidating and enlarging the Consolidated River Race/US 33 Economic Development Area and the Consolidated River Race/US 33 Allocation Area in accordance with IC 36-7-14-39 ("Original Allocation Area"), for the purpose of capturing property taxes generated from the incremental assessed value of real property located in the Original Allocation Area.

On February 14, 2023, the Commission adopted an amending declaratory resolution ("Amending Declaratory Resolution"), amending the Area Resolution to: (i) remove Parcel No. 20-11-15-153-001.000-015 (commonly known and referred to as 620 East Douglas Street, Goshen, Indiana, 46526) from the Original Allocation Area ("Parcel"); (ii) designate the Parcel as a new tax allocation area to be identified as the 9th Street Corridor Allocation Area (as set forth on Exhibit A of the Area Resolution); and (iii) add the construction of the Projects (as set forth on Exhibit B of the Area Resolution) to the Economic Development Plan (as amended, "2023 Plan").

The Amending Declaratory Resolution, 2023 Plan and supporting data, including maps of the Area and the Indiana Avenue Allocation Area, have been prepared and can be inspected at the office of the Clerk-Treasurer, City Hall, 202 South 5th Street, Suite 2, Goshen, Indiana.

Notice is further given that the Commission will hold a public hearing on March 14, 2023 at the hour of 3:00 p.m., local time, in the City Court Room/Council Chambers, Police & Court Building, 111 East Jefferson Street, Goshen, Indiana, to receive and hear remonstrances from persons interested in or affected by the proceedings pertaining to the Amending Declaratory Resolution and 2023 Plan. At the time fixed for hearing or at any time prior thereto, any person interested in the proceedings may file a written remonstrance with the Secretary of the Commission in the office of the Clerk-Treasurer. At such hearing, which may be adjourned from time to time, the Commission will hear all persons interested in the proceedings and all remonstrances that have been filed. After considering this evidence, the Commission will take final action by either confirming, modifying and confirming, or rescinding the Amending Declaratory Resolution.

Dated this 3rd day of March, 2023.

GOSHEN REDEVELOPMENT
COMMISSION

**Goshen Redevelopment Commission
Resolution 07-2023**

Acquisition of Real Estate at 3105 Peddler’s Village Road

WHEREAS the City of Goshen plans to make roadway improvements at the intersection of Reliance Road and Peddler’s Village Road, hereinafter referred to as the “Project.”

WHEREAS the City of Goshen needs to acquire certain real estate for the Project more commonly known as 3105 Peddler’s Village Road, Goshen, hereinafter referred to as the “Real Estate.”

WHEREAS the Goshen Redevelopment Commission is providing funding for the City’s acquisition of the Real Estate.

WHEREAS the Goshen Board of Public Works and Safety approved the terms and conditions of an Agreement for the Sale and Purchase of Real Estate, and further authorized Mayor Jeremy P. Stutsman to execute the Agreement for the Sale and Purchase of Real Estate and any other documents on behalf of the Goshen Board of Public Works and Safety and the City of Goshen that are necessary to effectuate the City’s acquisition of the Real Estate.

NOW, THEREFORE, BE IT RESOLVED that the Goshen Redevelopment Commission approves the terms and conditions and ratifies Mayor Jeremy P. Stutsman’s execution of the Agreement for the Sale and Purchase of Real Estate attached to and made a part of this resolution.

PASSED by the Goshen Redevelopment Commission on March _____, 2023.

President

Secretary

AGREEMENT FOR THE SALE AND PURCHASE OF REAL ESTATE

THIS AGREEMENT is made and entered into on February 27, 2023, which is the last signature date set forth below, by and between **Charles R. Moore, Sr. and Brenda S. Moore, husband and wife** (“Seller”), and **City of Goshen, Indiana**, a municipal corporation and political subdivision of the State of Indiana, acting through the Goshen Board of Public Works and Safety (“Goshen”).

REAL ESTATE

In consideration of the purchase price and on the terms, covenants and conditions to be kept and performed by the respective parties, Seller agrees to sell and Goshen agrees to purchase the following real estate located in Concord Township, Elkhart County, Indiana, more commonly known as **3105 Peddler’s Village Road, Goshen, IN 46526**, and more particularly described as follows:

Lot Numbered Two (2) as the said Lot is known and designated on the recorded Plat of KILMER MINOR SUBDIVISION in Concord Township; said Plat being recorded in Plat Book 18, page 34, in the Office of the Recorder of Elkhart County, Indiana.

Parcel Number: 20-06-36-478-013.000-013

The above described real estate is hereinafter referred to as the “Real Estate.”

The Real Estate shall include all land, all pertinent rights, privileges and easements and all buildings and fixtures in their present condition.

IN LIEU OF EMINENT DOMAIN

Goshen is acquiring the Real Estate make roadway improvements at the intersection of Reliance Road and Peddler’s Village Road. While the terms have been amicably negotiated between the parties, the parties have entered into the negotiation process to avoid the commencement of an eminent domain lawsuit.

PURCHASE PRICE

Goshen agrees to pay and Seller agrees to accept the total sum of One Hundred Thirty Thousand Dollars (\$130,000) to be paid at the closing.

APPRAISAL

Goshen has obtained at Goshen's expense an appraisal of the Real Estate. Goshen has supplied a copy of the appraisal to Seller.

ADDITIONAL COMPENSATION DUE SELLER

In addition to the purchase price set forth in the agreement, Goshen owes the following additional obligations to Seller for the Seller's relocation to a new site.

(1) In accordance with Indiana Code § 8-23-17-13(1), Goshen will pay to Seller actual reasonable expenses incurred by Seller in moving. Such reasonable expenses shall not exceed Two Thousand Five Hundred Dollars (\$2,500). The payment will be made after possession of the Real Estate is delivered to Goshen and within thirty (30) days after Goshen receives an invoice with supporting expense documentation from Seller.

(2) In accordance with Indiana Code § 8-23-17-17(a), Goshen will pay to Seller Two Thousand Five Hundred Dollars (\$2,500) to enable Seller to make a down payment on the purchase of an adequate replacement dwelling. The payment will be made within thirty (30) days of the execution of this agreement or at closing, whichever occurs first.

(3) In accordance with Indiana Code § 8-23-17-17(b), Goshen will pay to Seller reasonable expenses incurred by Seller for evidence of title, recording fees, and other closing costs incidental to the purchase of the replacement dwelling, but not including prepaid expenses. The payment will be made within thirty (30) days after Goshen receives a supporting expense documentation (i.e., settlement statement) from Seller.

(4) In accordance with Indiana Code § 8-23-17-18 and Indiana Code § 8-23-17-20 and upon request of Seller, Goshen agrees to provide relocation assistance to Seller.

TAXES AND ASSESSMENTS

Seller shall pay the real estate taxes and assessments for 2022 due and payable in 2023. The real estate taxes and assessments for 2023 due and payable in 2024 shall be prorated between Seller and Goshen as of the date of closing. If the tax rate and/or assessment for taxes have not been determined, the rate and/or assessment shall be assumed to be the same as the prior year for

the purpose of proration and credit for due but unpaid taxes and assessments. Goshen shall pay all real estate taxes and assessments for 2024 due and payable in 2025 and thereafter.

TITLE SEARCH

Goshen has obtained a title search for the Real Estate at Goshen's expense. Any encumbrances or defects in title must be removed by Seller and Seller must convey merchantable title subject to standard title exceptions. Seller agrees to pay the cost of obtaining all other documents necessary to perfect title so that merchantable title can be conveyed.

