



RESOLUTION NO. 2017-2

**RESOLUTION CONFIRMING THE RESOLUTION OF
THE BROOKVILLE REDEVELOPMENT COMMISSION
ADOPTED ON JANUARY 16, 2017 ENTITLED
“DECLARATORY RESOLUTION OF THE REDEVELOPMENT COMMISSION
AMENDING THE ECONOMIC DEVELOPMENT PLAN FOR THE
MAIN STREET ECONOMIC DEVELOPMENT AREA”**

WHEREAS, the Brookville Redevelopment Commission (“Commission”), did, on January 16, 2017, adopt a declaratory resolution (Resolution No. 2017-1) entitled “Declaratory Resolution of the Redevelopment Commission Amending the Economic Development Plan for the Main Street Economic Development Area” (“Declaratory Resolution”) amending the economic development plan (“Plan”) for the Main Street Economic Development Area (“Area”) pursuant to IC 36-7-14-17.5; and

WHEREAS the Declaratory Resolution approved the Plan which Plan contained specific recommendations for redevelopment and economic development uses in the Area (the “Projects”); and

WHEREAS the Declaratory Resolution contains no current plans for the acquisition of real property within the Area; and

WHEREAS, the Declaratory Resolution established an allocation area (“Allocation Area”) within the Area in accordance with IC 36-7-14-39; and

WHEREAS, the Commission submitted the Declaratory Resolution and supporting data to the Franklin County Area Plan Commission (“Plan Commission”) and the Plan Commission has issued its written order approving the Declaratory Resolution and the Plan as submitted; and

WHEREAS, the Town Council of the Town of Brookville, Indiana (“Town”), by resolution adopted April 25, 2017, approved the order of the Plan Commission; and

WHEREAS, the Commission has found that there will be no residents of the Area who will be displaced by the Projects; and

WHEREAS, the Commission published notice of the adoption and substance of the Declaratory Resolution in accordance with IC 36-7-14-17 and IC 5-3-1 on April 19, 2017 in the *Brookville American-Democrat*, which notice also gave notice of a hearing on the proposed Projects to be held by the Commission; and

WHEREAS, the notice described in the preceding paragraph was also filed in the office of the Plan Commission, the Board of Zoning Appeals, the Town Council, the Park Board, the Building Commissioner and any other departments, bodies or officers of the Town having to do with planning, variances from zoning ordinances, land use or the issuance of building permits; and

WHEREAS, the Commission on May 1, 2017, conducted a public hearing at which the Commission heard all persons interested in the proceedings and considered all written remonstrances and objections that were filed;

NOW, THEREFORE, BE IT RESOLVED by the Brookville Redevelopment Commission that:

1. The Commission has considered the evidence presented and now finds and determines that it will be of public utility and benefit to proceed with the amendment of the Plan and the Projects in the Area.

2. The Declaratory Resolution approved by the Commission on January 16, 2017 is in all ways confirmed.

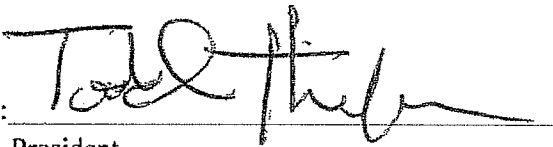
3. The Secretary is instructed to submit this Resolution to the Town Council for approval of the amendment of the Plan.

4. The Declaratory Resolution, as confirmed, shall be attached to and incorporated in this Resolution. The Secretary is hereby directed to record this Resolution with the Franklin County Recorder, immediately to notify the Department of Local Government Finance of the designation of the Allocation Area within the Area and to file this resolution with the Franklin County Auditor.

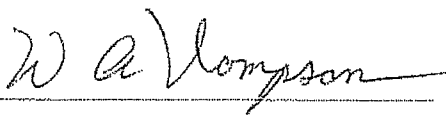
5. This Resolution shall be effective as of its date of adoption.

ADOPTED at a meeting of the Brookville Redevelopment Commission held May 1, 2017, in the Town of Brookville, Franklin County, Indiana.

