

REDEVELOPMENT COMMISSION MINUTES

Monday, April 28, 2014

The Regular meeting of the city of Mishawaka Redevelopment Commission was called to order at 6:30 P.M., Monday, April 28, 2014, in Room 205, City Hall, 600 East Third Street, Mishawaka, Indiana. Commissioners Eberhart, O'Dell, Pingel, Ermeti, and Stillson were present. Also present were Ken Prince, David Thomas, Attorney Beutter, Laura Raygoza, Joe Dits, and Marilyn Jones.

APPROVAL OF MARCH 2014 MINUTES

Commissioner O'Dell moved that the minutes from the March 24, 2014 Commission meeting be approved, Commissioner Pingel seconded; motion passed.

STAFF RECOMMENDATIONS AND VOTE FOR PUBLIC PROPERTY DISPOSAL

The packets were sent out on Thursday and Dave Thomas also sent a memo regarding staff recommendations for the bid that were placed in a timely fashion for the properties that were set for public disposal. There were no questions from the Commission. Mr. Thomas noted that there was public representation in attendance and that comment would be asked for at the appropriate time.

1. NW/Corner of Main/McKinley – staff recommendation is that the bid be accepted from Glenbrook Dodge for \$216,050.00. It was recommended that the Commission accept the bid submitted by Douglas McKibben of that group. There were no questions. There was no public comment. Commissioner Ermeti motioned that we accept the bid, Commissioner O'Dell seconded, motion carried. There was another approval included that stated we are accepting it for \$216,050.00 and the Redevelopment Commission gives staff approval to enter into a Buy/Sell agreement and enter into any other negotiations necessary to complete this transaction. There was also another bid received from the Ireland Road Group, L.L.C. for \$10,000.00. A formal rejection of the bid was stated. Mr. Thomas will inform them of the rejection.
2. SE/Corner/Main McKinley – the last addition to Dairy Queen. The offer was for \$10,000.00 from Mr. Betz of Dairy Queen, Inc. His proposal is to extend that into parking and add 47 additional parking slots. The staff recommendation after talking with Mr. Betz and reviewing his plan, it is the recommendation that we accept the bid. It was asked if Mr. Betz understood he had to remove the necessary poles. Mr. Thomas stated that he had already secured a quote for that from Mishawaka Utilities. There were no further questions or comments. Commissioner O'Dell motioned to accept the bid and Commissioner Pingel seconded, motion carried. The Authorization and purchase agreement were both signed.

3. SW/Corner of Main/McKinley – This offer was submitted by a group of people Larry and Freda Scheibelhut, Karen and Dennis Culp, Mary Lou Seltzer, Thomas Scheibelhut, Paul and Seanna Scheibelhut. The initial bid was for \$1,000.00 with forgiven taxes. That proposal was rejected. They submitted a new proposal eliminating the forgiven tax language and still offering \$1,000.00. As mentioned in the memo, Mr. Thomas spoke with Ken Prince, Gary West and Mayor Wood and obtained their support to go ahead and approve the offer. The Scheibelhut's and the rest of their group understand that there are to be no curb cuts on Main/McKinley and that the only access is on Russ. The \$1,000.00 will be held until they dispose of it as part of the two lots that they currently own to the South of there and any future agreement that may have with the owner of the Fiesta Tapatia on McKinley. Public comment (question) was asked if there was any idea of what would be placed there. There is nothing known. Commissioner Pingel motioned, Commissioner Ermeti seconded; motion carried. Additional public comment was made by Tom Scheibelhut. Mr. Scheibelhut asked the question “was the only access Russ Street – and if the access to the homes would stay or would it be “Grandfathered” in.” It was answered yes. Also the question was asked, would it always stay if it were changed to a different building. No, if a new commercial building moves in it will have to be current commercial standard which will not allow a curb cut coming in from Main. It was asked if a house could be built on it, the answer is no. The utility poles located near there were questioned and Ken Prince said that it would be investigated further. Commissioner Pingel motioned, Commissioner Ermeti seconded; motion carried. An Approval of bid was signed.
4. Lot to the North of Trevino Insurance, Lot 84 – after reviewing the bid that was proposed by Mr. Trevino, we went back to him to ask if he would bring the lot to commercial parking lot status and he agreed to do that. He provided us with an updated sketch of the signage that he will put up as well as the three trees he is going to add at the North end of the property along the parking lot to bring it up to standard. He will not be replacing the parking lot, just adding to it to provide for the sign. Ken Prince noted that as a part of the widening, Mr. Trevino indicated that his difficulty would be in installing a sign, but by adding the ten feet, it would give him the ability to put the sign in. Commercial landscaping was requested because of the location of the property line. Upon his agreement to that the staff decided to accept his offer of \$800.00. No public comment. Commissioner Pingel motioned, Commissioner Ermeti seconded, motioned carried. An Approval of bid was signed.
5. Old Firehouse #4 – LWE – Mr. Doug Merritt and his group and Cliff Zenor, Chair of Historic Preservation Council were in attendance. The staff's recommendation after reviewing the proposal and the amount of money that is going to be invested in that property that it fits what we believe is our required criteria, that it be approved for a bid of \$20,000.00 along with the proposed plans. Public comment- Mr. Zenor reported that Mr. Merritt had shared his plans,