MORTGAGE

The title search shows a mortgage on the Real Estate. The mortgage shall be paid in full from the sale proceeds at the closing. Seller agrees to cooperate with Goshen in obtaining an accurate pay off amount for the mortgage as of the date of the closing with a per diem amount for at least ten (10) days after the closing date.

WARRANTY DEED

Seller shall deliver to Goshen a warranty deed conveying merchantable title to the Real Estate free and clear of all liens and encumbrances, except conditions of record including, but not limited to zoning restrictions, taxes, easements, and assessments. Title shall be transferred to "City of Goshen, Indiana".

CLOSING

A closing will be held on or before March 31, 2023, unless the parties agree to a later date in writing.

Goshen will pay the cost of the closing agent and costs of the closing except to the extent that such costs are specifically designated as the cost of the Seller by the terms of this agreement.

POSSESSION OF REAL ESTATE

(1) Possession and occupancy of the Real Estate will be delivered to Goshen on or before June 15, 2023, unless a later date of occupancy is agreed to in writing by Seller and Goshen.

(2) Except for any salvage rights granted to Seller, Seller shall maintain the Real Estate in its present condition as long as Seller retains possession.

(3) Seller shall remove all personal property and debris that is not included in the sale.

(4) Seller shall be responsible for payment of all utility charges through the date of possession.

(5) Seller shall assume the risk of loss until the closing at which time Goshen shall assume the risk of loss, unless Seller retains possession after the closing date. If possession is retained by Seller, the risk of loss shall remain with Seller until possession is given to Goshen.

SALVAGE RIGHTS

As long as the structure on the Real Estate can be secured and remains stable and safe, Seller may salvage any fixtures or other parts of the structure. All salvage work must be completed by Seller when possession is delivered to Goshen which shall be on or before June 15, 2023.

AMENDMENT

Any amendment or modification to the terms and conditions of the agreement shall not be binding unless made in writing and signed by both parties. Any verbal representations or modifications concerning the agreement shall be of no force and effect.

MISCELLANEOUS

(1) This agreement shall be construed in accordance with and governed by the laws of the State of Indiana.

(2) In the event that legal action is brought to enforce or interpret the terms of and conditions of this agreement, the proper venue for such action will be in a court of competent jurisdiction in Elkhart County, Indiana.

(3) In the event that either party brings an action to enforce any right conferred by this agreement or to force the other party to fulfill any obligation imposed by this agreement, the prevailing party of such action shall be entitled to recover all costs of that action, including reasonable attorneys' fees.

(4) In the event that any provision of this agreement is found to be invalid or unenforceable, then such provision shall be reformed in accordance with applicable law. The

invalidity or unenforceability of any provision of this agreement shall not affect the validity or enforceability of any other provision of this agreement.

(5) All provisions, covenants, terms and conditions of this agreement apply to and bind the parties and their legal heirs, representatives, successors and assigns.

(6) This agreement constitutes the entire agreement between the parties and supersedes all other agreements or understanding between Goshen and Seller.

IN WITNESS WHEREOF, the parties have set their hands to this agreement on the dates as set forth below.

Seller

Goshen

Charles R Moore Sr.
Charles R. Moore, Sr.

Date: 2-22-23

Brenda S. Moore
Brenda S. Moore

Date: 2-22-23



Jeremy P. Stutsman, Mayor
Goshen Board of Public Works and Safety
City of Goshen, Indiana

Date: February 27, 2023

RESOLUTION 08-2023

**Amended Agreement for the Sale and Purchase of Real Estate
at 323 South Sixth Street, Goshen**

WHEREAS pursuant to Resolution 67-2022, the Goshen Redevelopment Commission approved a request to maintain the real estate at 323 South Sixth Street as a two-unit rental, and authorized the Redevelopment Director to negotiate revisions to the Amended Agreement for the Sale and Purchase of Real Estate dated September 15, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Goshen Redevelopment Commission that the terms and conditions of the Amended Agreement for the Sale and Purchase of Real Estate at 323 South Sixth Street, Goshen attached to and made a part of this resolution are approved. Redevelopment Director Becky Hutsell is authorized to execute the Amended Agreement on behalf of the Goshen Redevelopment Commission and the City of Goshen.

PASSED by the Goshen Redevelopment Commission on March 14, 2023.

President

Secretary

**AMENDED AGREEMENT FOR THE SALE AND PURCHASE OF REAL ESTATE
AT 323 SOUTH SIXTH STREET, GOSHEN**

THIS AMENDED AGREEMENT is entered into on _____, 2023, which is the last signature date set forth below, between David T. Stump and Sara Stump, Husband and Wife, hereinafter “Stump,” Timothy S. Hochstetler, hereinafter “Hochstetler,” and the City of Goshen, Indiana for the Use and Benefit of the Department of Redevelopment, a municipal corporation and political subdivision of the State of Indiana acting through the Goshen Redevelopment Commission, hereinafter referred to as “City.”

Recitals

WHEREAS Stump and City entered into an Agreement for the Sale and Purchase of Real Estate on March 17, 2015 (“2015 Agreement”) for the real estate at 323 South Sixth Street, Goshen (“Sixth Street Real Estate”) and 211 East Madison Street, Goshen (“Madison Street Real Estate”).

WHEREAS the closing on and the City’s transfer of the Sixth Street Real Estate occurred March 30, 2015, with Stump granting City a mortgage on the Sixth Street Real Estate to secure the performance of the obligations due under the terms of the 2015 Agreement and the provisions of the Mortgage dated March 30, 2015 and recorded in the Office of the Elkhart County Recorder on March 31, 2015 as Instrument Number 2015-05962 (“Sixth Street Mortgage”).

WHEREAS the closing on and the City’s transfer of the Madison Street Real Estate occurred June 24, 2016, with Stump granting City a mortgage on the Madison Street Real Estate to secure the performance of the obligations due under the terms of the 2015 Agreement and the provisions of the Mortgage dated June 24, 2016 and recorded in the Office of the Elkhart County Recorder on June 25, 2016 as Instrument Number 2016-12054 (“Madison Street Mortgage”).

WHEREAS Stump and City entered into an Amended Agreement for the Sale and Purchase of Real Estate on September 15, 2022 (“2022 Amended Agreement”) thereby replacing the 2015 Agreement.

WHEREAS pursuant to the 2022 Amended Agreement, Stump paid \$15,000 to City on or about October 28, 2022 when Stump transferred the Madison Street Real Estate to another party, and City released the Madison Street Mortgage on the Madison Street Real Estate.

WHEREAS Hochstetler is acquiring the Sixth Street Real Estate from Stump pursuant to a Conditional Sales Contract.

WHEREAS in December 2022, Hochstetler requested, and City approved Hochstetler’s request to maintain the Sixth Street Real Estate as a two-unit rental, and authorized the Redevelopment Director to negotiate revisions to the 2022 Amended Agreement.

NOW, THEREFORE, for and in consideration of mutual promises of the parties and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

Sixth Street Real Estate Renovations and Improvements

(1) City agrees that Stump does NOT need to convert the Sixth Street Real Estate into a single-family residence prior to transferring ownership to any other party or to require any subsequent owner to convert the property to a single-family residence as a condition of the sale.

(2) Hochstetler and/or Stump may maintain the Sixth Street Real Estate as a multi-family residence consisting of not more than two (2) rental units.

(3) Hochstetler and/or Stump agree to renovate and improve the Sixth Street Real Estate in accordance with plans approved in advance by City. The renovations and improvements shall include:

(a) Removal of all poison ivy, and all dead and invasive trees from the premises.

(b) Repair or replace windows so all are in good repair and working order, and so that all windows match.