BROOKVILLE REDEVELOPMENT
COMMISSION

By: 
President

ATTEST:


Secretary

Resolution No. 2017-1

**Declaratory Resolution of the Brookville Redevelopment Commission
Amending the Economic Development Plan for the
Main Street Economic Development Area**

WHEREAS, the Brookville Redevelopment Commission ("Commission") adopted Resolution No. 2013-1 on September 18, 2013 and Resolution No. 2013-2 on October 29, 2013 establishing the Main Street Economic Development Area ("Area"); and,

WHEREAS, the Commission is desirous of permitting a municipal riverfront development project to be established in the Area; and,

WHEREAS, the Commission is desirous of amending the Area's economic development plan ("Plan") to include a municipal riverfront development project;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION THAT:

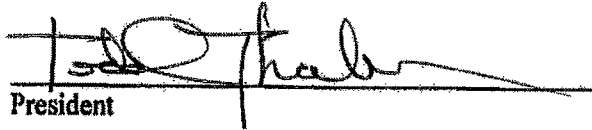
1. The Commission hereby amends the Plan for the Area to include a municipal riverfront development project as set forth in the Exhibit B to this Resolution.
2. All other provisions of Resolution No. 2013-1 and Resolution No. 2013-2 remain in effect as of the date of their adoption.
3. The Commission finds that the amendment to the Plan is reasonable and appropriate when considered in relation to the original Plan and the purposes of IC 36-7-14-15.
4. The Commission finds that the Plan, with the proposed amendment, conforms to the comprehensive plan for the Town of Brookville, Indiana ("Town").
5. The amendment to the Plan does not change the boundaries of the Area as set forth in Exhibit A, or parcels to be acquired in the Area as established in Resolution No. 2013-1 and Resolution No. 2013-2.
6. The Commission declares that it will be of public utility and benefit to amend the Plan for the Area.
7. Any additional area to be acquired under the amendment is designated as part of the existing Area.
8. The presiding officer of the Commission is hereby authorized and directed to submit this Resolution and the amended Plan to the Franklin County Area Plan Commission for its approval.

9. The Commission also directs the presiding officer, upon receipt of the written order of approval of the Franklin County Area Plan Commission and the approval of the Plan Commission's order by the Town Council of the Town, to publish notice of the adoption and substance of this Resolution in accordance with IC 5-3-1-4 and to file notice with the Franklin County Area Plan Commission, the Board of Zoning Appeals, the Park Board, the building commissioner and any other departments or agencies of the Town concerned with Town planning, zoning variances, land use of the issuance of building permits.

10. The Commission further directs the presiding officer to submit this Resolution to the Town Council of the Town for its approval.

Adopted January 16, 2017.

BROOKVILLE REDEVELOPMENT COMMISSION


President

Attest:

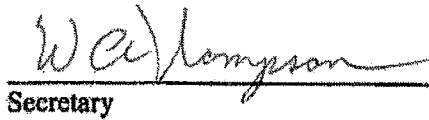

Secretary

EXHIBIT A
LEGAL DESCRIPTION

**DESCRIPTION OF MAIN STREET ECONOMIC DEVELOPMENT AREA
BEING PART OF SECTIONS 20 AND 29, TOWNSHIP 9 NORTH, RANGE 2 WEST,
BROOKVILLE CORPORATION, FRANKLIN COUNTY, INDIANA, BEING DESCRIBED
AS FOLLOWS:**

