

MINUTES

ANDERSON REDEVELOPMENT COMMISSION

June 13, 2023

PUBLIC MEETING

5:00 p.m.
ED Conference Room, Room #105
120 East 8th Street
Anderson, IN 46016

MEMBERS PRESENT

Richard Symmes, President
Kenneth Davenport, Secretary
David Eicks
Perry Washington

STAFF PRESENT

Greg Winkler, ED Director
Karen Soetenga, ED Dept
Mike Austin, Commission Attorney

OTHERS PRESENT

Councilor Crumes, City Council
Doug Whitham, City Controller
Matt House, City Engineer
Ken de la Bastide, Herald Bulletin
Angie Strickler, Citizen
Alice Flowers, Citizen
Donita Thompson, Citizen
Kellie Kelley, Citizen

OPEN PUBLIC MEETING

ROLL CALL AND DECLARATION OF QUORUM

Mr. Symmes, at 5:00 pm., established a quorum with four (4) members present.

MINUTES

Mr. Eicks moved to approve the May 15, 2023 minutes as presented. Mr. Davenport seconded. Motion passed unanimously; 4 yes, 0 no.

FINANCIALS AND INVOICES

Commission members reviewed financials and invoices.

Mr. Eicks made a motion to approve the bills totaling \$26,601.15. Mr. Davenport seconded. Motion passed unanimously; 4 yes, 0 no.

BUSINESS

Action on Mowing Contract for ARC owned Property

Mr. Winkler stated one bid met all the terms and was clearly the lower of the two eligible bids.

A group of citizens interrupted the meeting with quotes from Bingham Square Apartment tenants. Mr.

Symmes stated the presentation was not part of the agenda and the Commission was going to move forward with the meeting. Discussion followed. Mr. Symmes stated additional time would be given at the end of the meeting for discussion.

Mr. Austin stated there were two bids to consider, Bailys Landscaping and Select Lawn Services LLC. Select Lawn's bid was \$42,095 and Baily's was \$61,685. Mr. Austin stated the Commission has used Select Lawn Services for the past several years and they have had a good track record. Discussion followed. Mr. Austin stated the contract will have an optional renewal at same price for a second year. Brief discussion followed.

Mr. Eicks made a motion to award the mowing contract to Select Lawn Services, the lowest responsive and responsible bid for \$42,095.00 stating they were the lowest quote on each parcel identified and Mr. Davenport seconded.

Councilor Crumes asked if the ARC owned the field behind Bingham Square. Mr. Eicks stated he did not think so, but would check. Brief discussion followed.

Motion passed unanimously; 4 yes, 0 no.

ARC04-23 Resolution Concerning Wetland Delineation - Mort, Madison Commons, Eagle Park and Orchard

Mr. Winkler informed members of a request for professional services concerning wetland delineation for the Mort, Madison Commons, Eagle Park and Orchard properties, as presented by maps. Mr. Winkler stated all properties are in the TIF district and regularly go out to prospective leads. A common question asked by potential leads is if the properties have been delineated and if there is a plan to mitigate. Mr. Winkler stated Earth Services would delineate each property and would offer a mitigation plan for one of the four which currently has a serious prospective lead.

Mr. Washington asked if the Commission owns the properties. Mr. Winkler stated it does not but Corporation for Economic Development has verbal options on several of the properties. Discussion followed.

Councilor Crumes stated some of the same language used to justify the need for the studies was used for the request concerning Bingham Square Apartments and why was there not the need to upkeep the apartments as there is the properties being considered today. Mr. Winkler stated the ARC does not own the apartments and they are two different projects that have nothing in common. Discussion followed. Mr. Eicks asked Commission attorney, Mr. Austin, to give a report on the request of the Commission to file suit against Bingham Square at the next meeting. Discussion followed.

Mr. Davenport made a motion to approve Resolution ARC04-23 a Resolution Concerning Wetland Delineation - Mort, Madison Commons, Eagle Park and Orchard, as presented and Mr. Eicks seconded. Motion passed unanimously; 4 yes, 0 no.

ARC05-23 Resolution Concerning Downtown Traffic Modernization Project

Mr. House, City Engineer, stated the bid for the first phase of the Downtown Traffic Modernization Project came in at \$1,419,579 making the City's 20% matching funds, \$281,069. Mr. House informed members five to six years ago a complete overhaul of dated signalization was sought in order to install modern equipment. The first phase will involve 11 intersections and will include signal replacement and controller updates as well as pedestrian equipment and ramps on one. Mr. House briefed members in the past the City would pay for 100% of the cost and get reimbursed 80%, now they request the 20% match upfront. Mr. Winkler stated almost all intersections are in the TIF district and all will benefit the district. Mr. Eicks stated there are 99 signals all together, this is phase one and will address 11. Discussion followed.

Mr. de la Bastide asked when the last time the signals were upgraded. Mr. House stated the last traffic modernization started in 1984 and continued through the 90s. Mr. House confirmed new upgrades will allow emergency vehicles to control lights. Mr. Winkler stated the funds are managed by Indiana Department of Transportation (INDOT), originating from the Federal Government. Discussion followed.

Ms. Kelley, citizen, asked when the federal funds will be available. Mr. House stated INDOT already has the funds available. Discussion followed.

Mr. Austin stated there is a typographical error in the Resolution; in Section 1 it states \$289,069.00 and it should read \$281,069.00 and he will replace page 1 to reflect correct number.

Mr. Washington made a motion to approve ARC05-23 Resolution Concerning Downtown Traffic Modernization Project, as presented, with typographical error noted. Mr. Eicks seconded. Motion passed unanimously; 4 yes, 0 no.

Mr. Washington asked Mr. Austin to give an overview of Bingham Square.

Mr. Austin stated Mr. Washington inquired about new legislation that might give the Commission more options, HB 1075, which he has not yet been able to fully assess. Mr. Washington stated HB1075 gave the City the option to file against an apartment building owner, giving them 45 days to react.

Mr. Austin stated there have been talks with numerous potential buyers for Bingham Square and the Mayor, Mr. Eicks, Mr. Symmes and Mr. Washington have been active in trying to find solutions. Currently the owner is not under any contract with a potential buyer, which has not been the case until the present time. Mr. Austin stated there have been several buyers that the City has spoken with directly out of a desire to get a responsible buyer moving forward, however, no one has gotten to the finish line. Mr. Austin stated at this point there is no other recourse but to proceed with filing suit but no discussion regarding details of the litigation can be given unless it is in Executive Session. Mr. Austin stated he wished to clarify that the ARC holds a lien on the mortgage, just like a bank would on a house. The Commission has no ability to tell the owners how to run their property, who to rent to or how to maintain their property.

Councilor Crumes stated she was angry because investors were brought before the public and helped through the process of getting funding and questions weren't answered to her satisfaction. Councilor Crumes stated current state cannot continue. Discussion followed.

Ms. Strickler stated citizens were asking the Commission to take over the mowing and the trash clean up at the property and to work with the Human and Civil Rights Commission in seeking eminent domain. Ms. Strickler stated a property in Indianapolis was currently undergoing such action.

Ms. Kelly asked for the Commission to think about where the emergencies are in the community. Brief discussion followed.

ADJOURNMENT

Meeting was adjourned at 5:53pm.

