REDEVELOPMENT COMMISSION
City of Franklin, Indiana

MINUTES OF MEETING

Date and Time: Thursday, April 17, 2008 at 8:00 a.m.

Place of Meeting: Common Council Chambers
Franklin City Hall
55 West Madison Street
Franklin IN 46131

Minutes of Meeting

1) **Call to Order**: The meeting was called to order at approximately 8:00 a.m.

2) **Persons in Attendance**:
   a) **Members of the Commission**:
      i) Larry Koenes, President
      ii) Brian J. Deppe
      iii) Ted Grossnickle;
      iv) Trent McWilliams

   b) Bob Heuchan was absent

   c) **Also in attendance**:
      i) Robert H. Schafstall, Legal Counsel to the Redevelopment Commission;
      ii) Mayor Fred Paris;
      iii) Krista Linke, Planning Director;
      iv) Cheryl Morphew, Johnson County Development Corporation;
      v) Rob Shilts, Franklin Heritage;
      vi) Thomas Cuevara, Crowe Chizek Representative
      vii) Ivy Tech Representatives

3) **Old business**:
   a) Legal Counsel, Robert H. Schafstall, presented the minutes from the last meeting dated March 20, 2008. Mr. Deppe, seconded by Mr. Grossnickle, made a motion to approve the minutes as presented. The motion carried and the minutes were approved.

   b) Legal Counsel, Robert H. Schafstall, presented Resolution 08-02 for approval for the agreement with Ivy Tech up to the amount of $285,000. The agreement with Ivy Tech is in the amount of $275,000.00 and the extra amount appropriated is for legal expenses. Mr. Grossnickle, seconded by Mr. Koenes, made a motion to approve the resolution. The motion carried and the resolution was approved.

c) Legal Counsel, Robert H. Schafstall, presented the Commission with the proposed agreement relative to the details of the Ivy Tech expansion. Mr. Deppe communicated a few concerns with the present agreement in which the current agreement includes language that could create liability for the City since they will be an owner for a brief moment. The Commission directed Legal Counsel to work with Ivy Tech Counsel to include a hold harmless statement within the agreement. Mr. Deppe, seconded by Mr. Grossnickle, made a motion to authorize the RDC President to sign the agreement once the revisions have been made to the agreement that are acceptable to Legal Counsel.

d) Legal Counsel, Robert H. Schafstall, provided the Commission with an update relative to the work completed by Mike Shaver, Wabash Scientific, Inc. Planning Director, Krista Linke, appeared before the Commission and provided additional information. The boundaries can be included or not, but adding them in the future is more difficult than including them now. The next step is for the RDC to meet to approve the plan at the next meeting, which is scheduled for May 8, 2008, and then present that recommendation to the Plan Commission, in which their next meeting is May 20, 2008. Mr. Koenes requested that the plan be presented prior to the meeting.

e) Planning Director, Krista Linke, presented the Commission with an updated draft of the Revolving Loan Fund proposal from Mark Keillor.

4) **New Business:**

a) Legal Counsel, Robert H. Schafstall, communicated that the City is interested in contracting with Crow Chizek as an Economic Development advisor. Legal Counsel and members identified some concerns with the Master Services Agreement as presented in the following sections:

   i. Your Assistance: hold harmless statements
   ii. Publication:
   iii. Limit of Liability:
   iv. Indemnification for third-party claims
   v. Jury Trial

   Discussion ensued and the Commission directed Legal Counsel to work with Crowe Chizek to adjust the language to address the concerns. Crowe Chizek Representative, Tom Guevara, addressed the Commission and offered that Crowe Chizek is willing to work with the City and make the necessary changes to the agreement. Discussion ensued relative to the appropriate parties that should be included in the Master Services Agreement.

b) Legal Counsel, Robert H. Schafstall, presented the Commission with a project assignment agreement relative to the TIF allocation area. This agreement currently refers back to the Master Services Agreement. Legal Counsel recommended creating a stand alone Project Assignment Agreement.

Mr. Deppe, seconded by Mr. McWilliams, made a motion to authorize the RDC President to sign the agreement once the revisions have been made to the project assignment agreement that are acceptable to Legal Counsel.

5) **Other Business**:

a) Mayor Paris addressed the Commission relative to House Bill 1001, in which it may be a responsible move to identify future projects that the City may fund with TIF monies. Mr. Guevara offered that Crowe Chizek prepared a snap shot version of the bill that is available for download on their website.

6) **Adjournment**: the meeting was adjourned by unanimous consent at approximately 8:50 a.m. The next meeting is scheduled for May 8, 2008 at 8:00 a.m.

Approved this 8 day of May, 2008.

City of Franklin, Indiana
Redevelopment Commission:

By: Larry R Keener
President

Attest:

By: [signature]
Member

Prepared by:

Robert H. Schafstall
Atty. No.: 16944-41