

**REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF GOSHEN,  
TO BE HELD FEBRUARY 21, 2012 AT 7:00 P.M. AT THE COUNCIL CHAMBERS  
111 EAST JEFFERSON STREET, GOSHEN, INDIANA**

.....  
**OUT OF RESPECT TO OTHERS IN THIS MEETING, PLEASE TURN CELL PHONES,  
BEEPERS AND PAGERS OFF OR TO SILENT MODE. IF A PHONE  
CONVERSATION IS NECESSARY, PLEASE STEP OUTSIDE OF THE MEETING  
ROOM. THANK YOU.**

Call to Order by Mayor Allan Kauffman

Invocation by Councilman Thomas

Pledge of Allegiance

Roll Call of Council: Mr. Ahlersmeyer \_\_\_\_\_ Ms. Gautsche \_\_\_\_\_ Mr. McKee \_\_\_\_\_  
Ms. Robinson \_\_\_\_\_ Mr. Stump \_\_\_\_\_ Mr. Stutsman \_\_\_\_\_  
Mr. Thomas \_\_\_\_\_

Approval of Agenda and Changes to Agenda

**Agenda Items:**

- 1. PUBLIC HEARING ON ORDINANCE NUMBER 4672**

**2. ORDINANCE NUMBER 4672**

**(SECOND READING)**

**ADDITIONAL APPROPRIATION ORDINANCE**

**3. RESOLUTION 2012-04**

**APPROVING A WRITTEN ORDER AND A DETERMINATION CONCERNING THE CONSOLIDATED RIVER RACE/US 33 ECONOMIC DEVELOPMENT AREA AND AUTHORIZING REAL ESTATE ACQUISITION**

**4. PUBLIC HEARING ON ORDINANCE NUMBER 4674**

**5. ORDINANCE NUMBER 4674**

**(FIRST READING)  
(SECOND READING)**

**ADDITIONAL APPROPRIATION ORDINANCE**

**PRIVILEGE OF FLOOR**

**Next Council Meeting: March 6, 2012 (Regular Council Meeting)**

**ADJOURNMENT OF MEETING**

**ORDINANCE NUMBER 4672  
ADDITIONAL APPROPRIATION ORDINANCE**

WHEREAS, It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now therefore:

SECTION 1: Be it ordained by the Common Council of the City of Goshen, Elkhart County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out the funds named and for the purposes specified, subject to the laws governing the same:

**RAINY DAY FUND**

Housing Authority.....\$571,050

PASSED AND ADOPTED, this \_\_\_\_ day of February, 2012, by the Common Council of the City of Goshen, Indiana.

\_\_\_\_\_  
Allan Kauffman, Mayor

ATTEST: \_\_\_\_\_  
Tina M. Bontrager, Clerk-Treasurer

Presented by me to the Mayor of the City of Goshen, Indiana, on the \_\_\_\_ day of February, 2012

\_\_\_\_\_  
Tina M. Bontrager, Clerk-Treasurer

This Ordinance approved and signed by me on the \_\_\_\_ day of February, 2012 at the hour of \_\_\_\_ a.m./p.m..

\_\_\_\_\_  
Allan Kauffman, Mayor

# WARSAW HOUSING AUTHORITY GOSHEN HOUSING AUTHORITY



Following is a summary of the situation the Goshen Housing Authority (GHA) is currently facing:

- GHA received a notice from HUD stating effective immediately; housing authorities nationwide will no longer be allowed to hold onto their reserves. The way this is being handled is funding for the Housing Assistance Payments (HAP) is being cut to a point where a portion of the housing authority's reserves are being taken each month until there are no more reserves at the end of the fiscal year 2012 (GHA's FYE is September 30<sup>th</sup>)
- GHA does not have the reserves in the bank that HUD believes it should have. According to HUD, there is approximately \$714,000 in HAP reserves that is unaccounted for and not in the bank. Currently GHA has reserves of \$151,836.
- HUD has put together a plan for GHA to repay \$571,050 of the \$714,000 that is owed in the next eight months. 1) HUD is permanently removing 100 of the 320 vouchers that GHA is issued. 2) HUD is requiring an average of 3 families be removed from the program each month for the next 12 months. This can be achieved by families either dropping off the program or if no families drop off then the last ones that were added to the program will have their vouchers taken away.
- The staff has been diligently working to rebuild this program since they were brought on in August 2011. Currently there are 29 families that have submitted their request for lease approval (some of which have already signed leases with landlords) that will now be told they will not be getting a voucher. There are an additional 42 families that are on the wait list that have applied within the last 30 days that will not be getting vouchers because of this. Of these 71 families there are 126 children in these families.
- Because of how the funding works for this program, by reducing the number of outstanding vouchers, the organizations administrative money that it receives from HUD is also being cut as this funding is based on the number of outstanding vouchers. With this reduction in administrative funding which is used to operate the program, the operations of the GHA program is going to suffer as staff will need to be cut to accommodate this cut in funding.

- These changes will have a direct impact not only on the families and children that will be losing or not getting vouchers, but on the economy of Goshen. Landlords who count on this program for rents will no longer have the income from this program, there will be more vacant rental properties, and more families will need to find assistance from other organizations such as churches and other non-profit organizations in Goshen. This puts an even greater strain on these organizations that have already seen large increases in need in the past several years.
- If GHA can find a donor/benefactor to donate \$571,050 to cover this year's shortfall, HUD has stated GHA can keep all 320 vouchers. By keeping all of the vouchers, this will allow more families to be served and to have a safe, warm place to live. It will help the local economy by not having more vacant units in the city and landlords are able to continue receiving their rental payments. This will also allow GHA to continue issuing vouchers and rebuilding the program to be run in the way that it should.

**RESOLUTION 2012-04**

**APPROVING A WRITTEN ORDER  
AND A DETERMINATION CONCERNING THE  
CONSOLIDATED RIVER RACE/US 33 ECONOMIC DEVELOPMENT AREA  
AND AUTHORIZING REAL ESTATE ACQUISITION**

WHEREAS pursuant to Indiana Code § 36-7-14 et seq., the Goshen Redevelopment Commission adopted Declaratory Resolution 02-2012 for the Consolidated River Race/US 33 Economic Development Area on January 10, 2012;

WHEREAS the Goshen Redevelopment Commission adopted the proposed Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area which includes targeted areas for real estate acquisition;

WHEREAS pursuant to Indiana Code § 36-7-14-16(a), the Goshen Plan Commission has determined that the Declaratory Resolution and Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area conform to the plan of development for the City of Goshen and the City of Goshen's Comprehensive Plan and has approved the resolution and plan, including the areas designated for real estate acquisition, on February 21, 2012;

WHEREAS Indiana Code § 36-7-14-16(b) requires the Common Council to approve the Goshen Plan Commission's Written Order;

WHEREAS Indiana Code § 36-7-14-41(c) requires the Common Council to approve the Goshen Redevelopment Commission's determination that a geographic area is an economic development area; and

WHEREAS a copy of the Goshen Plan Commission's Resolution Establishing a Written Order Approving the Declaratory Resolution and Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area, along with the a copy of the Declaratory Resolution and Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area are attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Goshen, Indiana approves Goshen Plan Commission's Written Order Approving the Declaratory Resolution and Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area, including the targeted areas for real estate acquisition.

