

City of Bedford

City Council Hearing

July 16, 2024

7:00 P.M.

Minutes

Prayer: Ryan Griffith

Pledge of Allegiance: Heath Hawkins

Call to Order: Mayor Sam Craig

The Common Council of the City of Bedford, Indiana met for a Regular City Council Meeting on July 16, 2024, at 7:00 P M at Stonegate Arts & Education Center. Mayor Craig presided and called the meeting to order.

Members in attendance:

- Judy Carlisle
- Ryan Griffith
- Kathy Blackburn
- Brad Bough
- Larry Hardman
- Heath Hawkins

Members absent:

- Dan Bortner

Reading/Approval of Minutes:

June 18, 2024 –Regular Meeting

- Brad Bough made the motion to approve the minutes,
- Judy Carlisle seconded the motion,
- ***All votes were in favor of the motion. No One Opposed, Passed***

Old Business

1. Tabled- Request Approval and Acceptance of Greyson Real Estate, LLC Statement of Benefits SB-1 Tax Abatement-Real Estate Improvements-2717 John Williams Blvd; and Approving Resolution 16-2024 For Establishing Deduction for Real Estate Improvement Tax Abatement-Greg Pittman

- City Attorney Greg Pittman stated that as he stated before, his opinion is that this entity does not qualify by statute. .
Normally a restaurant does not qualify unless it is in an economic development target area, which it is. But the statute prohibits entities that are required to operate under a license issue under IC 7.1 which is an alcoholic beverage license. A restaurant must have a license for alcohol and does not qualify under the statute.
What he mentioned last meeting, he questioned the intent of the legislature, the statute is broadly worded. But there is no question on how it's worded, we don't know the intent of the legislature. It is his recommendation we deny it under the statute, because the statute prohibits it. It is not my decision; it is the council's decision.
- Heath Hawkins questioned if Wings and Rings has a tax abatement. No one could confirm if Wings and Rings has a tax abatement, but it was thought it did not.
- Heath Hawkins asked Corey King (Greyson Real Estate, LLC) how much they would save in property tax by having the abatement. He stated that it depends on how much the assessment is. It would be \$3. Per 1000 in assessment.
- Ryan Griffith questioned Pittman on the statute, and he understood it to mean carryout liquor. Mr. Pittman stated it says, "Package liquor store that requires a dealers permit under IC 7.1-3-10" but then it goes on to say, "or any other entity that it required to operate under a license under IC 7.1". This would be any entity that requires a liquor license. Plain language in the statue does not allow it.
- Mr. Hawkins asked if the council was to approve the abatement, what if any consequences there be? Mr. Pittman stated that the County Assessor could take action if she chooses to try to stop it.
- Mayor Craig asks for a motion
- Heath Hawkins stated that it was his opinion that this will benefit the city and made the motion to approve.
- Brad Bough seconded the motion.
- With the motion and a second, the Mayor asked for a roll call vote due to some verbal no votes.
- Yes votes: Heath Hawkins, Brad Bough and Ryan Griffith
- No votes: Judy Carlisle, Larry Hardman and Kathy Blackburn.
- With a 3-3 Vote, Mr. Pittman stated that by statute the mayor breaks a tie vote.

- Mayor Craig stated that the mayor does not vote on council agenda items, but under these circumstances, there is a time when it is necessary. Mayor Craig stated that his decision is to go with counsels' opinion. It will benefit the City of Bedford, but by the statute side of it does not apply, if you approve something like this, then unfortunately it opens it up to all businesses. If there wasn't liquor being served, then there would be no question. But with the liquor being so important to the statute, then the statute says it doesn't qualify. Mayor Craig voted no.
- The abatement request was denied.

2. Tabled-Third & Final Passage-Ordinance 13-2024-Amending Zone Map-Kerns Property Management, LLC-820 R Street-From R-3 to B-3 -Brandon Woodward

- Brandon Woodward addressed the council and ask that they approve Ordinance 13-2024 amending the zone map at 820 R Street from R-3 to B-3.
- Nothing has changed since the June meeting.
- Heath Hawkins made the motion to approve the Third and Final passage of Ordinance 13-2024,
- Judy Carlisle seconded the motion,
- *The Third and Final Passage of Ordinance 13-2024, All votes in favor of motion, No one opposed, passed.*

New Business

1. Compliance with Statement of Benefits (CF-1)-For General Motors LLC- Vishal Shawn (Finance Manager), Scott Brunso (Financial Analyst), Mark Dickman (Plant Manager)

