



BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN
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RICHARD E. BECK THERESE M. BROWN F. NELSON PETERS

MINUTES

Commissioners' Legislative Session
10:00 AM Friday, May 24, 2019
Council Chambers Courtroom – Citizens Square

Commissioners Present: Nelson Peters, Therese Brown and Rich Beck

Others Present:	Chris Cloud	Commissioners Office
	Charity Murphy	HR Director
	Beth Lock	Commissioners Office
	Philip Lock	Resident
	Kristi Gephart	Health Department
	Michelle Wood	DPS
	Elissa McGauley	DPS
	Bill Hartman	Highway Director

Commissioner Peters called the meeting to order at 10:04 AM. Commissioner Peters led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Presentation of Civil Service Awards: Kristi Gephart and Beth Lock.** Charity Murphy, HR Director, asked the Commissioners to join her in recognizing Beth Lock, Director of Governmental Affairs with the Board of Commissioners Office and Kristi Gephart, Assistant Director with the Vital Records Division of the Allen County Health Department for this award. The employee recognition program allows county employees to nominate each other for their dedication to the county and to any constituents.
- 2. Consider approval of the minutes of May 10, 2019.** Commissioner Beck made a motion to approve the minutes of May 10, 2019. Commissioner Brown seconded the motion. Motion carried 3-0.
- 3. Consideration of Rezoning Petition REZ-2019-0014 and REZ-2019-0015 to rezone 148 acres south of Stonebridge Road and on the north side of the 12800 to 13400 blocks of Hamilton Road from BTI/Business, Technology and Industrial Park and A1/Agricultural to I2/General Industrial and A1/Agricultural for an industrial building and associated infrastructure.** Michelle Wood, DPS, presented this item. She stated these two rezonings are related which she covered together. The first one is for Silverado Properties to rezone approximately 118 acres for I2. It is currently BTI, Business Technology and Industrial Park. This is the Stonebridge 3 project. In 2016 the same developers rezoned this ground plus a little more to BTI. At that time there was no set tenant(s) for the property and BTI is probably our most restrictive and most protective of the industrial type districts. Without a tenant that was the zoning that was recommended by staff and submitted and approved. Fast forward to 2019, they have a real user, Auto Truck Group, which requires outdoor storage. They take vehicles and outfit those for various specialty industries and that means that at any given time they have many vehicles sitting outside in a lot that are coming and going. That requires a higher classification because BTI does not allow that outdoor vehicle storage. The request is to I2. Because of the allowances that I2 has, it not only allows outdoor storage, it allows recreation type facilities, restaurants, gas stations and that sort of thing. Things that aren't typically encouraged around the GM campus and also our Southwest Study specifically states that this type of use is not encouraged in this area. So along with the I2 request, came a written

commitment which handles several things. A lot work went into this with back and forth between Plan Commission, Commissioners and the applicant to get this to a place where everyone was comfortable. It does have many use restrictions. It's basically allowing BTI+ to allow this particular use but restricting all those other more intensive or commercial type uses that are not desired here. It specifically talks about the outdoor storage portion and that is only on half of the property. The property that was shown in their development for this particular user. It does not include the entire property that is zoned. So it's very specific to the western half and also what can be stored there. It is for new vehicles or the new parts that are fabricated to outfit those vehicles. It is not for junk and it is not for old materials. We have an enforceable written commitment that goes along with that it and it also talks about landscaping. There is buffering around the entire site and landscaping with a mound. It talks about lighting and trash maintenance and other types of property maintenance items. Part of this new proposal is taking out a portion, approximately 30 acres, they previously zoned and returning it back to A1. That is the 0015 part of this rezoning request. It is land that is on the south side of a large AEP easement. It is land that is wooded. It's really separated from the remainder of the property and its access is from Hamilton Road so that is proposed to go back to A1 and will probably be sold to a residential user.