BEGINNING AT THE INTERSECTION OF RESERVOIR ROAD AND THE NORTH LINE OF THE TOWN OF BROOKVILLE; THENCE SOUTHEASTWARD ALONG THE CORPORATION LINE TO THE INTERSECTION OF STATE ROAD NUMBER 101; THENCE SOUTHWESTWARD ALONG STATE ROAD NUMBER 101 TO THE INTERSECTION OF JOHN STREET; THENCE SOUTH ALONG JOHN STREET TO THE INTERSECTION OF 12TH STREET; THENCE WEST ALONG 12TH STREET TO CONNERSVILLE AVENUE; THENCE SOUTHWEST ALONG CONNERSVILLE AVENUE TO THE EXTENSION OF CHURCH STREET (ALLEY); THENCE SOUTH ALONG CHURCH STREET TO 5TH STREET; THENCE EAST ALONG 5TH STREET TO FRANKLIN AVENUE; THENCE SOUTH ALONG FRANKLIN AVENUE TO 3RD STREET; THENCE WEST ALONG 3RD STREET TO THE INTERSECTION OF SAID CHURCH STREET; THENCE SOUTH ALONG CHURCH STREET TO THE NORTH LINE OF LOT NUMBER 6 IN MARTINS ADDITION TO THE TOWN OF BROOKVILLE; THENCE EAST ALONG THE NORTH LINE OF LOT NUMBER 6, EXTENDED TO WEBERS LANE; THENCE SOUTHWARD ALONG WEBERS LANE EXTENDED TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 2 WEST; THENCE EAST ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF THE SOUTH ANNEX TO THE TOWN OF BROOKVILLE; THENCE SOUTHWARD ALONG THE EAST LINE OF SAID ANNEX TO THE SOUTHEAST CORNER AND WEST ALONG THE SOUTH LINE TO THE WEST LINE AND INTERSECTION OF STATE ROAD #52; THENCE NORTHWEST ALONG U.S. HIGHWAY #52 TO THE SOUTH CORPORATION LINE; THENCE LEAVING SAID HIGHWAY AND EAST ANNEX LINE, WEST ALONG SAID CORPORATION LINE CENTERLINE OF WHITEWATER VALLEY RAILROAD TRACKS; THENCE NORTHWARD ALONG SAID TRACK CENTERLINE TO THE EXTENSION OF PROGRESS STREET (ALLEY); THENCE NORTH ALONG SAID STREET AND THE EXTENSION THEREOF TO THE INTERSECTION OF 4TH STREET; THENCE WEST TO THE ABOVE SAID TRACK CENTERLINE; THENCE NORTHWARD ALONG SAID TRACK CENTERLINE TO THE INTERSECTION OF ST. MARY'S ROAD; THENCE EAST ALONG ST. MARY'S ROAD (EXTENDED 6TH STREET) TO PROGRESS STREET; THENCE NORTH ALONG PROGRESS STREET TO 7TH STREET; THENCE WEST ALONG 7TH STREET TO THE EAST LINE OF OWENS-CORNING FIBERGLASS CORPORATION; THENCE SOUTH AND WEST ALONG THE EAST AND SOUTH LINES OF OWENS-CORNING TO THE WHITEWATER RIVER; THENCE NORTHWARD ALONG SAID RIVER TO THE INTERSECTION OF BUTLERS RUN; THENCE NORTHEASTWARD ALONG BUTLERS RUN (OWENS-CORNING NORTH LINE) TO THE WHITEWATER VALLEY RAILROAD; THENCE SOUTHWARD ALONG SAID RAILROAD TO THE EXTENSION OF 8TH STREET; THENCE EAST ALONG 8TH STREET AND THE EXTENSION THEREOF TO PROGRESS STREET; THENCE NORTH ALONG PROGRESS STREET TO 11TH STREET; THENCE WEST ALONG 11TH STREET TO CLIFF STREET; THENCE NORTH ALONG CLIFF STREET TO BUTLER AVENUE; THENCE EAST ALONG BUTLER AVENUE TO STATE ROADS #1 AND #101; THENCE NORTHEAST ALONG SAID STATE ROADS TO THE INTERSECTION OF RESERVOIR ROAD; THENCE NORTHWARD ALONG RESERVOIR ROAD TO THE PLACE OF BEGINNING.

EXHIBIT B

ECONOMIC DEVELOPMENT PLAN for the Main Street Economic Development Area Brookville Redevelopment Commission

Geographic Area

This plan is prepared in accordance with IC 36-7-14-41 to promote economic development in the Town of Brookville ("Town"). The map, included as "Attachment 1", shows the area that the Town seeks to establish as the Main Street Economic Development Area ("Area").

The establishment of the Area will allow incremental increases in the property tax revenue to be used for Area improvements to encourage continued development of the Area. The purpose of this plan (the "Plan") is to provide a tool to assist the Town and the Brookville Redevelopment Commission ("Commission") in planning and allocating resources to improvements within and serving the Area.

Goals, Objectives and Estimated Cost

The Plan is designed to assist the Town and the Commission with the following goals:

- Increase and enhance business opportunities;
- Increase and enhance job opportunities; and
- Increase and diversify the Town's tax base

The Town also has the following objectives:

- Improve infrastructure condition, capacity and distribution of water services;
- Improve infrastructure condition, capacity and collection of wastewater and storm water services;
- Improve infrastructure condition, capacity and access to roadways;
- Improve infrastructure condition of sidewalks, street lighting and other essential public services;
- Provide business assistance for façade improvements, access to drainage and other improvements to enhance the overall business climate;
- Mitigate any public safety and/or health risks;
- Create a lifestyle and amenities that attract and retain residents;
- Expand the employment presence in and near the Town; and
- Increase the property tax base.