(c) Paint all chipping or peeling exterior trim and wood on the structure, including the trim and wood on the porch and car port.

(d) Repair exterior brick and mortar where necessary.

(e) Repair and install insulation in attic space.

(f) Paint the interior of the structure.

(g) Restore and/or refinish hardwood flooring.

(h) Renovate the kitchen in each rental unit, including installation of new cabinets, countertops, appliances and fixtures.

(i) Renovate the bathroom(s) in each rental unit, including installation of new cabinet and/or sink, tub and/or shower, toilet and fixtures.

(j) Install laundry facilities for both rental units.

(4) Hochstetler and/or Stump shall obtain permits from the Goshen Building Department for all work as required. If any of the renovations and improvements do not require a permit, Hochstetler and/or Stump agrees to contact the Goshen Redevelopment Department for inspection of the work when completed. The Redevelopment Director, or its designee, shall inspect and confirm the satisfactory completion of the work that is not otherwise inspected by the Goshen Building Department.

(5) Hochstetler and/or Stump agree to complete all renovations and improvements to the Sixth Street Real Estate on or before April 1, 2028.

Mortgage

The parties acknowledge that the Sixth Street Mortgage was to secure the performance of the obligations due under the terms of the 2015 Agreement. The parties agree that all provisions of the Sixth Street Mortgage shall remain in full force and effect except the Sixth Street Mortgage, in the amount of Twenty-Five Thousand Dollars (\$25,000), is to secure Hochstetler and/or Stump’s agreement to make the renovations and improvements to the Sixth Street Real Estate, as modified by the terms of this Amended Agreement. City agrees to release the Sixth Street Mortgage without additional payment from Hochstetler and/or Stump once all renovations and improvements to the Sixth Street Real Estate are complete pursuant to this Amended Agreement, and accepted by City.

Modifications

Any modification or amendment to the terms and conditions of this Amended Agreement shall not be binding unless made in writing and signed by all parties. Any verbal representations or modifications concerning this Amended Agreement shall be of no force and effect.

Notice

Any notice required or desired to be given under this Amended Agreement shall be deemed sufficient if it is made in writing and delivered personally or sent by regular first-class mail to the parties at the following addresses, or at such other place as a party may designate in writing from time to time.

City: City of Goshen, Indiana
Attention: Legal Department
204 East Jefferson Street, Suite 2
Goshen, IN 46528

Stump: David T. Stump and Sara Stump
1462 Firestar Drive
Goshen, IN 46526

Hochstetler: Timothy S. Hochstetler
313 South Sixth Street
Goshen, IN 46528

Miscellaneous Provisions

(1) This agreement shall be construed in accordance with and governed by the laws of the State of Indiana.

(2) In the event that legal action is brought to enforce or interpret the terms of and conditions of this agreement, the proper venue for such action will be in a court of competent jurisdiction in Elkhart County, Indiana.

(3) In the event that either party brings an action to enforce any right conferred by this agreement or to force the other party to fulfill any obligation imposed by this agreement, the

prevailing party of such action shall be entitled to recover all costs of that action, including reasonable attorneys' fees.

(4) In the event that any provision of this agreement is found to be invalid or unenforceable, then such provision shall be reformed in accordance with applicable law. The invalidity or unenforceability of any provision of this agreement shall not affect the validity or enforceability of any other provision of this agreement.

(5) The waiver by either party of a breach of any provision of this agreement shall not operate or be construed as a waiver of any subsequent breach.

(6) All provisions, covenants, terms and conditions of this agreement apply to and bind the parties and their legal heirs, representatives, successors and assigns.

(7) This agreement constitutes the entire agreement between the parties and supersedes all other agreements or understandings between City, Stump and Hochstetler. This Amended Agreement specifically replaces the 2022 Amended Agreement.

IN WITNESS WHEREOF, the parties have executed this Amended Agreement in on the dates as set forth below.

Stump

City

David T. Stump

Becky Hutsell, Redevelopment Director

Sara Stump

Date: _____

Date: _____

Hochstetler

Timothy S. Hochstetler

Date: _____

RESOLUTION NO. 09-2023

RESOLUTION CONFIRMING THE RESOLUTION OF THE GOSHEN REDEVELOPMENT COMMISSION ADOPTED ON FEBRUARY 14, 2023, ENTITLED "AMENDING DECLARATORY RESOLUTION OF THE GOSHEN REDEVELOPMENT COMMISSION AMENDING THE CONSOLIDATED RIVER RACE/US 33 ALLOCATION AREA WITHIN THE CONSOLIDATED RIVER RACE/US 33 ECONOMIC DEVELOPMENT AREA AND AMENDING THE ECONOMIC DEVELOPMENT PLAN" FOR THE 9TH STREET CORRIDOR ALLOCATION AREA

WHEREAS, the City of Goshen ("City") Redevelopment Commission ("Commission") has created, consolidated and enlarged the Consolidated River Race/US 33 Economic Development Area ("Area"), and an allocation area coterminous with the Area known as the Consolidated River Race/US 33 Allocation Area ("Original Allocation Area") in accordance with IC 36-7-14-39 for the purpose of capturing real property taxes generated from the incremental assessed value of real property located in the Original Allocation Area, and adopted an economic development plan, as amended (collectively, "Original Plan"), pursuant to Declaratory Resolution No. 02-2012 (as amended to date), as confirmed by Confirmatory Resolution No. 26-2012 (as amended to date), following statutory public hearings (collectively, "Area Resolution");

WHEREAS, on February 14, 2023 the Commission adopted a resolution amending the Area Resolution ("Amending Declaratory Resolution") to: (i) remove Parcel No. 20-11-15-153-001.000-015 (commonly known and referred to as 620 East Douglas Street, Goshen, Indiana, 46526) ("Parcel"); (ii) designate the Parcel as a new tax allocation area to be identified as the 9th Street Corridor Allocation Area; and (iii) add the construction of the Projects (as defined in the Area Resolution) to the Economic Development Plan (as amended "2023 Plan");

WHEREAS, the Original Allocation Area shall maintain its base assessment date;

WHEREAS, the 9th Street Corridor Allocation Area shall have a base assessment date of January 1, 2023;

WHEREAS, the Commission submitted the Amending Declaratory Resolution and 2023 Plan and supporting data to the Goshen Plan Commission ("Plan Commission") and the Plan Commission has issued its written order approving the Amending Declaratory Resolution and the 2023 Plan;

WHEREAS, the Common Council, by resolution adopted March 6, 2023, approved the order of the Plan Commission;

WHEREAS, the Commission on March 3, 2023 published notice of the adoption and content of the Amending Declaratory Resolution in the *Goshen News*, which notice also gave notice of a hearing on the proposed amendments to be held by the Commission;

WHEREAS, the notice described in the preceding paragraph was also filed in the office of the Plan Commission and any other departments, bodies or offices having to do with City planning, variances from zoning ordinances, land use or the issuance of building permits;

WHEREAS, copies of the notice were also filed on or before March 3, 2023, with the officer authorized to fix budgets, tax rates and tax levies under IC 6-1.1-17-5 for each taxing unit that is either wholly or partly located within the consolidated Indiana Avenue Allocation Area, together with a statement disclosing the impact of the 9th Street Corridor Allocation Area, including the following:

(A) The estimated economic benefits and costs incurred by the 9th Street Corridor Allocation Area, as measured by increased employment and anticipated growth of real property, personal property and inventory assessed values; and

(B) The anticipated impact on tax revenues of each taxing unit that is either wholly or partly located within the new 9th Street Corridor Allocation Area; and

WHEREAS, the Commission on March 14, 2023, conducted a public hearing at which the Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed;

NOW, THEREFORE, BE IT RESOLVED BY THE GOSHEN REDEVELOPMENT COMMISSION, THAT:

Section 1. The Commission has considered the evidence presented and now finds and determines that it will be of public utility and benefit and will benefit the public health and welfare of the citizens of the City to amend the Area Resolution and Original Plan as set forth in the Amending Declaratory Resolution.