- Personal Property -Resolution 8-2016-Furnish and Install Machinery, Equipment and special Tooling to Produce Aluminum Block Casting.
- Personal Property -Resolution 7-2015-Furnish and Install Machinery, Equipment and special Tooling to Support Die Castings Operation for Various Products.
- Personal Property -Resolution 3-2014-Furnish and Install Machinery, Equipment and special Tooling to Produce Aluminum Block Casting.
- Personal Property -Resolution 7-2011-Equipment and Tooling to Produce Mold Head Castings. (Expired)

- Personal Property -Resolution 4-2010- Equipment and Tooling to Produce Mold Head Castings. (Expired)
 - Personal Property -Resolution 6-2022-Furnish, Install or Upgrade Machinery, Equipment and Special Tooling Including Dies to Support Electric Vehicle Component Manufacturing.
 - Mark Dickman spoke on behalf of General Motors. He stated that GM is making progress on aluminum blocks for SUVs, Corvettes and special dies for electric vehicles.
 - The company is well positioned to move forward with electric vehicles or stay with the current castings.
 - There are approximately 735 employees and several contractors at the plant.
 - The salaries range from \$100,000 to \$180,000.
 - They are happy with the progress with the plant
- Larry Hardman made the motion to approve all the CF-1's for General Motors LLC,
 - Ryan Griffith seconded the motion,
All votes in favor of the motion, no one opposed, passed.

2. Ordinance 14-2024-Amending 151(Flood Damage Prevention) -Floodplain-Brandon Woodward

- Brandon Woodward stated that the IDNR requires updates of the floodplain ordinance.
 - Some of those areas in the city are on East 50,by the Boat Club and a few smaller areas.
 - The city needs to monitor those areas for building requests that must be approved by FEMA.
 - The ordinance cleans up some wording of the current ordinance and makes it clearer that it is the City of Bedford.
- Ryan Griffith made the motion to approve the first passage of Ordinance 14-2024,
 - Brad Bough seconded the motion,
All votes in favor of the motion, Second and Third passage will be at the August 20, 2024, meeting.

3. Request and Approval of Evergreen Drive, LLC SB-1 Tax Abatement-Real Estate Improvements-2903 Evergreen Drive; and Approving Resolution 17-2024 For Establishing Deduction for Real Estate Improvement Tax Abatement-

- Attorney Greg Pittman stated that the RDC graded the project, and the average score was 96.4 which qualified the project for the 10-year maximum abatement. The first year the abatement will be at 100% and then be reduced 10% each year until it runs out after 10 years which he recommends
 - Resolution 17-2024 also addresses the 15% fee and entity the fee goes to RDC.
 - Evergreen Drive, LLC is part of the Parker Group Insurance. There are 12 employees with the plan to hire 2 additional employees within the next 18 to 24 months.
- Brad Bough made the motion for approval of Evergreen Drive SB-1 and Resolution 17-2024 for 10 years with the fee going to RDC,
- Heath Hawkins seconded the motion,
- *All votes in favor of the motion, no one opposed, passed.*

**CITY OF BEDFORD
CITY COUNCIL
RESOLUTION NO.17- 2024**

A RESOLUTION ESTABLISHING THE PERIOD FOR REHABILITATION DEDUCTIONS
FOR EVERGREEN DRIVE, LLC – 2903 EVERGREEN DR., BEDFORD, INDIANA
FOR PURPOSES OF TAX ABATEMENT

WHEREAS, Evergreen Drive, LLC (the "Applicant") has submitted a Statement of Benefits and made an application under the Economic Development Target Area designation pursuant to Indiana Code § 6-1.1-12.1 et seq, and the City of Bedford Resolution (the "Tax Phase-In Resolution") for the property located at 2903 Evergreen Dr., Bedford, Indiana, also known as parcel number 47-06-27-200-088.000-010; and

WHEREAS, said property is located inside an existing Economic Development Target Area pursuant to IC§ 6-1.1-12.1 et seq; and

WHEREAS, IC § 6-1.1-12.1-11.3 and IC § 6-1.1-12.1-7 allows for designation of Economic Development Target Areas and confirmation of Form SB-I; and

NOW THEREFORE, BE IT RESOLVED by the Bedford City Council as follows:

Section 1. The Bedford City Council has reviewed the Statement of Benefits and additional information submitted pursuant to IC § 6-1.1-12.1 and Bedford City Ordinance and made the following findings:

- a. The estimate of the value of the redevelopment and real property investment at the Site is reasonable for projects of that nature; and
- b. The estimate of the number of individuals who will be employed or whose employment will be retained by the project can be reasonably expected to result from the proposed project; and
- c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by this project can reasonably be expected to result from the project; and
- d. The totality of benefits likely to accrue from this project is sufficient to justify a tax deduction; and
- e. The property known as: 2903 Evergreen Dr., Bedford, Indiana 47421 and more particularly described as follows, to-wit: SEC 27 TWP 5 R1W .784A have been found to be in an existing Economic Development Target Area pursuant to IC § 6-1.1- 12.1.