BE IT FURTHER RESOLVED that the Common Council approves the Goshen Redevelopment Commission's determination that the Consolidated River Race/US 33 Economic Development Area is an economic development area.

PASSED by the Common Council of the City of Goshen on February 21, 2012.

\_\_\_\_\_  
Allan Kauffman, Presiding Officer

Attest:

\_\_\_\_\_  
Tina M. Bontrager, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on February \_\_\_\_\_, 2012 at \_\_\_\_\_ a.m./p.m.

\_\_\_\_\_  
Tina M. Bontrager, Clerk-Treasurer

APPROVED and ADOPTED on February \_\_\_\_\_, 2012.

\_\_\_\_\_  
Allan Kauffman, Mayor

**RESOLUTION ESTABLISHING A WRITTEN ORDER  
APPROVING THE DECLARATORY RESOLUTION  
AND ECONOMIC DEVELOPMENT PLAN FOR THE  
CONSOLIDATED RIVER RACE/US 33 ECONOMIC DEVELOPMENT AREA**

WHEREAS on January 10, 2012, the Goshen Redevelopment Commission adopted Declaratory Resolution 02-2012 for the Consolidated River Race/US 33 Economic Development Area, a copy which is attached to this Resolution;

WHEREAS pursuant to Indiana Code § 36-7-14-16(a), the Goshen Redevelopment Commission submitted a copy of the Declaratory Resolution and Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area to the Goshen Plan Commission to determine whether the Declaratory Resolution and Economic Development Plan conform to the plan of development for the City of Goshen; and

WHEREAS there are no residents within the Consolidated River Race/US 33 Economic Development Area that will be displaced by any project resulting from the Economic Development Plan, and therefore, the Redevelopment Commission does not need to give consideration to transitional and permanent provisions for adequate housing.

The Goshen Plan Commission has examined the Declaratory Resolution and Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area, and now makes the following FINDINGS OF FACT:

- 1) The Declaratory Resolution and Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area conform to the plan of development for the City of Goshen and the City of Goshen's Comprehensive Plan.
- 2) The Declaratory Resolution and Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area are reasonable and appropriate when considered in relation to the purposes set forth in Indiana Code § 36-7-14 et seq.
- 3) The Declaratory Resolution and Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area, including the targeted areas for real estate acquisition, should be approved.

NOW, THEREFORE, BE IT RESOLVED, that the Goshen Plan Commission approves the Declaratory Resolution and Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area and issues this Written Order pursuant to Indiana Code § 36-7-14-16(a).

APPROVED on February 21, 2012.

**GOSHEN PLAN COMMISSION**

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

## **RESOLUTION 02-2012**

### **Declaratory Resolution for the Consolidated River Race/US 33 Economic Development Area**

WHEREAS the Goshen Redevelopment Commission (Commission) has determined that consolidating the existing River Race Corridor Economic Development Area, the North US 33 Corridor Economic Development Area, and the Downtown Economic Development Area, and including the new area described on the map attached as Exhibit A as a part of an economic development area to be known as the Consolidated River Race/US 33 Economic Development Area will promote opportunities for the gainful employment of the citizens of Goshen and will provide needed improvements to retain or expand existing businesses and to attract new businesses to the Consolidated River Race/US 33 Economic Development Area, and

WHEREAS the Commission has determined that the areas of real estate described and depicted in Exhibit A, Exhibit B, Exhibit C, Exhibit D and Exhibit E attached to this Resolution should constitute the Consolidated River Race/US 33 Economic Development Area, and

WHEREAS the Commission has caused to be prepared maps showing the boundaries of the Consolidated River Race/US 33 Economic Development Area, the location of the parcels of real estate included in the area, and other features affecting the development of the area, including a list of the various parcels of property to be included in the Consolidated River Race/US 33 Economic Development Area, and

WHEREAS the Commission has been presented with an Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area as set forth in Exhibit F attached to this Resolution, and

WHEREAS the Commission has, at a meeting open to the public, heard evidence and reviewed maps.

The Redevelopment Commission now makes the following findings of fact:

1. The Commission previously established three (3) economic development areas known as the River Race Corridor Economic Development Area, the North US 33 Corridor Economic Development Area, and the Downtown Economic Area. These three (3) existing economic development areas are scheduled to continue until at least May 2031.

2. The consolidation of the three (3) existing economic development areas will provide for greater efficiency and will enhance the opportunities to retain existing businesses and to attract new business to the economic development areas resulting in the attraction of new jobs and the retention of existing jobs.
3. The addition of the real estate identified on the map attached to this Resolution as Exhibit A and Exhibit B is essential to accomplishing the Economic Development Plan attached to this resolution as Exhibit F.
4. It is the intent of the Commission that this consolidation of the three (3) existing TIF districts occur without modifying the previously established base assessments, assessment dates, and the manner in which tax increment will be calculated as provided by 50 IAC 8-2-3(d).
5. The establishment of the Consolidated River Race/US 33 Economic Development Area and the plan for the area's development will promote significant opportunities for the gainful employment of the citizens of Goshen.
6. The establishment of the Consolidated River Race/US 33 Economic Development Area and the plan for the area's development will provide needed improvements to the area which will retain and expand existing businesses and will attract new businesses to the Consolidated River Race/US 33 Economic Development Area.
7. The improvements outlined in the Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area will not occur by the operation of the regulatory processes or by the ordinary operation of private enterprises, without the establishment of the Consolidated River Race/US 33 Economic Development Area because of the lack of public improvements, a lack of funding for the needed public improvements, and the multiple ownership of land within the Consolidated River Race/US 33 Economic Development Area.
8. The public health and welfare will be benefitted by the accomplishment of the plan for the Consolidated River Race/US 33 Economic Development Area.
9. The accomplishment of the plan for the Consolidated River Race/US 33 Economic Development Area will be a public utility and benefit which will be able to be measured by the attraction or retention of permanent jobs, and an increase in property tax base.
10. The Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area is consistent with other development and/or redevelopment plans for the City of Goshen, including the City's Comprehensive Plan.