Commissioner Brown made a motion to approve Rezoning Petition REZ-2019-0014 to rezone property of approximately 118.4 acres from BTI/Business, Technology and Industrial Park for an industrial building and associated infrastructure to a zoning category of I2/General Industrial. Commissioner Beck seconded the motion. Motion carried 3-0.

Commissioner Brown made a motion to approve Rezoning Petition REZ-2019-0015 for approximately 30.2 acre from BTI/Business, Technology and Industrial Park to A1/Agricultural. Commissioner Beck seconded the motion. Motion carried 3-0.

- 4. Consider approval of loan agreement between the Board of Commissioners and Allen County Redevelopment Commission for funding infrastructure improvements connected to serving the Greatbatch Medical Allocation area.** Elissa McGauley, Director of Redevelopment, Department of Planning Services presented this item. She stated that last fall Sweetwater announced an \$82 million investment at its US30 campus. The investment includes a 350,000 square foot warehouse. The local assistance package included property tax abatement on the real and personal property investment. Since the investment is located in the City as well as the County, the City and County Councils each approved the abatement request. The County will be responsible for administering the ongoing compliance related to those tax abatement requests. The package also included assistance with local public infrastructure improvements. The City of Fort Wayne through its Redevelopment Commission is helping reimburse the company for the cost of water line and the County has agreed to reimburse the company for improvements that need to be made to the Kroemer Road area. Since the road is within the City of Fort Wayne we work with City Redevelopment to structure County's assistance with this project. The agreements under consideration today include a reimbursement agreement and a loan agreement. The reimbursement agreement between City Redevelopment, the County Board of Commissioners and County Redevelopment states funds in the amount of \$172,373.85 from the tax abatement development fund that the Board of Commissioners control would be transferred to the City for the City to reimburse Sweetwater Sound on those road improvements. That amount that was the improvement amount that was bid and awarded. The other document to be considered today is a loan agreement between County Redevelopment and the Board of Commissioners. The Greatbatch TIF Area will be used to reimburse fund 331. Greatbatch is right at the corner of Kroemer Road and California Road. The Greatbatch TIF expires in 2036. Fort Wayne and County redevelopment commissions approved these documents last week at their respective meetings. The Commissioners are the last to consider this. Commissioner Beck made a motion to approve loan agreement between the Board of Commissioners and Allen County Redevelopment Commission for funding infrastructure improvements connected to serving the Greatbatch Medical Allocation area. Commissioner Brown seconded the motion. Motion carried 3-0.
- 5. Presentation from Turnstone.** Tom Trent, Chairman of the Board of Turnstone, gave this presentation.

6. **Consider approval of Allen County Highway Department Annual Report.** Bill Hartman, Highway Director, presented the 2018 operational report required by State Board of Accounts for the Commissioners approval. Commissioner Brown made a motion to approve the 2018 Allen County Highway Department Annual Report. Commissioner Beck seconded the motion. Motion carried 3-0.
7. **Consider approval of Change Order # 1 and Final for Bid Ref # 04-18 for 2018 HMA Resurface Package # 1 for \$5,163.23(decrease).**
 - a. **Washington Center Rd - West County Line Rd to O Day Rd, Project # 0700518**
 - b. **Leesburg Rd - Felger Rd to O Day Rd, Project # 0700618**

Bill Hartman, Highway Director, stated they had 2 items that underran – hot asphalt scratch surface and then the stone shoulder material which with the variation in the road it’s hard to estimate so you give it your best guess. We were a little over so that resulted in this decrease. Commissioner Beck made a motion to approve Change Order # 1 and Final for Bid Ref # 04-18 for 2018 HMA Resurface Package # 1 for \$5,163.23(decrease). Commissioner Brown seconded the motion. Motion carried 3-0.