Section 2. The Amending Declaratory Resolution and the 2023 Plan approved by the Commission on February 14, 2023, copies of which are attached hereto and incorporated herein, are hereby confirmed.

Section 3. The Amending Declaratory Resolution and the 2023 Plan, as confirmed, shall be attached to and incorporated in this resolution. The Secretary is hereby directed to record this resolution with the Elkhart County Recorder and provide a record stamped copy to the Elkhart County Auditor.

Section 4. This resolution is effective upon passage.

Adopted at a meeting of the Goshen Redevelopment Commission held on this 14th day of March, 2023, in Goshen, Indiana.

GOSHEN REDEVELOPMENT COMMISSION

President

Vice-President

Secretary

Member

Member

ATTEST:

Secretary

RESOLUTION NO. 03-2023

AMENDING DECLARATORY RESOLUTION OF THE
GOSHEN REDEVELOPMENT COMMISSION AMENDING
THE CONSOLIDATED RIVER RACE/US 33 ALLOCATION
AREA TO CREATE A NEW ALLOCATION AREA WITHIN
THE CONSOLIDATED RIVER RACE/US 33 ECONOMIC
DEVELOPMENT AREA AND AMENDING THE ECONOMIC
DEVELOPMENT PLAN

WHEREAS, the City of Goshen ("City") Redevelopment Commission ("Commission") has created, consolidated and enlarged the Consolidated River Race/US 33 Economic Development Area ("Area"), and designated two allocation areas within the Area, including the Consolidated River Race/US 33 Allocation Area ("Original Allocation Area") in accordance with IC 36-7-14-39 for the purpose of capturing real property taxes generated from the incremental assessed value of real property located in the Original Allocation Area ("Tax Increment"), and adopted an economic development plan, as amended (collectively, "Original Plan"), pursuant to Declaratory Resolution No. 02-2012 (as amended to date), as confirmed by Confirmatory Resolution No. 26-2012 (as amended to date), following statutory public hearings (collectively, "Area Resolution");

WHEREAS, there are no outstanding bond obligations payable from Tax Increment collected in the Original Allocation Area;

WHEREAS, the Commission now desires to amend the Area Resolution to: (i) remove Parcel No. 20-11-15-153-001.000-015 (commonly known and referred to as 620 East Douglas Street, Goshen, Indiana, 46526) from the Original Allocation Area ("Parcel"); (ii) designate the Parcel as a new tax allocation area to be identified as the 9th Street Corridor Allocation Area as set forth on the map attached hereto as Exhibit A; and (iii) add the hereinafter defined Projects to the Original Plan ("2023 Plan"); and

WHEREAS, IC 36-7-14-17.5 authorizes the Commission to amend the Area Resolution and Original Plan, after conducting a public hearing, if it finds that:

- (a) The amendments are reasonable and appropriate when considered in relation to the Area Resolution, the Original Plan and the purposes of IC 36-7-14; and
- (b) The Area Resolution and Original Plan, with the proposed amendments, conform to the comprehensive plan for the City;

NOW, THEREFORE, BE IT RESOLVED BY THE GOSHEN REDEVELOPMENT COMMISSION, THAT:

Section 1. The Area Resolution is hereby amended to: (i) remove the Parcel from the Original Allocation Area in order to create a new allocation area; (ii) designate the Parcel as a new tax allocation area to be designated the "9th Street Corridor Allocation Area," as shown on Exhibit A attached hereto; and (iii) add the Projects to the 2023 Plan.

Section 2. The Commission finds that the construction of the Projects as set forth on Exhibit B attached hereto to facilitate the development of approximately 138 multi-family housing units, together with all necessary appurtenances, related improvements and equipment, will further the Original Plan, as amended; that the Projects will be located in or physically connected to the Area and provide a substantial economic benefit to the Area, the 9th Street Corridor Allocation Area and the residents of the City by creating needed multi-family residential housing due to the current housing shortage in the Area and offering twenty (20%) percent of the housing units to first responders, health care workers and teachers (collectively, "Essential Workers"); therefore, it will be of public utility and benefit to amend the Area Resolution and the Original Plan to include the Projects. The Commission further finds that the public health and welfare will be benefited by the amendments to the Area Resolution, Original Plan and the implementation of the 2023 Plan through providing much needed housing to address the housing shortage and providing housing to Essential Workers.

Section 3. The Commission now finds and determines that the amendments described in Section 1 above are reasonable and appropriate when considered in relation to the Area Resolution, the Original Plan and the economic development purposes set forth in IC 36-7-14. The Commission finds that the creation of the 9th Street Allocation Area and the adoption of the 2023 Plan conform to the comprehensive plan for the City.

Section 4. The Original Allocation Area shall maintain its original base assessment date and the 9th Street Allocation Area shall have a base assessment date of January 1, 2023.

Section 5. The allocation provisions in effect when the Original Allocation Area was designated as a part of the Area shall continue to apply to the Original Allocation Area.

Section 6. This paragraph shall be considered the allocation provision for the 9th Street Corridor Allocation Area for purposes of IC 36-7-14-39. The Parcel shall constitute an allocation area as defined in IC 36-7-14-39, separate and apart from the Original Allocation Area designated the 9th Street Corridor Allocation Area. Any property taxes levied on or after the effective date of this resolution by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the 9th Street Corridor Allocation Area shall be allocated and distributed in accordance with IC 36-7-14-39 or any applicable successor provision. This allocation provision shall expire no later than 25 years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment in the 9th Street Corridor Allocation Area.

Section 7. The presiding officer of the Commission is hereby authorized and directed to submit this resolution to the Goshen Plan Commission ("Plan Commission") for its approval. The Commission further directs the presiding officer to submit this resolution and the approving order of the Plan Commission to the Common Council for its approval of the amendments to the Area Resolution and the Original Plan.

Section 8. The Commission also directs the presiding officer, after receipt of the written order of approval of the Plan Commission which has been approved by the Common Council, to publish notice of the adoption and substance of this resolution in accordance with IC 5-3-1-4 and to file notice with the Plan Commission, the Board of Zoning Appeals, the building

commissioner and any other departments or agencies of the City concerned with unit planning, zoning variances, land use or the issuance of building permits. The notice must state that maps and plats have been prepared and can be inspected at the office of the City's department of redevelopment and must establish a date when the Commission will receive and hear remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed Projects and the amendments to the Original Allocation Area, and will determine the public utility and benefit of the proposed amendments to the Original Area, Original Allocation Area and Original Plan. Copies of the notice must also be filed with the officer authorized to fix budgets, tax rates and tax levies under IC 6-1.1-17-8 for each taxing unit that is either wholly or partly located within the proposed 9th Street Corridor Allocation Area.

Section 9. The Commission also directs the presiding officer to prepare or cause to be prepared a statement disclosing the impact of the creation of the 9th Street Corridor Allocation Area, including the following:

(a) The estimated economic benefits and costs incurred by the 9th Street Corridor Allocation Area, as measured by increased employment and anticipated growth of real property, personal property and inventory assessed values; and

(b) The anticipated impact on taxes revenues of each taxing unit that is either wholly or partly located within the 9th Street Corridor Allocation Area.