BE IT THEREFORE RESOLVED by the Redevelopment Commission as follows:

1. The Economic Development Plan for the Consolidated River Race/US 33 Economic Development Area is approved.
2. The area of real estate described and depicted in Exhibit C, Exhibit D and Exhibit E shall be consolidated into the Consolidated River Race/US 33 Economic Development Area. The area of real estate described and depicted in Exhibit A and Exhibit B shall be designated as part of the Consolidated River Race/US 33 Economic Development Area.

3. All rights-of-way necessary to complete the Economic Development Plan shall be dedicated to or acquired by the appropriate governmental unit to permit the development of the Consolidated River Race/US 33 Economic Development Area.
4. There are no residents within the Consolidated River Race/US 33 Economic Development Area that will be displaced by any project resulting from the Economic Development Plan, and therefore, the Commission finds that it does not need to give consideration to transitional and permanent provisions for adequate housing.
5. Pursuant to Indiana Code § 36-7-14-39 that:
  - a. As used in this Resolution for the purposes of the distribution and allocation of real property taxes, "allocation area" means all of the area described and depicted in Exhibits A, B, C, D and E attached to this Resolution.
  - b. Any real property taxes levied on and 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 real property in the allocation area described in this Resolution shall be allocated and distributed as follows:
    - i. The proceeds of such taxes attributable to the lesser of:
      - (1) The assessed value of such property for the assessment date with respect to which the allocation and distribution is made; or
      - (2) The base assessed value;shall be allocated to and, when collected, paid into the funds of the respective taxing units.
    - ii. The base assessed value is the value for each group of real estate on the following dates:
      - (1) The base assessed value for the real estate described in Exhibits A and B shall be the assessed value of such real estate on the effective date of the Declaratory Resolution for the Consolidated River Race/US 33 Economic Development Area.
      - (2) The base assessed value for the real estate described in Exhibit C shall be the assessed value of such real estate on the effective date of the Declaratory Resolution establishing the River Race Corridor Economic Development Area which Resolution is dated February 13, 2001 or if any of the real estate in the River Race Corridor Economic Development Area was added after the passage of the original Declaratory Resolution, the effective date of any amendment to the River Race Corridor Economic Development Area which added such real estate to the River Race Corridor Economic Development Area for the first time.
      - (3) The base assessment value for the real estate described in Exhibit D shall be the assessed value of such real estate on the effective date of the

Declaratory Resolution establishing the North US 33 Corridor Economic Development Area which Resolution is dated February 8, 2005, or if any of the real estate in the North US 33 Corridor Economic Development Area was added after the passage of the original Declaratory Resolution, the effective date of any amendment to the North US 33 Corridor Economic Development Area which added any of the real estate to the North US 33 Corridor Economic Development Area for the first time.

- (4) The base assessed value for the real estate described in Exhibit E shall be the assessed value of such real estate on the effective date of the Declaratory Resolution establishing the Downtown Economic Development Area which Resolution is dated September 11, 2007.

It is the intent of the Redevelopment Commission to establish the same base assessed value for the real estate described in Exhibit C, Exhibit D and Exhibit E as was used in establishing the distributive share that the Redevelopment Commission received in 2011.

- iii. Except as otherwise provided in Indiana Code § 36-7-14-39, property tax proceeds in excess of those described in Indiana Code § 36-7-14-39(b)(1) shall be allocated in the economic development district and, when collected, paid into a fund for that allocation area that may be used by the economic development district only to do one or more of the following:
  - (1) Pay the principal of and interest on any obligations payable solely from allocated tax proceeds which are incurred by the economic development district for the purpose of financing or refinancing the redevelopment of that allocation area.
  - (2) Establish, augment, or restore the debt service reserve for bonds payable solely or in part from allocated tax proceeds in that allocation area.
  - (3) Pay the principal of and interest on bonds payable from allocated tax proceeds in that allocation area and from the special tax levied under Indiana Code § 36-7-14-27.
  - (4) Pay the principal of and interest on bonds issued by the City of Goshen to pay for local public improvements that are physically located in or physically connected to that allocation area.
  - (5) Pay premiums on the redemption before maturity of bonds payable solely or in part from allocated tax proceeds in that allocation area.
  - (6) Make payments on leases payable from allocated tax proceeds in that allocation area under Indiana Code § 36-7-14-25.2.
  - (7) Reimburse the City of Goshen for expenditures made by it for local public improvements that are physically located in or physically connected to that allocation area.

- (8) Pay expenses incurred by the Commission for local public improvements that are in or serving the allocation area.
  - (9) Reimburse public and private entities for expenses incurred in training employees of industrial facilities that are located: (a) in the allocation area; and (b) on a parcel of real property that has been classified as industrial property under the rules of the department of local government finance. However, the total amount of money spent for this purpose in any year may not exceed the total amount of money in the allocation fund that is attributable to property taxes paid by the industrial facilities described in this clause. The reimbursements under this clause must be made within three (3) years after the date on which the investments that are the basis for the increment financing are made.
  - (10) Pay the costs of carrying out an eligible efficiency project, as defined by Indiana Code §36-9-41-1.5, within the City of Goshen.
  - (11) Satisfy or fulfill any other permitted purpose for the use of an allocation fund under Indiana Code § 36-7-14-39 as may be amended from time to time.
6. When the monies in the allocation fund are sufficient to pay when due all principal and interest on bonds described, and are not needed for the other purposes, monies in the allocation fund in excess of that amount shall be paid to the respective taxing units in the manner provided in Indiana Code 36-7-14-39(b)(4).
7. A copy of this Resolution, together with the Economic Development Plan and supporting data shall be submitted to the Goshen Plan Commission for examination by that body and its determination as to whether this Resolution and the Economic Development Plan conform to the Comprehensive Plan for the City and for the Plan Commission's written order approving or disapproving this Resolution and Economic Development Plan.
8. The Goshen Plan Commission's written order shall be transmitted to the Goshen Common Council for the Common Council's approval.
9. Upon receipt of the written order of approval of the Goshen Plan Commission and the approval of the Goshen Common Council, a notice shall be published in accordance with the requirements of the Indiana Code fixing a date for the receiving and hearing of remonstrances and objections from persons interested in or affected by the proceedings to establish the Consolidated River Race/US 33 Economic Development Area and to approve the projects proposed in the Consolidated River Race/US 33 Economic Development Area.
10. The expiration date of the allocation provision of this Resolution is May 1, 2031.
11. The projects and real estate acquisition identified in Exhibit F attached to this Resolution are approved.
12. The parcels of real estate to be included in the Consolidated River Race/US 33 Economic Development Area are listed in Exhibit G attached to this Resolution.

