

The Pendleton Redevelopment Commission (RDC) met October 25, 2018 at 6:00pm at the Pendleton Town Hall, 100 W State Street, Pendleton, Indiana. The meeting was called to order at 6:00pm. Commission Members present were President Chad Wolfe, Steve Davis, Jessica Bastin, Michael Wright, Craig Campbell and Bill Hutton. A quorum was established with five of five voting members present. Representing the Town were Planning and Zoning Administrator Kayla Hassett, Town Attorney Alex Intermill and Planning Clerk Kate Edwards.

Others in attendance were Steve Denny of 303 Pearl Street Pendleton, Brian Colton and Sam Schrader with Ambaugh, Garry Brammer, and Joshua Ring of 203 S Broadway.

MINUTES

**MOTIONED BY STEVE DAVIS, SECONDED BY JESSICA BASTIN,
THE APPROVAL OF SEPTEMBER 25, 2018 MEETING MINUTES.
MOTION CARRIED.**

OLD BUSINESS

- **None**

NEW BUSINESS

- **Wolfe recessed the RDC meeting and opened the Public Hearings**
- **Public Hearing Opened – Removing 25 acre parcel from existing TIF district**
 - Intermill reported to the public that the RDC and Town Council approved a Declaratory Resolution that declared taking this 25 acre parcel and removing it the current TIF district. The next Public Hearing is on approving and creating a new TIF district for this 25 acres allowing the only clock to start ticking, at the time of bond issuance, for that newly created 25 acre TIF district only.
 - No public comments
- **Public Hearing – Creating a new TIF district for the 25 acres**
 - No public comments
 - Campbell asked if this new TIF district will be effected should Klipsch-Card sell any portion of the 25 acres. Intermill advised that, in the Development Agreement with the Town, the area of the detention pond will be moved into a separate LLC and there are also two out lots that have been contemplated to be developed perhaps by the Wellness Center or perhaps they sell it to a third party. He went on to explain, from the Town's perspective, the important thing is controlling the type of development that goes in out there and the Town will retain all of that control. Additionally, the Town wants, and it has always been the intent, for that property to be in private taxable hands to create jobs and tax revenue.

- Hutton asked if a third party moves in and Klipsch sells it to them, does that do anything to the Klipsch tax ceiling. Intermill said that the Development Agreement addresses that specifically and the terms in the Agreement about limits and caps applies to successors.

JESSICA BASTIN MOTIONED, SECONDED BY STEVE DAVIS, TO APPROVE RESOLUTION R18-03. MOTION CARRIED.

JESSICA BASTIN MOTIONED, SECONDED BY CRAIG CAMPBELL, TO APPROVE RESOLUTION R18-04. MOTION CARRIED.

- **Public Hearing – Leasing Financing**
 - Intermill reported that there are two leases going on that have to do with Heritage Way which has a value of more than 1.5 million, which is key because that is the amount of the bond issue. The Building Corporation sits in the middle of the RDC and Town Council. The Town leases the road Heritage Way to the Corporation, lease payments are made, the Corporation is the conduit that allows those public funds to be utilized for this private project.
 - Brammer addressed the board to ask if the leasing of Heritage Way will affect any of the other businesses out there, like would they have to pay to use it. Wolfe advised the businesses are already paying taxes and this transaction would not affect them in any way.

Intermill advised that Chad Wolfe, as the RDC President, will need to sign some bonds, the notes, along with Bob Jones the Council President. So this being the last meeting, the RDC is authorizing Wolfe, on behalf of the RDC, to sign whatever documents are needed to effectuate the leases and the bond issuance, as that comes down the line.

Wright asked what the anticipated rating was going to be on the bond. Brian Colton advised that it was anticipated to be an A rating. If it turns out not to be where we want it to be, since the town doesn't have a rating at this point, we won't have to take it. If it is A- or better it helps our marketing.

JESSICA BASTIN MOTIONED, SECONDED BY STEVE DAVIS, THE APPROVAL OF R18-05 RESOLUTION OF TOWN OF PENDLETON REDEVELOPMENT COMMISSION 1) APPROVING AND AUTHORIZING THE EXECUTION OF A LEASE WITH THE PENDLETON MUNICIPAL FACILITIES BUILDING CORPORATION AND 2) APPROVING A LEASE BETWEEN PENDLETON MUNICIPAL FACILITIES BUILDING CORPORATION AND THE TOWN OF PENDLETON RELATING THERETO. MOTION CARRIED.

- **R18-06 Resolution of the Town of Pendleton Redevelopment Commission approving and authorizing execution of financing documents and related matters.**
 - Michael Wright recused himself given his profession and corporate rules.
 - Wolfe reported that the Resolution adopting financing, lease, pledge of the TIF, with a special benefit tax back-up to pay lease rentals, that the tax back-up is what allows us to go to the rating agencies. We are marketing it as an A Town Municipal Bond based on that is has a project back-up, tax back-up, but if all else failed, this is the third layer and it's a property tax and it would take a special assessment. Unlikely we will need it, but it is how we issue bonds.
 - Colton advised that before you get to that property tax back-up, there is also a reserve that is fully funded as well. So there is a stop-gap before you get to the property tax back-up. This also helps with the marketability of the bond.

JESSICA BASTIN MOTIONED, SECONDED BY CRAIG CAMPBELL, TO APPROVE FINANCING LEASE RESOLUTION R18-06. MOTION CARRIED.

- Intermill advised signatures will be needed on the Resolutions, also signature pages on the leases and other documents that Chad Wolfe was just authorized to sign.
- **Due diligence extension for Park 100 and Park 100 real estate Purchase Agreement.**
 - Wolfe gave an update advising that Park 100 sent over a tentative Purchase Agreement. Intermill has reviewed the initial copy. Park 100 is the approximately 50 million dollar project. Still in negotiations. They have asked for due diligence extension but they have assured the Town they are moving forward. The request for an extension was paired with some additional earnest monies. All of the documents are in review currently.
 - Davis suggested, as they look at the agreement, that we ask Alex to take a special look if there is a dispute with the earnest monies and how that dispute might get resolved.
 - Davis added that if they want another extension there needs to be another \$10,000. Intermill shared that the extra earnest money was not asked for by us, they brought it up.

Redevelopment Commission
October 25, 2018
Page 4

November meeting falls on Thanksgiving. The next meeting is scheduled for December 27, 2018.

Meeting adjourned at 6:35pm.

Kate Edwards
Planning Clerk
Town of Pendleton