The Town and the greater Franklin County areas have experienced high unemployment rates over the past three - five years with business closings and downsizings. New investment and job

creation are a top priority for the Town and are the reason for the establishment of the Area. The Area includes properties suitable for greenfield development and existing properties suitable for expansion and investment.

Economic Condition of the Area

There are currently an estimated 300 employees working in this Area with the potential to increase this number with additional investment.

Economic development in this Area will require a program of incentives for business attraction, expansion and entrepreneurial development. These programs and improvements will enhance the quality of life for current residents and will improve the quality of place for both current and future residents, employers and visitors.

The economic vitality and growth opportunities of this Area will be largely dependent on investment in infrastructure projects and investment in business development. The Town seeks to partner with the private sector and to identify projects and investments that will lead to the economic well-being of the Town.

Development Rate

The rate of development for business, industrial and commercial areas is dependent on a wide range of factors, most of which the Town and the Commission have no control over, and many of which are extremely difficult to predict. These include such items as strength of the economy, shifts in the economy and the industrial and commercial job base, competition from other communities and land development costs.

A reasonable projection for future development rate is difficult to estimate as the Town has had very few sites that were fully served with infrastructure and ready for business development prospects. However, recent business development proposals demonstrate that when a product is available, the Town is a competitive location for investment and job growth.

Project Objectives

The purposes of this Plan are to benefit the public health, safety, and welfare of the citizens of the Town; increase the economic well-being of the Town and the State of Indiana ("State"); and serve to protect and increase property values in the Town and the State. The Plan is designed to: (i) promote significant opportunities for the gainful employment of citizens of the Town; (ii) assist in the attraction of new business enterprises to the Town; (iii) provide for local public improvements in the Area; (iv) attract permanent jobs; (v) increase the property tax base; and (vi) improve the diversity of the economic base of the Town.

Preliminary Engineering Costs

Specifics of each project have not been determined; therefore, there are no cost estimates for preliminary engineering at this time.

Identification of Developable Land

There is land for both new development and future redevelopment within the Area.

Acquisition of Property

The Commission has no present plans to acquire any interests in real property except for rights-of-ways and easements associated with any utility and roadway improvements undertaken to achieve the objectives of this plan. The Commission shall follow procedures in IC 36-7-14-19 in any future acquisition of property. The Commission may not exercise the power of eminent domain in an economic development area.

Procedures with Respect to the Projects

All contracts for material or labor in the accomplishment of projects shall be let under IC 36-1.

The Commission shall proceed in the same manner as private owners of the property in the planning and rezoning of real property acquired or to be used in the accomplishment of the Plan; the opening, closing, relocation and improvement of public ways; and the construction, relocation, and improvement of sewers and utility services. The Commission may negotiate with the proper officers and agencies of the Town to secure the proper orders, approvals, and consents.

Any construction work required in connection with projects may be carried out by the appropriate municipal or county department or agency. The Commission may carry out the construction work if all plans, specifications, and drawings are approved by the appropriate department or agency and the statutory procedures for the letting of the contracts by the appropriate department or agency are followed by the Commission.

The Commission may pay any charges or assessments made on account of orders, approval, consents, and construction work with respect to projects or may agree to pay these assessments in installments as provided by statute in the case of private owners.

None of the real property acquired for projects may be set aside and dedicated for public ways, parking facilities, sewers, levees, parks, or other public purposes until the Commission has obtained

the consents and approval of the department or agency under whose jurisdiction the property will be placed.

Disposal of Property

The Commission may dispose of real property acquired, if any, by sale or lease to the public after causing to be prepared two (2) separate appraisals of the sale value or rental value to be made by independent appraisers. However, if the real property is less than five (5) acres in size and the fair market value of the real property or interest has been appraised by one (1) independent appraiser at less than Ten Thousand Dollars (\$10,000), the second appraisal may be made by a qualified employee of the Department of Redevelopment. The Commission will prepare an offering sheet and will maintain maps and plats showing the size and location of all parcels to be offered. Notice will be published of any offering in accordance with IC 5-3-1. The Commission will follow the procedures of IC 36-7-14-22 in making a sale or lease of real property acquired.