13. This Resolution shall be effective as of its date of adoption.

ADOPTED by the Goshen Redevelopment Commission on January 10, 2012.

Goshen Redevelopment Commission

Thomas W. Stump  
President

Printed: THOMAS W. STUMP

Jeremy P. Stutsman  
Secretary

Printed: JEREMY P. STUTSMAN

STATE OF INDIANA            )  
  ) SS:  
COUNTY OF ELKHART        )

Before me the undersigned, a Notary Public, personally appeared Thomas W Stump and Jeremy P Stutsman, the President and Secretary, respectively, of the Goshen Redevelopment Commission, and acknowledged the execution of this Resolution on January 10, 2012.

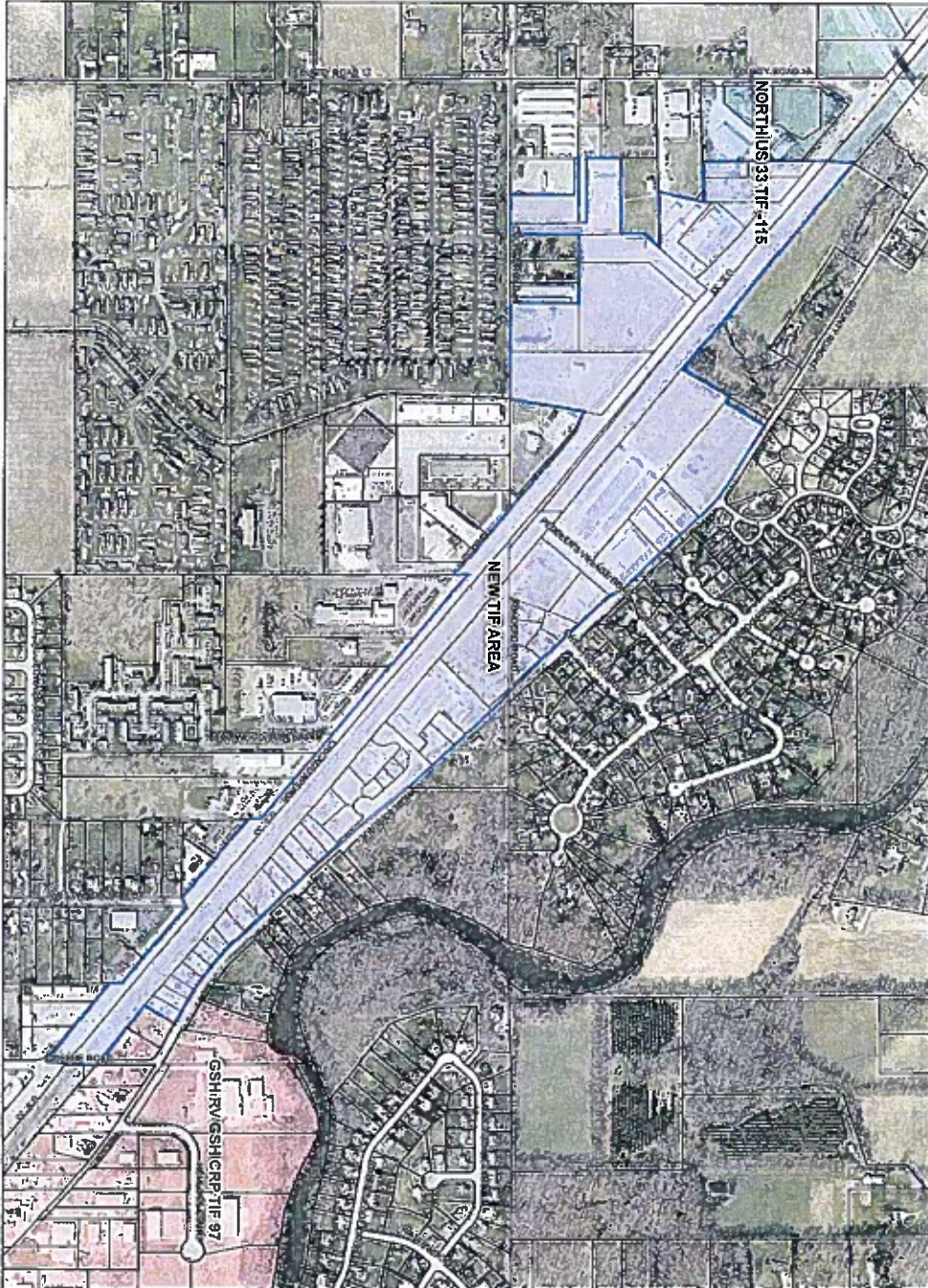
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Shannon Marks  
Shannon Marks, Notary Public  
Resident of Elkhart County  
My Commission Expires May 4, 2016

This instrument was prepared by Larry A. Barks, Attorney No. 3568-20, Barks, Kolbus, Rife & Shuler, LLP, 118 North Main Street, Goshen, Indiana 46526, (574) 533-3181.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law (Larry A. Barks).

**EXHIBIT A**  
(New area shaded in blue)



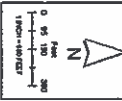
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**Proposed TIF Expansion Area #1**