A copy of this statement shall be filed with each such taxing unit with a copy of the notice required under Section 17 of the Act at least 10 days before the date of the hearing described in Section 8 of this resolution.

Section 10. The Commission hereby finds that the creation of the 9th Street Corridor Allocation Area will reasonably result in new property taxes that would not have been generated without this new allocation provision because the incentive needed for the construction of the Projects is essential to the development of multi-family residential housing to alleviate the housing shortage in the Original Area and the 9th Street Corridor Allocation Area, and growth of the Original Area and the 9th Street Corridor Allocation Area will result in new property taxes through the capture of increases in real property taxes to be generated by the proposed development.

Section 11. The Commission hereby finds that the initial estimated costs of the Projects to be partially funded by the Commission through the use of Tax Increment from the 9th Street Corridor Allocation Area are approximately \$6,250,000.

Section 12. The Commission hereby finds that all property in the 9th Street Corridor Allocation Area will positively benefit from the 2023 Plan.

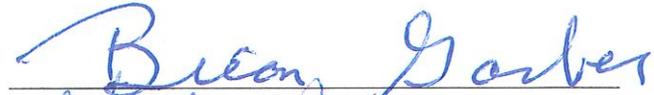
Section 13. The Commission further directs the presiding officer to submit this resolution to the Common Council for its approval of the amendments to the Area Resolution and Original Plan.

Section 14. In all other respects, the Area Resolution, the Original Plan and actions of the Commission consistent with this resolution are hereby ratified and confirmed.

Section 15. This resolution shall be effective upon passage.

Adopted at a meeting of the Commission held February 14, 2023, in Goshen, Indiana.

GOSHEN REDEVELOPMENT COMMISSION



President



Vice President



Secretary



Member



Member

ATTEST:

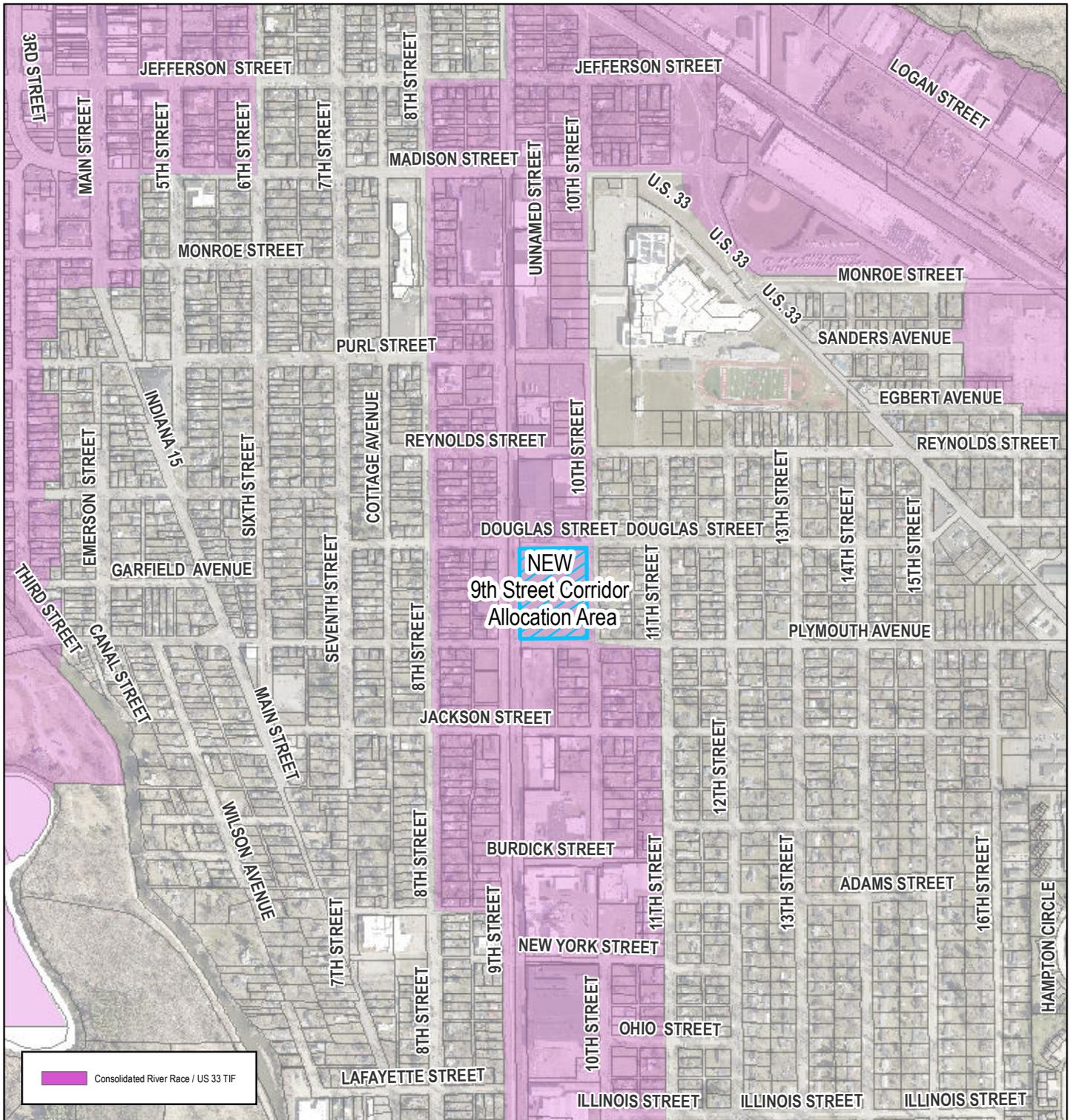


Secretary

EXHIBIT A

Map of Consolidated River Race/US 33 Economic Development Area
And 9th Street Corridor Allocation Area

(Attached)

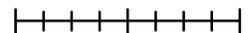


The City of Goshen's Digital Data is the property of the City of Goshen and Elkhart County, Indiana. All graphic data supplied by the city and county has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. The city and county do not guarantee the positional or thematic accuracy of the data. The cartographic digital files are not a legal representation of any of the features depicted, and the city and county disclaim any assumption of the legal status they represent. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be expressly excluded. The data represents an actual reproduction of data contained in the city's or county's computer files. This data may be incomplete or inaccurate, and is subject to modifications and changes. City of Goshen and Elkhart County cannot be held liable for errors or omissions in the data. The recipient's use and reliance upon such data is at the recipient's risk. By using this data, the recipient agrees to protect, hold harmless and indemnify the City of Goshen and Elkhart County and its employees and officers. This indemnity covers reasonable attorney fees and all court costs associated with the defense of the city and county arising out of this disclaimer.



Feet

0 220 440 880



1 inch = 750 feet

Exhibit A
Map of a portion of the Consolidated River Race/US 33 Economic Development Area
and Proposed 9th Street Corridor Allocation Area
February 2023

The City of Goshen
 Department of Public Works & Safety
 Office of Engineering
 204 East Jefferson Street, Goshen, Indiana 46528
 Phone: 574-534-2201 Fax: 574-533-8626

EXHIBIT B

The Projects consist of the following:

- Public Infrastructure; and
- Stormwater retention/detention facilities, including but not limited to in ground and underground facilities, permeable hard surfaces and landscaping to manage stormwater on site; and
- Demolition; and
- Environmental remediation; and
- Water main installation, including but not limited to connection to the existing public water main and service lines to the residential and commercial units within the Project;
- Sewer main installation, including but not limited to connection to the existing public sewer main and service lines to the residential and commercial units within the Project; and
- Sidewalk construction, including but not limited to construction of all sidewalks within the Project as approved and agreed to by the Developer; and
- Roadway improvements and construction, including but not limited to construction of all roadway improvements required by City departments and agreed to in writing by the Developer prior to such improvements being undertaken for the adjacent public roadways, including entrances into the Project, roadway and parking improvements within the Project and repair and restoration of roadways following any utility work required for the Project; and
- Construction of footers and building slabs associated with the Project; and
- Installation of all underground plumbing associated with the Project; and
- Installation of all underground water and sewer lines associated with the Project; and
- Installation of underground electrical services associated with the Project.