Financing of Projects

The Commission may issue bonds payable from incremental ad valorem property taxes (the "TIF Revenues") allocated under IC 36-7-14-39 in order to raise money for completion of projects in the Area. The amount of these bonds may not exceed the total, as estimated by the Commission, of all expenses reasonably incurred in connection with projects, including:

- (1) The total cost of all land, rights-of-way, and other property to be acquired and developed;
- (2) All reasonable and necessary architectural, engineering, construction, equipment, legal, financing, accounting, advertising, bond discount and supervisory expenses related to the acquisition and development of projects or the issuance of bonds;
- (3) Interest on the bonds and a debt service reserve for the bonds to the extent the Commission determines that a reserve is reasonably required; and
- (4) Expenses that the Commission is required or permitted to pay under IC 8-23-17.

In the issuance of bonds the Commission will comply with IC 36-7-15-25.1.

As an alternative to the issuance of bonds or in conjunction with it, the Commission may enter into a lease of any property that could be financed with the proceeds of bonds under IC 36-7-14. The lease is subject to the provisions of IC 36-7-14-25.2 and IC 36-7-14-25.3.

Initially, the Commission intends to pay for initial improvements as TIF Revenues are recognized. The Commission may in the future utilize alternative financing methods, including bonds, to achieve the objectives of this Plan.

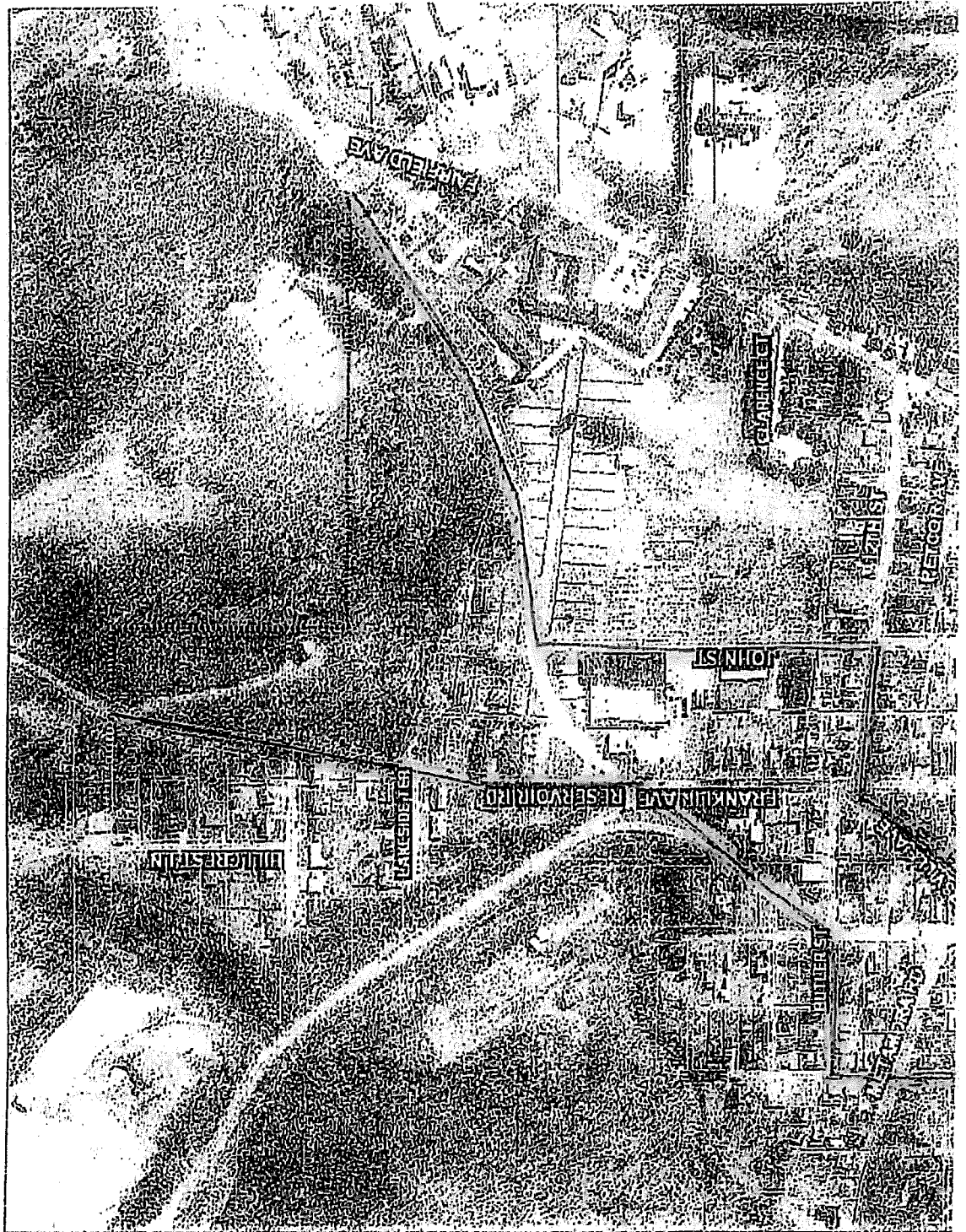
Municipal Riverfront Development Project