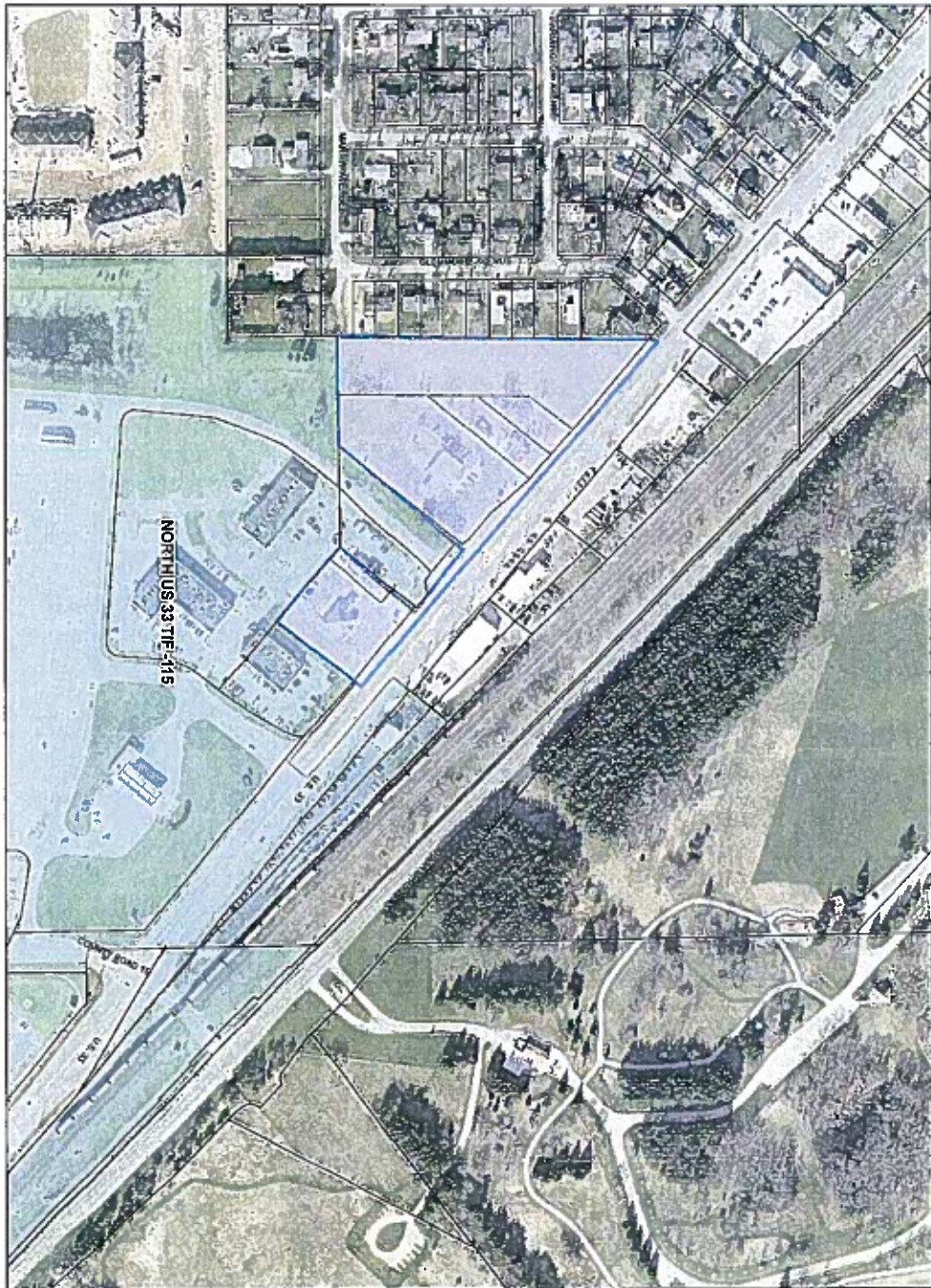
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Information as of  
December 2011

**The City of Goshen**  
Department of  
Community Development  
204 East Jefferson Street, Goshen, Indiana 46528  
Phone: 574-537-3824 Fax: 574-533-8628



**EXHIBIT B**  
(New area shaded in blue)

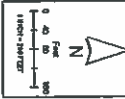


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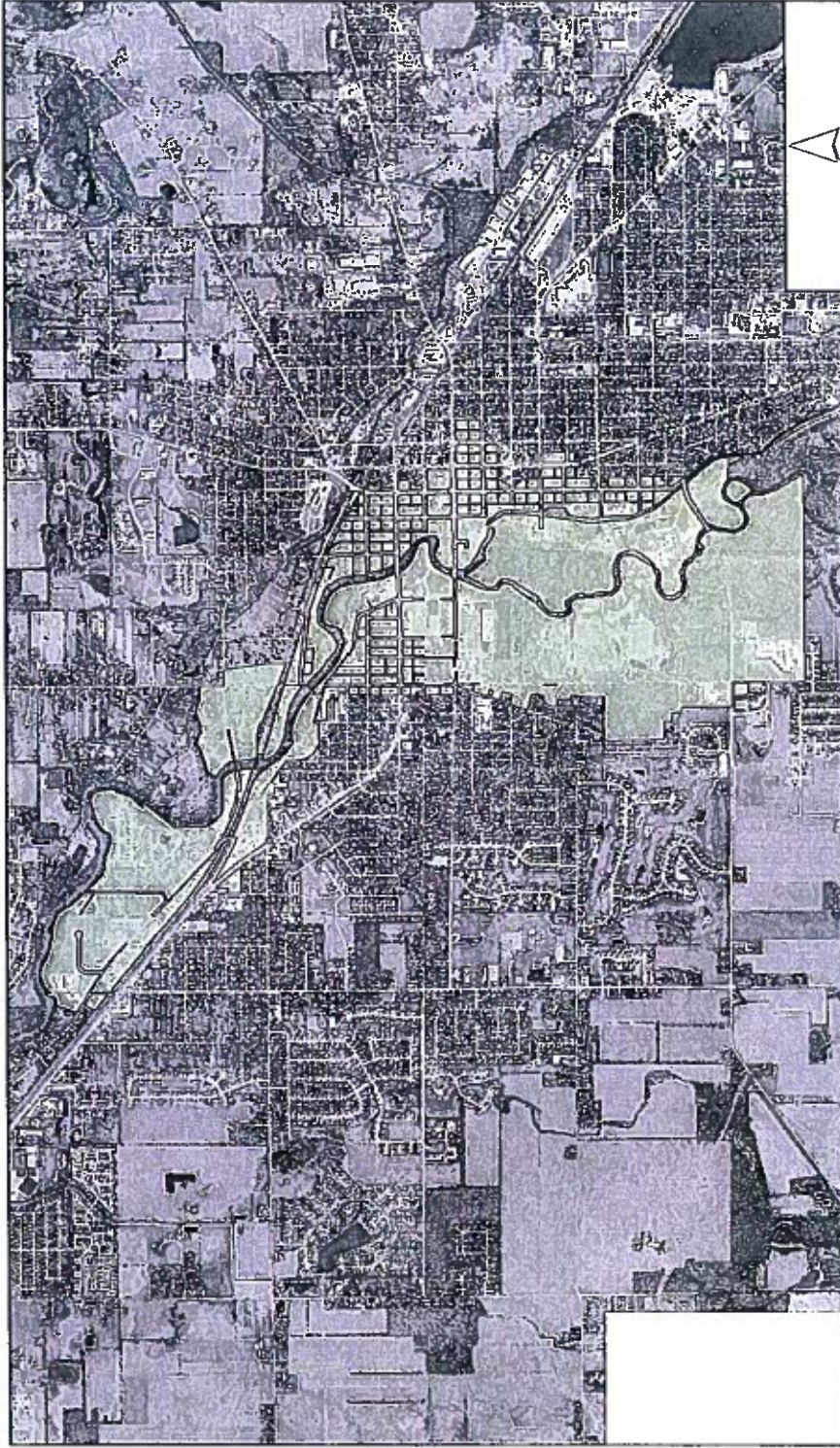
**Proposed TIF Expansion Area #2**