8. **Consider approval of Project Acceptance for Bid Ref # 04-18 for 2018 HMA Resurface Package # 1 for Final Contract Amount of \$746,426.77.** Commissioner Brown made a motion to approve Project Acceptance for Bid Ref # 04-18 for 2018 HMA Resurface Package # 1 for Final Contract Amount of \$746,426.77. Commissioner Beck seconded the motion. Motion carried 3-0.
9. **Consider approval of Change Order # 1 and Final for Bid Ref # 07-18 for 2018 HMA Resurface Package # 3 for \$16,249.46 (decrease).**
 - a. **Lower Huntington Rd – 0.25 mi West of Branstrator Rd to Coverdale Rd, Project # 0700918**
 - b. **Indianapolis Rd – 0.25 mi South of I-469 to Lafayette Center Rd, Project # 0701018**
 - c. **Lafayette Center Rd – Indianapolis Rd to Tom Worrell Rd, Project # 0701118**
 - d. **Tom Worrell Rd – 0.12 mi South of I-469 to Lafayette Center Rd, Project # 0701218**
 - e. **Yoder Rd – Coverdale Rd to Pleasant St, Project # 0701318**

Commissioner Brown made a motion to approve Change Order # 1 and Final for Bid Ref # 07-18 for 2018 HMA Resurface Package # 3 for \$16,249.46 (decrease). Commissioner Beck seconded the motion. Motion carried 3-0.

10. **Consider approval of Project Acceptance for Bid Ref # 07-18 for 2018 HMA Resurface Package # 3 for Final Contract amount of \$566,601.54.** Commissioner Beck made a motion to approve Project Acceptance for Bid Ref # 07-18 for 2018 HMA Resurface Package # 3 for Final Contract amount of \$566,601.54. Commissioner Brown seconded the motion. Motion carried 3-0.
11. **Consider approval of Warranty Deed for Bass Rd – Phase 2A from Thomas Rd to Hillegas Rd, Project # 1200117.**
 - a. **Parcel 1- Black Gold Ventures**

Bill Hartman, Highway Director, stated this is the 21st out of 22 parcels that we need for this project and it is due to bid in November. Commissioner Brown made a motion to approve Warranty Deed for Bass Rd – Phase 2A. Commissioner Beck seconded the motion. Motion carried 3-0.

12. **Consider approval of Change Order #16 on the Allen County Work Release project in the amount of \$54,135.51 (increase).** Chris Cloud, Chief of Staff, stated this project is slated for a mid-July completion and this change order is actually for 9 different items lumped into one change order. There was a design change on the employee lockers, an added motor damper on the industrial sized dryer to get the gas air out, rekeying all the doors, cleanouts installed in the new parking lot, repairing piping from drainage in the parking lot, etc. The biggest two items in this change order – one for \$18,000 is to remove the existing underground piping from downspouts and associated piping. \$24,000 of this is to add new fencing and gates. This is a secured facility so the existing fencing there needed to be expanded to

incorporate how the Sheriff will use the property including how delivery of food happens from what was taking place when this was a juvenile facility years ago. This is razor wire fencing. With this change order #16 it puts our construction with a remaining balance of \$49,874. Commissioner Beck made a motion to approve Change Order #16 on the Allen County Work Release project in the amount of \$54,135.51 (increase). Commissioner Brown seconded the motion. Motion carried 3-0.

13. Consider approval of claims for payment. Commissioner Beck made a motion to approve the claims as submitted in the amount of \$4,033,580.05. Commissioner Brown seconded the motion. Motion carried 3-0.

14. Other Business

15. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of May 24, 2019. Commissioner Brown made a motion to approve the waiving of the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of May 24, 2019. Commissioner Beck seconded the motion. Motion carried 3-0.

16. Comments from the Public

17. Motion to Adjourn. Meeting adjourned at 11:00 a.m.

Allen County does not discriminate because of disability in the admission to, or treatment or employment in, its programs or activities. The Human Resources Director has been designated to coordinate compliance with nondiscrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided therein, and Allen County's ADA policy is available from the ADA Coordinator. Suggestions on how the County can better meet the needs of persons with disabilities may be submitted to the ADA coordinator at: Human Resources Department, 200 East Berry Street, Suite 380, Fort Wayne, IN 46802, or by phone at (260) 449-7217.