**Department of Community Development
CITY OF GOSHEN**

204 East Jefferson Street, Suite 2 • Goshen, IN 46528-3405

Phone (574) 537-3824 • Fax (574) 533-8626 • TDD (574) 534-3185
communitydevelopment@goshencity.com • www.goshenindiana.org

Memorandum

TO: Redevelopment Commission

FROM: Becky Hutsell, Redevelopment Director

RE: Resolution 09-2023 – Resolution confirming the Resolution of the Goshen Redevelopment Commission Adopted on February 14, 2023, entitled “Amending Declaratory Resolution of the Goshen Redevelopment Commission Amending the Consolidated River Race/US 33 Allocation Area within the Consolidated River Race/US 33 Economic Development Area and Amending the Economic Development Plan” for the 9th Street Corridor Allocation Area

DATE: March 14, 2023

Resolution 09-2023 is the final RDC resolution that confirms the removal of the former Western Rubber parcel from the Consolidated River Race/US 33 Allocation Area and establishes the site as its own, new 9th Street Corridor Allocation Area. The resolution details the processes that have been completed to date, documenting the fact that all appropriate steps have been taken. There will be one additional action taken at the April 17th City Council meeting to officially establish the new TIF. Once this last approval is granted, this confirmatory resolution will be recorded at the Office of the Elkhart County Recorder.

We’re requesting the Commission’s passage of Resolution 09-2023.

GOSHEN REDEVELOPMENT COMMISSION

Register of Claims

The Goshen Redevelopment Commission has examined the entries listed on the following itemized Expenditure Report for claims entered from **February 15, 2023 through March 10, 2023** and finds that entries are allowed in the total amount of \$ **3,534,414.05**

APPROVED on March 14, 2023

Brian Garber, President

Brianne Brenneman, Secretary

GOSHEN REDEVELOPMENT COMMISSION

Expenditure Report - by Budget Line and Payee

Claims from 02/14/23 through 03/10/23

406-560-00-429.0002		RDV NON-RVRT OP/Other Supplies	
2/21/2023	Amazon Capital Services		\$10.23
		Line Total for Period:	\$10.23
406-560-00-433.0000		RDV NON-RVRT OP/Printing & Advertising	
3/7/2023	The Goshen News (00115)		\$55.22
		Line Total for Period:	\$55.22
406-560-00-435.0101		RDV NON-RVRT OP/Electric	
3/7/2023	NIPSCO (00014)		\$44.41
3/7/2023	NIPSCO (00014)		\$136.46
		Line Total for Period:	\$180.87
406-560-00-435.0201		RDV NON-RVRT OP/Gas	
3/7/2023	NIPSCO (00014)		\$234.39
		Line Total for Period:	\$234.39
473-560-00-431.0502		SOUTHEAST TIF/Contractual Services	
2/15/2023	Jones Petrie Rafinski Corp. (00463)		\$1,500.00
3/10/2023	American Structurepoint, Inc. (03093)		\$22,775.00
3/10/2023	American Structurepoint, Inc. (03093)		\$13,475.28
		Line Total for Period:	\$37,750.28
473-560-00-439.0930		SOUTHEAST TIF/Other Services & Charges	
3/7/2023	American Structurepoint, Inc. (03093)		\$1,511.15
		Line Total for Period:	\$1,511.15
473-560-00-442.0000		SOUTHEAST TIF/Capital Projects	
3/7/2023	Abonmarche (05859)		\$1,655.00
3/7/2023	NuWay Construction		\$125,654.86
3/7/2023	Abonmarche (05859)		\$62,000.00
3/10/2023	HRP Construction		\$775,243.74
		Line Total for Period:	\$964,553.60

480-560-00-431.0502		RR/US 33 TIF/Contractual Services	
3/8/2023	Abonmarche (05859)		\$735.00
3/8/2023	Jones Petrie Rafinski Corp. (00463)		\$39,518.65
Line Total for Period:			\$40,253.65
480-560-00-439.0930		RR/US 33 TIF/Other Services & Charges	
2/15/2023	Drain Go		\$350.00
3/7/2023	American Structurepoint, Inc. (03093)		\$1,511.15
3/7/2023	Barkes, Kolbus, Rife & Shuler, LLP (00311)		\$4,243.20
3/7/2023	Barkes, Kolbus, Rife & Shuler, LLP (00311)		\$2,500.00
3/7/2023	City of Goshen (0200)		\$113.52
3/8/2023	J Carnine & Co		\$1,000.00
Line Total for Period:			\$9,717.87
480-560-00-441.0001		RR/US 33 TIF/Property Acquisition	
3/10/2023	Barkes, Kolbus, Rife & Shuler-FID ACCT (05080)		\$130,000.00
3/10/2023	Carol A Immel		\$500.00
3/10/2023	Elsie M Bechtold		\$500.00
Line Total for Period:			\$131,000.00
480-560-00-442.0000		RR/US33 TIF/Capital Projects	
3/7/2023	Roberts Environmental Services, LLC(05805)		\$1,600.00
Line Total for Period:			\$1,600.00
482-560-00-431.0502		RDV DIST CAP (08 RR BONDS)/Contractual Services	
2/27/2023	HRP Construction		\$824,671.96
Line Total for Period:			\$824,671.96
482-560-00-442.0000		RDV DIST CAP (08 RR BONDS)/Capital Projects	
2/27/2023	Niblock Excavating, Inc. (00653)		\$1,522,874.83
Line Total for Period:			\$1,522,874.83
Total Expenditures for Period:			\$3,534,414.05



March 2023 Redevelopment Staff Report

PROJECT: RAILROAD QUIET ZONE FROM KERCHER ROAD TO LINCOLN AVENUE

PROJECT DESCRIPTION

Establishment of a Quiet Zone along the Norfolk Southern Railroad Marion Branch from Washington Ave to Kercher Ave.

PROJECT UPDATE

- The City continues to work with INDOT and Norfolk Southern for the design of the Madison Street railroad Crossing. Based a discussion with Norfolk Southern in November of 2021, NS has not begun their design work yet. The quiet zone schedule is being driven by this work. Activities to be completed to implement the Quiet Zone are: – Installation of signs and delineators at the railroad crossings.
- – Traffic counts to be done at each of the railroad crossings.
- – Madison Street will have flasher and gates installed which is anticipated to cost approximately \$400,000. INDOT has agreed to pay 90% of the project. INDOT is improving the crossing as a part of the Crossing Safety Improvement funds. The project is expected to be completed in 2024.
- – Submit the Public Authority Application (PAA) to Federal Railroad Administration (FRA) for review, which typically takes 2 months.
- – Railroad Quiet Zone is anticipated to be “in-service”.

The City met with the Federal Railroad Administration (FRA) and INDOT at the end of July 2019 to review the plan’s implementation status and finalize the proposed changes. An addendum to the Notice of Intent with the proposed changes have been submitted to FRA, INDOT, and Norfolk and Southern for comment.