Information as of  
December 2011

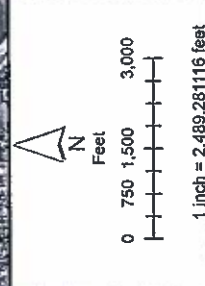
**The City of Goshen**  
Department of  
Community Development  
204 East Jefferson Street, Goshen, Indiana 46528  
Phone: 574-537-3824 Fax: 574-533-8628



**EXHIBIT C**  
**(Existing River Race Corridor Economic Development Area)**



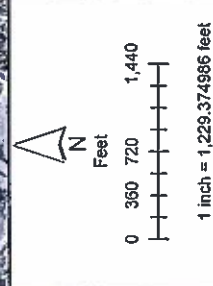
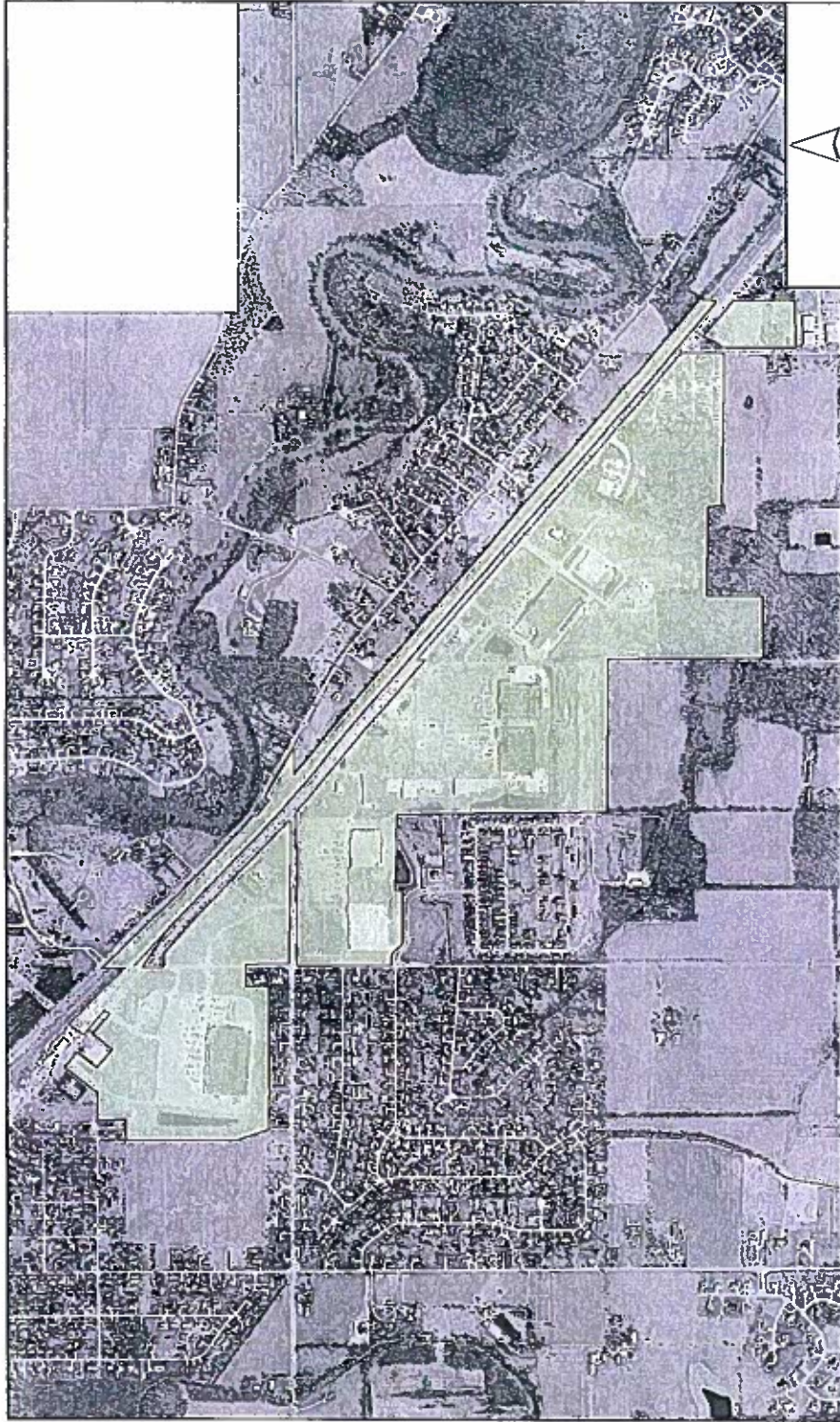
**River Race Corridor**



**The City of Goshen**  
 Department of Public Works & Safety  
 Office of Engineering  
 204 East Jefferson Street, Goshen, Indiana 46528  
 Phone: 574-534-2201 Fax: 574-533-8628

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**EXHIBIT D**  
 (Existing North US 33 Corridor Economic Development Area)



North US 33

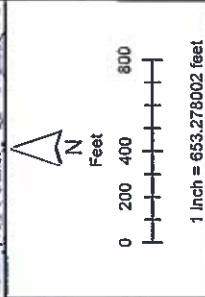
**The City of Goshen**  
 Department of Public Works & Safety  
 Office of Engineering  
 204 East Jefferson Street, Goshen, Indiana 46526  
 Phone: 574-534-2201 Fax: 574-533-8626

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**EXHIBIT E**  
 (Existing Downtown Economic Development Area)



Downtown District



**The City of Goshen**  
 Department of Public Works & Safety  
 Office of Engineering  
 204 East Jefferson Street, Goshen, Indiana 46528  
 Phone: 574-534-2201 Fax: 574-533-8628

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## **EXHIBIT F**

# **ECONOMIC DEVELOPMENT PLAN FOR THE CONSOLIDATED RIVER RACE/US 33 ECONOMIC DEVELOPMENT AREA**

### **Purpose and Introduction**

This document is the Economic Development Plan (Plan) for the Consolidated River Race/US 33 Economic Development Area (Consolidated Economic Development Area) which includes all the real estate described in Exhibit G. This plan is intended for approval by the Goshen Redevelopment Commission, the Goshen Plan Commission, and the Goshen Common Council in conformance with Indiana Code § 36-7-14 et seq.

### **Plan Objectives**

The purposes of the Plan are to benefit the public health, safety, and general welfare of the citizens of the City of Goshen and Elkhart County, Indiana, by increasing the economic well-being of the City of Goshen and the County of Elkhart, Indiana; and by increasing the real estate values in the City of Goshen. The Plan will promote opportunities for gainful employment, retain and expand existing business enterprises, attract and retain jobs, and enhance the property tax base in the City of Goshen, Indiana.