Section 2. Based on these findings, the Bedford City Council has determined that the purposes of IC § 6-1.1-12.1 are served by allowing the deduction.

Section 3. The application shall apply to property tax deductions for "real property" as provided in IC§ 6-1.1-12.1.

Section 4. The length of deduction to be allowed for this project for the real property improvements, which takes place within this Economic Development Area, shall be for 10 years and consistent with the tax phase-in schedule in Attachment 1.

Section 5. The Statement of Benefits submitted by the applicant and dated March 18, 2024, is hereby approved.

Section 6. Evergreen Drive, LLC shall be entitled to apply for real property tax deductions for the increase in assessed value resulting from the redeveloped or rehabilitated property over a period of 10 years commencing with the 2024 pay 2025 tax year in accordance with the following abatement schedule percentages:

Year 1	<u>100</u> %
Year 2	<u>90</u> %
Year 3	<u>80</u> %
Year 4	<u>70</u> %
Year 5	<u>60</u> %
Year 6	<u>50</u> %
Year 7	<u>40</u> %
Year 8	<u>30</u> %
Year 9	<u>20</u> %
Year 10	<u>10</u> %

The Bedford City Council hereby imposes an annual fee pursuant to IC§ 6-1.1-12.1-14 throughout the term of the deduction stipulated in IC§§ 6-1.1-12.1-4.

15 % percentage to be applied by the Lawrence County Auditor
(Not to exceed 15% or the lesser of \$100,000.00)

IC§ 6-1.1-12.-14 fees collected must be distributed by the Lawrence County Auditor in accordance therein provided:

100 % Bedford Redevelopment Commission

_____ % Lawrence County Economic Growth Council

_____ % Bedford Revitalization, Inc.

_____ % Bedford Urban Enterprise Association

Section 7. This Resolution shall be in full force and effect from and after its passage and signing by the Mayor and the Bedford City Council, and advertisement, if any, as required by law.

Adopted by the City of Bedford Common Council of the City of Bedford, Indiana, on July 16, 2024.

The City of Bedford Common Council

Judy Carlisle
Judy Carlisle

Kathy Blackburn
Kathy Blackburn

Dan Bortner

Brad Bough
Brad Bough

Heath Hawkins
Heath Hawkins

Larry Hardman
Larry Hardman

Ryan Griffith
Ryan Griffith

Attested:

Billie Tumey
Billie Tumey, Clerk-Treasurer

Presented by me to the Mayor of the City of Bedford, Indiana, this 16 day of July, 2024.

Billie Tumey
Billie Tumey, Clerk-Treasurer

4. Request Approval and Acceptance of WF Meyers Co., Inc Statement of Benefits SB-1 Tax Abatement- Personal Property-1008 13th Street; and Approving Resolution 18-2024 For Establishing Deductions for Personal Property Tax Abatement

- Attorney Greg Pittman stated that the RDC graded the project, and the average score was 107% which exceeds the requirements and qualified the project for the 10-year maximum abatement. The first year the abatement will be at 100% and then be reduced 10% each year until it runs out after 10 years which he recommends
- Shance Sizemore stated that WF Meyers investment in the equipment is \$639,000.
-
- Judy Carlisle made the motion to approve the SB-1 for WF Meyers and Resolution 18-2024 for 10 years with the fee going to RDC,
- Larry Hardman seconded the motion,
All votes in favor of the motion, no one opposed, passed.

RESOLUTION 18-2024

**A Resolution of the Bedford City Council
for Real Property Improvements located at
1008 13th St., Bedford IN
WF Meyer Co., Inc.**

Whereas WF Meyers Co., Inc. (the "Applicant") has submitted a Statement of Benefits and made an application in an Economic Revitalization Area pursuant to IC 6-1.1-12.1 et seq, and the City of Bedford Resolution (the "Tax Phase-In Resolution") for the property located at 1008 13th St., Bedford, IN; and 47-06-14-403-016.000-010.

Whereas, said property met areas within the city that are zoned Industrial (I-1), and Industrial Reserve (I-2) as shown on the zone map of the Planning Commission of Bedford, and as filed with the County Assessor, shall be eligible to be designated as Economic Development Areas and shall be entitled to qualify for property tax deduction per Bedford code ordinances § 153.02.