A review of the Madison Street railroad crossing occurred with INDOT and Norfolk Southern (NS) on February 19, 2020. NS noted the design would take 12 to 18 months to complete, but that timeline was established before COVID. Contact was made with INDOT on August 4, 2021, to request an invoice. In 2022, the invoice was paid and Goshen Engineering is now working with Norfolk Southern on the design for the railroad crossing.

PROJECT: STEURY AVENUE RECONSTRUCTION AND STORMWATER DETENTION AREA

PROJECT DESCRIPTION

This project has grown out of the recent improvements along the Lincoln Avenue and Steury Avenue corridor with the expansion of GDC, Lions Head, the Goshen Street Department, Goshen Police Department’s Training facility and the Goshen Central Garage. This corridor no longer supports the additional vehicle loads and has been chip and sealed to extend the service life of the current pavement. The intersection of Steury Avenue and Lincoln has small turning radiuses, which causes semi-traffic serving the corridor to make wide swings onto and off of Steury Avenue and Lincoln. Drainage is effectively non-existent along the roadway corridor and there are limited opportunities to improve the drainage without looking outside the corridor. In addition to the functionality of the roadway, the roadway’s appearance does not reflect the investment the adjoining companies have made on their properties. The overall plan is to reconstruct both roadways, adding turning lanes and improving intersections while also addressing utility needs.

PROJECT UPDATE

Phase I of the project has been completed which was construction of the pond at the old salvage yard. The next phase of the project will include new water main and storm sewer installation for both Lincoln Avenue from the

creek to just past Troyer Carpets and Steury Avenue from Lincoln to the “S” curves. The water main project, which was a Water Utility project, east of Steury Avenue, was completed in December 2020, with successful improvement of fire flow capability in East Goshen.

Utility relocation will be finalized with the relocation of Frontier’s communication cable during the winter of 2022. Design plans are being finalized and bidding for this project is anticipated to occurring in the spring of 2023. Because of material lead times, it is anticipated this project will being construction in 2024.

PROJECT: KERCHER ROAD RETENTION AREA

PROJECT DESCRIPTION

Development of a plan for a stormwater retention area on the north side of Kercher Road, just east of the railroad tracks. This project will address some of the flooding problems in the Goshen Industrial Park

PROJECT UPDATE

All work has been completed on the first phase of this project. An easement needs to be acquired from Benteler, and then the project can be bid. Goshen Engineering continues to work towards bidding this project. Construction will likely be delayed until 2023 due to material and contractor availability.

PROJECT: PLYMOUTH AVENUE AREA STORMWATER PROJECT

PROJECT DESCRIPTION

The city owns an existing stormwater facility located on the south side of State Road 119 and east of Lighthouse Lane. This facility does not adequately address the stormwater issues in the area. The project will supplement existing public stormwater facilities by constructing additional interconnecting detention areas in partnership with the developer of The Crossing, a residential subdivision. The project will also include the extension of Lighthouse Lane to connect to The Crossing.

PROJECT UPDATE

This project is substantially complete.

PROJECT: FORMER WESTERN RUBBER SITE

PROJECT DESCRIPTION

The Western Rubber site went through an extensive demolition and environmental remediation process and is now considered a buildable site. The vacant parcel contains approximately 170,000 square feet and is located east of the Norfolk Railroad, north of the Plymouth Avenue.

PROJECT UPDATE

A Request for Proposals (RFP) was issued in April, 2021, with the initial round of proposals due May 11. A development proposal was received from Anderson Partners LLC to build a mixed-use project consisting of approximately 138 apartments and 1,000 square feet of commercial space. The Redevelopment Commission and City Council have approved a development agreement with the developer and the rezoning has been completed. The developers have been awarded READI grant funds and design work is underway. We are in the process of amending the River Race TIF to carve out this parcel, establishing it as its own allocation area, and will then proceed with issuance of the bond. Construction is still planned for 2023.

PROJECT: MULTI-USE PAVILION AND ICE RINK

PROJECT DESCRIPTION

A market analysis/feasibility study was completed in October 2017 to evaluate the ice rink/multi-use pavilion project on the west side of the Millrace Canal and the results were favorable. The concept is to have a parks' department operated facility that will function year-round for programming and events. Public feedback was incorporated into the study and all interviewed community members are in support of the idea. The City has received a \$300,000 grant from the Regional Cities initiative and \$1,000,000 from the Elkhart County Community Foundation. Mayor Stutsman has received a \$1,000,000 anonymous private commitment and he continues to talk with other potential donors to fulfill the costs of the project. The Commission has pledged \$2,500,000 as part of the approval of our 5 Year Capital Plan.

PROJECT UPDATE

This project has been tabled indefinitely. Updated cost estimates have confirmed that the project cost have continued to rise and proceeding at this is not feasible.

PROJECT: RIVER ART

PROJECT DESCRIPTION

A Development Agreement is currently in place with InSite Development for development of an apartment complex (River Art) at the northwest corner of 3rd and Jefferson. The renovation of the north end of the Hawks building was part of the same agreement and this portion of the work is now complete.

PROJECT UPDATE

A new RFP has been issued for redevelopment of this site with proposals due by April 11, 2023.

PROJECT: DOWNTOWN VAULT ASSESSMENT

PROJECT DESCRIPTION

Downtown vaults have been discussed for many years as a public safety concern. Since the incident in 2012, effort and resources have been committed to identify, assess, and eliminate vaults. Many vaults have removed, but there are approximately 26 vaults remaining. Work through the next steps, staff determined a vault assessment by a structural engineer was necessary. The Commission agreed to fund the assessment, and a contract was awarded to Clear Creek & Associates.

PROJECT UPDATE

The vault assessments are complete, and assessments have been forwarded to each property owner for consideration. There were two vaults deemed immediate concerns and there are other vaults that were identified as needing repairs or closure. At the May Redevelopment meeting, Goshen Redevelopment agreed to provide partial financial support for vault closures. Goshen Engineering has sent out notices to all property owners with vaults, and applications to participate were to be submitted by December 17, 2021. The next step will be to solicit quotes to perform the public portion of the vault closures. Goshen Engineering did not proceed with requesting bids for vault removal in 2022. If possible, we would like to proceed with the same scope of work in 2023.

PROJECT: MILLRACE TOWNHOME SITE

PROJECT DESCRIPTION

The Redevelopment Commission issued an RFP for the Millrace Townhome site on River Race Drive and received two proposals. A committee was established to review both proposals and make a recommendation to the board. The committee, which included members of the Redevelopment Commission, the Mayor and City staff, recommended that the Commission select the proposal from Insite Development as the preferred project. The proposed project includes 16 town homes, ranging in size from 2,500 to 3,000 square feet. All homes would feature

private garages, decks and courtyards. Total private investment is projected to be \$4.2 million, with construction being completed in 2020.

At the December Redevelopment meeting, the Commission authorized staff to negotiate a development agreement with Insite Development.

PROJECT UPDATE

A new RFP has been issued for redevelopment of this site with proposals due by April 11, 2023.

PROJECT: COLLEGE AVE FROM US 33 EAST TO RAILROAD XING

PROJECT DESCRIPTION

This federally funded project consists of adding a center turn lane and a 10 foot multi-use path on the north side of College Ave from US 33 to the railroad crossing. The project is expected to be under construction in 2026.

The City selected American Structurepoint to complete the design.

PROJECT UPDATE

American Structurepoint is actively working on the design. A public meeting was held the evening of December 6, 2023, with good turnout.