### **Description of Consolidated Economic Development Area**

The Consolidated River Race/US 33 Economic Development Area is depicted on the maps attached to the Resolution of which this Exhibit is a part as Exhibits A, B, C, D and E. The included real estate parcels constituting the economic development area are listed in Exhibit G.

### **Acquisition of Real Property**

The following real estate is identified for possible acquisition by the Redevelopment Commission to accomplish the Plan set out below

1. The Redevelopment Commission previously approved the possible acquisition of the following parcels of real estate to facilitate the conversion of the alley west of these parcels of real estate into a City street:
  - a. 211 South Third Street  
Crowder Law Office  
Mark S. Crowder and Patricia L. Crowder
  - b. 210 West Washington Street  
Elaine Bigler, Chiropractor  
Robert S. Schmeltz and Elaine K. Schmeltz

- c. 321 South Third Street  
Stewart Title  
HIN Building Account
2. The Redevelopment Commission previously approved the acquisition of any real estate between Third Street and the Mill Race between Washington Street and Douglas Street with the exception of 208 West Washington Street and 212 West Washington Street as such parcels of real estate are not desirable or necessary to further the development of the Mill Race Canal area. The Redevelopment Commission is currently considering purchasing 204 West Madison Street. Most of the other parcels of real estate needed for the development of the Mill Race Canal area have been acquired; however, Redevelopment may find it necessary to acquire a few more of the parcels of real estate designated as the Mill Race Canal development plans progress. The acquisition of 204 West Madison Street is specifically authorized.
  3. The Redevelopment Commission may acquire the following parcels of real estate located north of Pike Street, west of Main Street, south of the railroad tracks and east of the overpass, including the following parcels of real estate:
    - a. 321 North Main Street  
Travis M. Peak
    - b. 323 North Main Street  
Bob L. Franks and Jolene Franks
    - c. 319 North Main Street  
Ronald Davidhizar
    - d. 305 North Main Street  
Fraternal Order of Eagles
    - e. 301 North Main Street  
Gufill Projects, Inc.
    - f. 109 Pike Street  
Roger Cripe
    - g. 111 Pike Street  
Kent Yoder Real Estate
    - h. 115 Pike Street and vacant lots behind  
Kent Yoder Real Estate
  4. In addition to the real estate acquisition listed above, it is anticipated that portions of certain parcels of real estate will be acquired to accommodate certain infrastructure projects identified in this plan. Redevelopment may provide all or a portion of the funding for such acquisition, but it is anticipated that the acquisition of these parcels will be made by City of Goshen in manner that City normally acquires real estate and/or right-of-way for infrastructure projects.
  5. Redevelopment may purchase the right to remove certain billboards within the Consolidated Economic Development Area. It is hoped that the billboards can be eliminated without

Redevelopment acquiring the real estate upon which the billboard is located. In certain instances, however, acquisition of the real estate may be necessary.

6. The estimated cost of the acquisition of the identified real estate is as follows:
  - a. No decision to acquire portions of the Crowder Law Office, Stewart Title or the real estate on which the Bigler Chiropractic Office is located has been made, but if the Redevelopment Commission decides to move forward with these acquisitions, the estimated cost of the acquisitions is Three Hundred Seventy-five Thousand Dollars (\$375,000).
  - b. The Redevelopment Commission is considering purchase of one more parcel of real estate in Mill Race Canal area. The costs connected with the acquisition is estimated to be One Hundred Thousand Dollars (\$100,000).
  - c. If the Redevelopment Commission decides to acquire the real estate in the Pike Street and Main Street area, the costs of the acquisition is estimated to be One Million Five Hundred Thousand Dollars (\$1,500,000).

### **Plan Description**

The plan was originally developed as separate plans for three (3) separate economic development areas, the River Race Corridor Economic Development Area, the North US 33 Corridor Economic Development Area, and the Downtown Economic Development Area. As a result of combining the three (3) plans into a single plan, there may be some overlap and redundancies. It is the intent to retain previously identified projects in each of the economic development areas unless such projects have been completed.

### **Infrastructure Improvements**

1. Replacement of water mains which need to be replaced because of age, condition or obsolescence or to improve water quality or capacity in the downtown commercial corridors, the commercial corridors along US 33, the commercial corridors along Chicago Avenue, the commercial corridors in the vicinity of US 33 or Chicago Avenue, in the Wilden Avenue industrial park, or in the area of the canal or Third Street, including streets running east and west between Third Street and the canal.
2. Replacement of sewer mains or lift stations which need to be replaced because of age, condition or obsolescence in the downtown commercial corridors, the commercial corridors along US 33, the commercial corridors along Chicago Avenue, the commercial corridors in the vicinity of US 33 or Chicago Avenue, in the Wilden Avenue industrial park, or in the area of the canal or Third Street, including streets running east and west between Third Street and the canal.
3. Replacement of stormwater retention or detention facilities or storm sewer mains which need to be replaced because of age, condition or obsolescence in the downtown commercial corridors, the commercial corridors along US 33, the commercial corridors along Chicago Avenue, the commercial corridors in the vicinity of US 33 or Chicago Avenue, in the Wilden Avenue industrial park, or in the area of the canal or Third Street, including streets running east and west between Third Street and the canal.
4. Construction of new water mains needed for the development or expansion in the downtown commercial corridors, the commercial corridors along US 33, the commercial corridors along

Chicago Avenue, the commercial corridors in the vicinity of US 33 or Chicago Avenue, in the Wilden Avenue industrial park, or in the area of the canal or Third Street, including streets running east and west between Third Street and the canal.