Whereas, said property met the criteria for designation as an Economic Revitalization Area pursuant to IC 6-1.1-12.1 et seq;

Whereas, IC 6-1.1-12.1-11.3 allows for designation of Economic Revitalization Areas and confirmation of Form SB-1.

NOW THEREFORE, BE IT RESOLVED by the Bedford City Council as follows:

Section 1. The Bedford City Council has reviewed the Statement of Benefits and additional information submitted pursuant to I.C. 6-1.1-12.1 and Bedford City Ordinance and made the following findings:

- a. The estimate of the value of the redevelopment and real property investment at the Site is reasonable for projects of that nature; and
- b. The estimate of the number of individuals who will be employed or whose employment will be retained by the project can be reasonably expected to result from the proposed project; and
- c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by this project can reasonably be expected to result from the project; and
- d. The totality of benefits likely to accrue from this project is sufficient to justify a tax deduction.
- e. The property known as: 1008 13th St., Bedford, IN and more particularly described as follows:

ORIG LOT 99 & PT LOTS 97 & 98

had been found to meet the requirements of an Economic Revitalization Area pursuant to IC 6-1.1-12.1.

Section 2. Based on these findings, the Bedford City Council has determined that the purposes of I.C. 6-1.1-12.1 are served by allowing the deduction.

Section 3. The application shall apply to property tax deductions for "real property" as provided in IC 6-1.1-12.1.

Section 4. The length of deduction to be allowed for this project for the real property improvements, which takes place within this Economic Revitalization Area, shall be for 10 years and consistent with the tax phase-in schedule in section 6 of this resolution.

Section 5. The Statement of Benefits submitted by the applicant and dated July 2, 2024 is hereby approved.

Section 6. WF Meyers Co., Inc. shall be entitled to apply for real property tax deductions for the increase in assessed value resulting from the redeveloped or rehabilitated property over a period of 10 years commencing with the 2024 pay 2025 tax year in accordance with the following abatement schedule percentages:

Year 1	<u>100</u> %
Year 2	<u>90</u> %
Year 3	<u>80</u> %
Year 4	<u>70</u> %
Year 5	<u>60</u> %
Year 6	<u>50</u> %
Year 7	<u>40</u> %
Year 8	<u>30</u> %
Year 9	<u>20</u> %
Year 10	<u>10</u> %

The Bedford City Council hereby imposes an annual fee pursuant to IC§ 6-1.1-12.1-14 throughout the term of the deduction stipulated in IC§§ 6-1.1-12.1-4.

15 % percentage to be applied by the Lawrence County Auditor
(Not to exceed 15% or the lesser of \$100,000.00)

IC§ 6-1.1-12.-14 fees collected must be distributed by the Lawrence County Auditor in accordance therein provided:

- 100 % Bedford Redevelopment Commission
- _____ % Lawrence County Economic Growth Council
- _____ % Bedford Revitalization, Inc.
- _____ % Bedford Urban Enterprise Association

5. Request Approval of I Street Parking in Front of St. Vincent de Paul Catholic Church-1723 I Street-Mark Coressel (Business Manager, St. Vincent de Paul Church & School.

- Chief Terry Moore stated that he received a letter addressing parking issues at the St. Vincent de Paul Church.
- There is an apartment building across the street from the church that has no off-street parking. The apartment residents parking in front of the church has caused an issue for the church.
- There had been a yellow restricted 42-foot area in front of the church, but the city only allows for 15 feet.
- The church is requesting restricted parking for church events from 6:00 am to 6:00 pm daily Monday to Sunday.
- Mark Coressel explained that the requested parking restrictions are needed to allow for funerals, weddings, ADA drop offs and masses at the church

- Ryan Griffith made the motion for restricted parking as requested
- Heath Hawkins seconded the motion,
- *All votes in favor of the motion, no one opposed, passed.*

6. Discussion

- Brad Bough asked everyone to please slowdown in the school zones with school starting soon.
- Mayor Craig gave an update on the 16th Street Water Main Project. The trench is dug, and piping laid between the R & O Streets. They are working extended hours. Chief Moore has a plan for the school traffic and addressing the safety issues.

7. Adjourn

- Larry Hardman made the motion adjourn.
- Ryan Griffith seconded the motion,
- *All votes in favor of the motion, No one opposed, meeting adjourned.*

Bedford City Council 2024

- *Judy Carlisle, President* _____
- *Kathy Blackburn* _____
- *Ryan Griffith* _____
- *Heath Hawkins* _____
- *Dan Bortner* _____
- *Larry Hardman* _____
- *Brad Bough* _____

Attest: Billie Tumeay
Clerk-Treasurer _____