renovations, his secure financing and his attention to designate the building as a local historic landmark. There were many strong points from Mr. Merritt. Mr. Merritt showed them a presentation board and the HPC went through the recommendations and saw that his plans to restore, repair and replace, matched the preservation report. They were concerned about financing and that is secure. Land marking the building was of concern. After their conversations, they deemed him appropriate. On behalf of the HPC they highly recommend Mr. Merritt's proposal and bid for the property. They have submitted the preservation report for our record. Mr. Matthew Chlebowski was in attendance and spoke in favor of the proposal. Jeremy St. Clair, resident and local business owner knows Mr. Merritt and has a concern for the growth and development of the City. He puts his assurance on Mr. Merritt's promise and highly recommends his intent. Steve Smith with Irish Realty, a residential realtor, co-owner of business in Mishawaka. Doug Merritt is a tremendous asset to the Community and encourages us to support him. David Shackle, public resident (neighbor) stated that Mr. Merritt is an asset to the neighborhood, takes good care of his home and cares for his neighbors. He is a great family man and he is also passionate about preserving the history of the building. He asked that the Commission support his proposal. Mr. Carl Fermer, resident, has not met Mr. Merritt and wanted to know what his business is, Mr. Merritt responded. He operates a Land use and permit consulting office. He works with homeowners and commercial developers in the United States and southern Canada. He helps to facilitate quality of life issues for residents, i.e. assistance with variances and helps to facilitate the process for a fee. He has no client traffic, they go to them. His project Manager was in attendance and he has three full time employees and two part time that work remote. He has been in operation since 2005, downtown Mishawaka for several years. He has what he calls a "small operation with extensive reach." Fay Sullivan was in attendance and she is a recipient of Doug's help in finding out what was needed in a renovation of her property. She stated that "he takes the problems away from the homeowner and takes his experience and makes it happen." Commissioner O'Dell motioned, Commissioner Ermeti seconded; motion passed. An approval of bid was signed.

PURCHASE AGREEMENT FOR 801 SOUTH UNION STREET

Dave Thomas presented a purchase agreement for \$74,700 for 801 South Union Street – directly North of the liquor store. He stated the funding source is now available. The owner indicated that he has closure reports for the tank and will provide them as part of the process. Commissioner O'Dell motioned to accept the Buy/Sell Agreement, Commissioner Pingel seconded; motion carried.

SUBORDINATION AGREEMENT – Ritchie

The Department of Community Development received a request from Bank of America for the property located at 1327 East Borley. The homeowner is at an interest rate of 5.25% at 30 years and would like to re-finance to 3.25% interest rate for 15 years. Cash out to pay closing. Approval of this refinancing was requested. Commissioner Ermeti motioned to accept and Commissioner Pingel seconded; motion carried.

FTHB APPLICANT APPROVAL – 422 EAST GROVE STREET

The purchase agreement for 422 East Grove Street was submitted for approval. Commissioner Pingel motioned, Commissioner Ermeti seconded; motion carried.

SUMMER OF SERVICE APPLICANTS

Redevelopment has received a referral from the City of Mishawaka Code Enforcement Office for the property at 303 East 8th Street to be accepted for the Summer of Service program. Commissioner O'Dell motioned to approve the application and Commissioner Pingel seconded; motion carried.

ANYTHING ELSE BROUGHT BEFORE THE COMMISSION

Monday, May 12, 2014 was suggested for the May meeting – the fourth Monday is Memorial Day.

The meeting was adjourned at 7:30 P.M.

M. Gilbert Eberhart, President

David B. Thomas

Marilyn Jones