5. Construction of new sewer mains or lift stations needed for the development or expansion in the downtown commercial corridors, the commercial corridors along US 33, the commercial corridors along Chicago Avenue, the commercial corridors in the vicinity of US 33 or Chicago Avenue, in the Wilden Avenue industrial park, or in the area of the canal or Third Street, including streets running east and west between Third Street and the canal.
6. Construction of new stormwater mains or stormwater retention or detention area in the downtown commercial corridors, the commercial corridors along US 33, the commercial corridors along Chicago Avenue, the commercial corridors in the vicinity of US 33 or Chicago Avenue, in the Wilden Avenue industrial park, or in the area of the canal or Third Street, including streets running east and west between Third Street and the canal.
7. New construction or repair of technology infrastructure needed to service businesses with the Consolidated Economic Development Area.
8. Landscaping projects within the Consolidated Economic Development Area including planting trees, bushes and flowers, installing planters, and removal of existing landscaping.
9. Removal or demolition of billboards within the Consolidated Economic Development Area.
10. Burying power lines within the Consolidated Economic Development Area.
11. Sidewalk repair or construction and bicycle path repair or construction within the Consolidated Economic Development Area.
12. Construction or repair of street lights or other lighting needed for safety or security within the Consolidated Economic Development Area.
13. Construction or repair of public restroom facilities within the downtown.
14. Construction of a Visitor Information Center and installation of related signage in the downtown.
15. Remediation of environmental contamination within the Consolidate Economic Development Area.
16. Repair and maintenance of the Mill Race canal and its banks. This includes the construction of new areas to reduce silt deposits and vegetation in the Mill Race.
17. Construction or repair of public roads, streets and curbs within the Consolidated Economic Development Area and to provide the local funding for the proposed US 33 construction from Goshen High School to the intersection of Pike Street and Main Street.
18. Construction of a water tower within the Consolidated Economic Development Area or, to the extent permitted by Indiana law, benefitting the Consolidated Economic Development Area.
19. Construction of public parks within the Consolidated Economic Development Area.

20. The construction of any infrastructure improvements necessary or desirable to promote development of real estate within the Consolidated Economic Development Area. Such infrastructure may include streets, roads, intersection improvement, traffic control devices, bridges, water mains, sewer mains, lift stations, underground utility conduits, street lighting, sidewalks, bicycle paths, fire hydrants, storm drainage facilities, and landscaping within the Consolidated Economic Development Area.
21. Any improvements needed or desired to real estate owned or acquired by the Redevelopment Commission.
22. The authorization of any project is intended to include the authorization to pay for any professional fees and expenses connected to the project, including, but not limited to engineering fees, architectural fees, survey costs, title fees, attorney fees, accounting fees, financing costs, and the costs of permits, licenses, or approvals.

#### Plan Financing

It is the intention to fund the Plan from incremental ad valorem real estate taxes allocated under Indiana Code § 36-7-14-39. Other funding sources may be utilized if necessary to complete the projects set forth in the Plan. It is further understood that tax incremental ad valorem real estate taxes may be used to reimburse any other initial funding sources. The funds generated by the incremental ad valorem real estate taxes may be used for additional infrastructure improvements made within the Plan area or benefitting the Plan area.

The costs that may be financed from the incremental ad valorem real estate taxes include, but are not necessarily limited to the cost of any land to be acquired, acquisition of right-of-way or easements, costs of materials and labor, and all reasonable architectural, engineering, legal, financing, accounting, advertising, and supervisory expenses related to the development and/or implementation of the Plan.

#### Amendment of the Plan

Subject to compliance with the requirements specified in Indiana Code § 36-7-14-17.5, the Redevelopment Commission may amend this Plan.

## EXHIBIT G

Parcels of Real Estate to be included in the Consolidated River Race/US33 Economic Development Area

06-25-301-004-013	06-36-402-003-013	11-04-353-001-015
06-25-302-005-013	06-36-402-006-013	11-05-151-001-015
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06-25-303-003-013	06-36-427-002-013	11-05-151-016-015
06-25-304-001-013	06-36-427-003-013	11-05-151-019-015
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11-16-205-007-015	11-16-206-014-015	11-16-252-001-015
11-16-205-008-015	11-16-208-001-015	11-16-253-001-015
11-16-205-009-015	11-16-208-002-015	11-16-300-006-015
11-16-205-010-015	11-16-208-003-015	11-16-301-001-015
11-16-205-011-015	11-16-208-004-015	11-16-301-002-015
11-16-205-012-015	11-16-208-005-015	11-16-301-003-015
11-16-205-013-015	11-16-208-006-015	11-16-301-004-015
11-16-205-014-015	11-16-208-007-015	11-17-226-008-015
11-16-205-015-015	11-16-208-008-015	11-17-226-009-015
11-16-205-016-015	11-16-208-009-015	11-17-226-010-015
11-16-205-017-015	11-16-208-010-015	11-17-226-011-015
11-16-205-018-015	11-16-208-011-015	11-17-226-012-015
11-16-206-001-015	11-16-208-012-015	11-17-227-003-015
11-16-206-002-015	11-16-208-013-015	11-17-227-004-015
11-16-206-003-015	11-16-209-001-015	11-17-227-007-015
11-16-206-004-015	11-16-209-002-015	11-17-227-013-015
11-16-206-005-015	11-16-209-003-015	11-17-276-006-015
11-16-206-006-015	11-16-209-004-015	11-17-426-003-015
11-16-206-007-015	11-16-209-005-015	
11-16-206-008-015	11-16-209-021-015	
11-16-206-009-015	11-16-209-022-015	

**ORDINANCE NUMBER 4674  
ADDITIONAL APPROPRIATION ORDINANCE**

WHEREAS, It has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget; now therefore:

SECTION 1: Be it ordained by the Common Council of the City of Goshen, Elkhart County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out the funds named and for the purposes specified, subject to the laws governing the same:

**LOCAL ROAD & STREET**

Equipment Motor Vehicle.....\$ 17,500

PASSED AND ADOPTED, this \_\_\_\_ day of February, 2012, by the Common Council of the City of Goshen, Indiana.

\_\_\_\_\_  
Allan Kauffman, Mayor

ATTEST: \_\_\_\_\_  
Tina M. Bontrager, Clerk-Treasurer

Presented by me to the Mayor of the City of Goshen, Indiana, on the \_\_\_\_ day of February, 2012

\_\_\_\_\_  
Tina M. Bontrager, Clerk-Treasurer

This Ordinance approved and signed by me on the \_\_\_\_ day of February, 2012 at the hour of \_\_\_\_ a.m./p.m..

\_\_\_\_\_  
Allan Kauffman, Mayor



**Dennis Long, Commissioner**  
**STREET DEPARTMENT, CITY OF GOSHEN**

475 Steury Avenue • Goshen, IN 46528-3006

Phone (574) 534-9711 • Fax (574) 534-1568 • TDD (574) 534-3185  
streets@goshencity.com • www.goshenindiana.org

February 7, 2012

To the Members of the Goshen City Council:

I am asking for an additional appropriation to replace money spent on a new pickup truck for the Street Department.

The Water Department has purchased the 2007 GMC Canyon pickup truck from the Street Department because they are in need of a replacement truck. They are placing \$17,500.00 in their 2012 Depreciation line to pay for the truck. I am asking that this amount the Water Department has offered for the Canyon to be appropriated back to the Street Department's Local Road and Street Line #202-530-00-445.0401. Because of this transaction, it has allowed the Street Department to purchase a new full sized pickup with a snow plow.

Thank you for your consideration in this matter.

Sincerely,

Denny Long  
Street Commissioner