PROJECT: COLLEGE AVE FROM US 33 WEST TO NINTH STREET

PROJECT DESCRIPTION

This federally funded project consists of adding a center turn lane and a 10 foot multi-use path on the north side of College Ave from US 33 west to Ninth Street. The project is expected to be under construction in 2028/2029.

The City selected American Structurepoint to complete the design.

PROJECT UPDATE

The City and American Structurepoint continue to work out the final professional services design fee.

PROJECT: WATERFORD MILLS PARKWAY FROM SR 15 TO CR 40

PROJECT DESCRIPTION

The next phase of the Waterford Mills Parkway project will be to extend the road to the west and connect to CR 40, east of the existing bridge. The City of Goshen and Elkhart County will be working together to design and build this project, with the County taking the lead role.

PROJECT UPDATE

The County has prepared preliminary analysis of possible alignments, including a “no build” option. The County hired Lochmueller Group to conduct a traffic study, to further evaluate the options and prepared an interlocal agreement, which defined the roles and responsibilities of both parties in the design and construction of this roadway. At this time, no action is triggered by the traffic study but will be amended if circumstances change with further development within the Southeast TIF. Another traffic study was initiated after complaints were received from businesses that utilize the corridor. The traffic study is being QA/QC and will be finalized in December 2022. The City will be reviewing the study for actionable items that can be taken immediately and those that require long range planning and fund sourcing.

PROJECT: SOUTH FIRE STATION STUDY

PROJECT DESCRIPTION

The Five-Year Capital Plan includes the construction of a new south fire station. There is \$200,000 allocated for design and an additional \$4 million earmarked for construction. The new fire station was originally intended to replace the College Avenue station and but recent negotiations with Elkhart Township have instead led to the decision to instead plan for a fourth station near the Goshen Airport.

PROJECT UPDATE

The study has been completed and the Redevelopment Commission has approved issuance of an RFP for design services for a new south fire station facility. Prior to proceeding with a traditional design/build, staff is exploring the “Build Operate Transfer” model and will bring an update to the Commission at next month’s meeting.

PROJECT: WEST JEFFERSON STREETScape

PROJECT DESCRIPTION

The Five-Year Capital Plan include the reconstruction of West Jefferson Street between Third Street and Main Street. The project will incorporate the use of brick pavers to address stormwater restrictions in this area. The project will also include the reconfiguration of parking, decorative street lighting, and street trees. The estimated cost of the project is \$500,000, plus and an additional cost of \$100,000 for design fees.

PROJECT UPDATE

The Commission approved the issuance of RFP for design of the street improvements but issuance was delayed until the RDC was able to acquire the property at 113 W Jefferson Street. A contract has been executed with A&Z Engineering to complete necessary survey work for this area. The survey and geotechnical work are complete. A conceptual plan has been completed and a review with redevelopment commission members has taken place. In January 2023, a public meeting with affected property owners will be held to review the design. Once the design is refined, the project will be bid in the spring of 2023, with the RDC’s approval. Because of the shorter lengths of materials needed for this project, work could begin in 2023, but this is dependent on whether private utility relocation work is needed.

PROJECT: ELKHART COUNTY COURT COMPLEX

PROJECT DESCRIPTION

Elkhart County has selected a site located on Reliance Road to construct the new Court Complex. Due to the projected increase in traffic that will be generated by the new complex, several road improvements are required to increase capacity. Since this project is located in the River Race/US 33 TIF area, the Redevelopment Commission has pledged \$1.5 million in TIF revenue to fund the improvements. The County has pledged an additional \$500,000 to assist in paying for these improvements. This project will be designed and constructed through the City of Goshen and is expected to start construction in 2023.

PROJECT UPDATE

The City and County worked with JPR to complete a Traffic Impact Study (TIS) for the area based upon the new court complex and the changes in traffic patterns that can be expected. The report is now complete and has been approved by INDOT. Elkhart County has confirmed their funding commitment for the overall project and A&Z Engineering has been hired to complete the design. The design is currently at 90-percent and is being reviewed. Bidding is anticipated in the spring of 2023. Right-of-way purchasing is ongoing. Before bidding occurs, both the Redevelopment Commission and Elkhart County will need to review the project and the proposed cost and authorize the project to be bid.

PROJECT: KERCHER WELLFIELD LAND PURCHASE

PROJECT DESCRIPTION

The Kercher Wellfield located in the Goshen Industrial Park requires the replacement of one of its three wells. Because the wellfield is sitting on a postage stamp property, the site is unable to support the development of another well without the purchase of additional land.

The site has been purchased. City staff have begun designing the required improvements from withdrawal, to treatment, to transportation. This process is anticipated to take 3-years.

PROJECT: FIDLER POND CONNECTOR PATH

PROJECT DESCRIPTION

This project will create a pedestrian path connecting the College Avenue path to Fidler Pond Park. The path will be constructed in two phases. Initially, the Oak Lane roadway will act as the pathway while the trail is constructed from the north end of the road to the park. Sharrows will be added to Oak Lane during Phase One and Phase Two will include reconstructing Oak Lane with curb and gutter and the installation of a separated pedestrian trail.

PROJECT UPDATE

Engineering has prepared preliminary drawing and engineer's estimates for both phases. After the final alignment is determined a neighborhood meeting will be scheduled to receive comments. Final design may be completed in-house. If not, a RFP for design services will be issued. Optimistically, construction is anticipated to occur in 2022.

PROJECT: EAST COLLEGE AVENUE INDUSTRIAL DEVELOPMENT

PROJECT DESCRIPTION

Last Dance, LLC has purchased 313 acres of farmland on East College Avenue just east of the railroad tracks. A portion of the land was previously annexed by Lippert for development but the project never came to life. Last Dance has now purchased additional land and is partnering with the City on the infrastructure. They've hired Abonmarche to complete the design of a new water main loop from College to CR 31 to CR 38 to connect at Century Drive, extension of sewer mains beneath the railroad to serve the new industrial area, a new public water/sewer/roadway loop within the first phase of the development and substantial stormwater improvements. The project is being funded by a combination of existing TIF funds and by a city-issued bond that will be purchased by the developer and repaid through future TIF revenues. Annexation of the additional land has been completed.

PROJECT UPDATE

Construction contracts have been awarded to HRP Construction for Contracts 1 and 3 and Niblock Excavating for Contract 2. Work has been on going. For Contract No. 1, the water main has been extended to the site, but not into the site. HRP plans to install the borings beneath the railroad tracks in December. For Contact No. 2, many thousands of cubic yards of soil have been moved across the site. The east and west access roads are taking shape, and earthwork is anticipated to continue through the winter months. For Contract No. 3, the deep lift station wetwell has been installed, and the contractor has begun installing the sanitary sewer up through the middle of the site.

Material sourcing continues to be a problem both with ductile iron pipe and concrete pipe. Although schedules are still in flux because of material shortages, the developer is still pushing to have the first building open by the end of February and the next open in March or April. For context, there will not be a road available for the developer until June 2023.

PROJECT: PARK DEPARTMENT MAINTENANCE BUILDING

PROJECT DESCRIPTION

The Goshen Parks Department needs to relocate its existing maintenance building which is located in a floodway in Shanklin Park. The Redevelopment Commission has offered the property between Plymouth Avenue and Jackson Street, adjacent to the east side of the railroad. The Commission has also allocated \$1.0 million toward the cost of designing and constructing the new facility.

PROJECT UPDATE

The building foundation has been installed and steel is anticipated for delivery on December 16, 2022. Once steel is onsite, NuWay believes they can have the building erected and shelled in within 6-weeks. Completion of the project is still anticipated towards the end of summer 2023.