The Commission wants to make the river an integral part of downtown. A multiuse development including commercial development such as restaurants is planned. Public improvements including paving and the replacement of curbs and sidewalks are planned and other infrastructure improvements may be made when revenue will support such improvements.

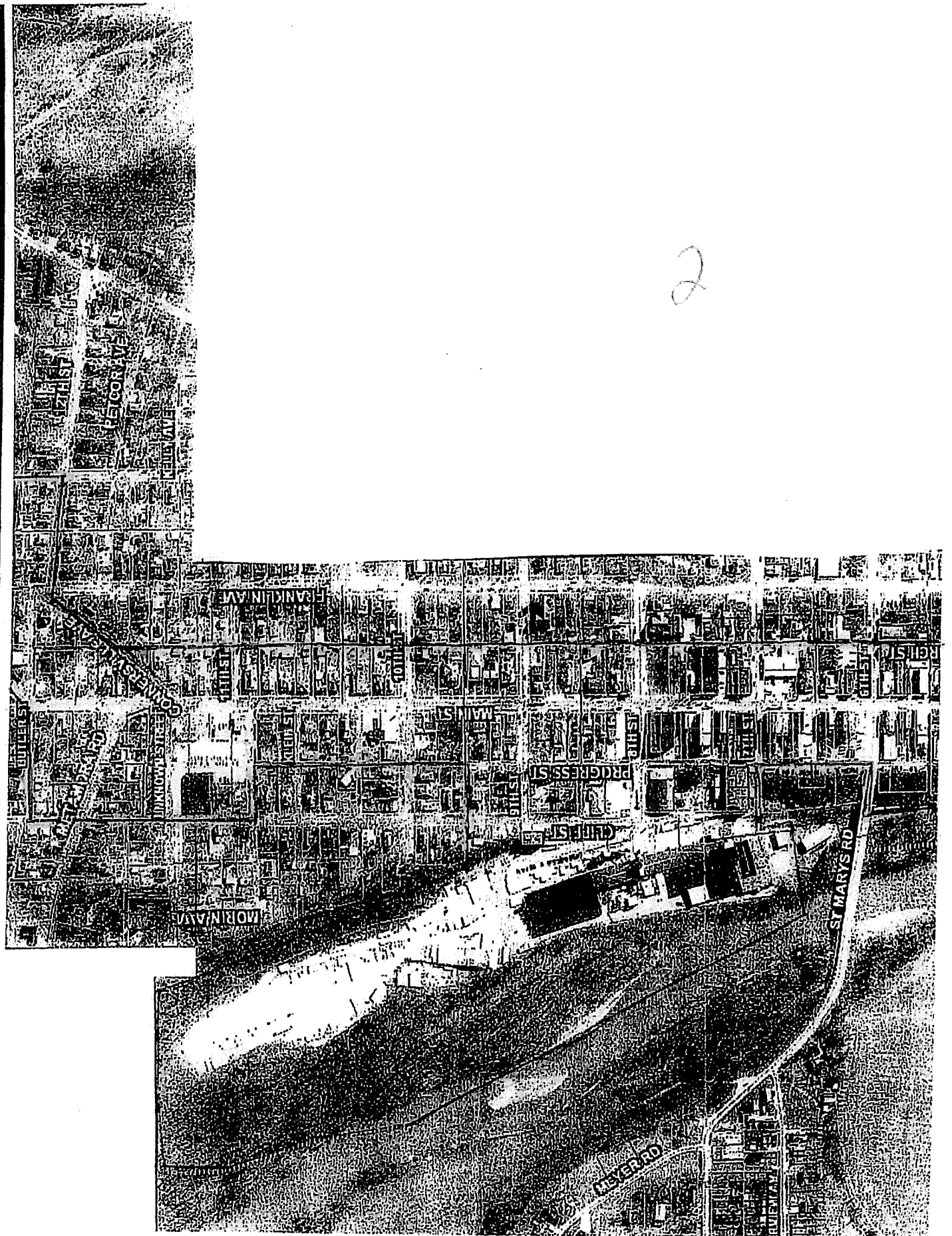
Amendment of the Plan

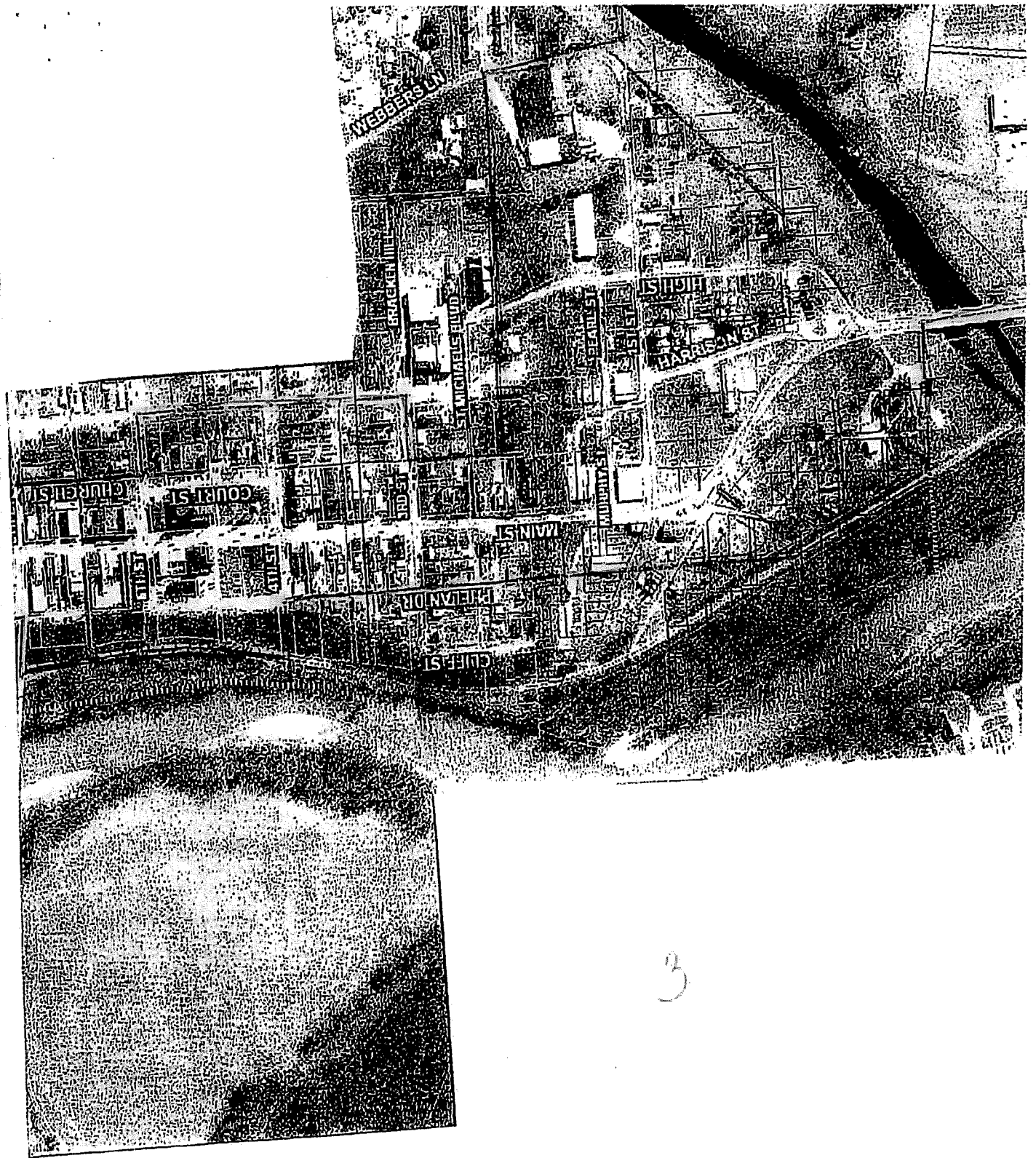
By following the procedures specified in IC 36-7-14-17.5, the Commission may amend the Plan for the Area. However, any enlargement of the boundaries of the Area must be approved by the Town Council.

Exhibit A

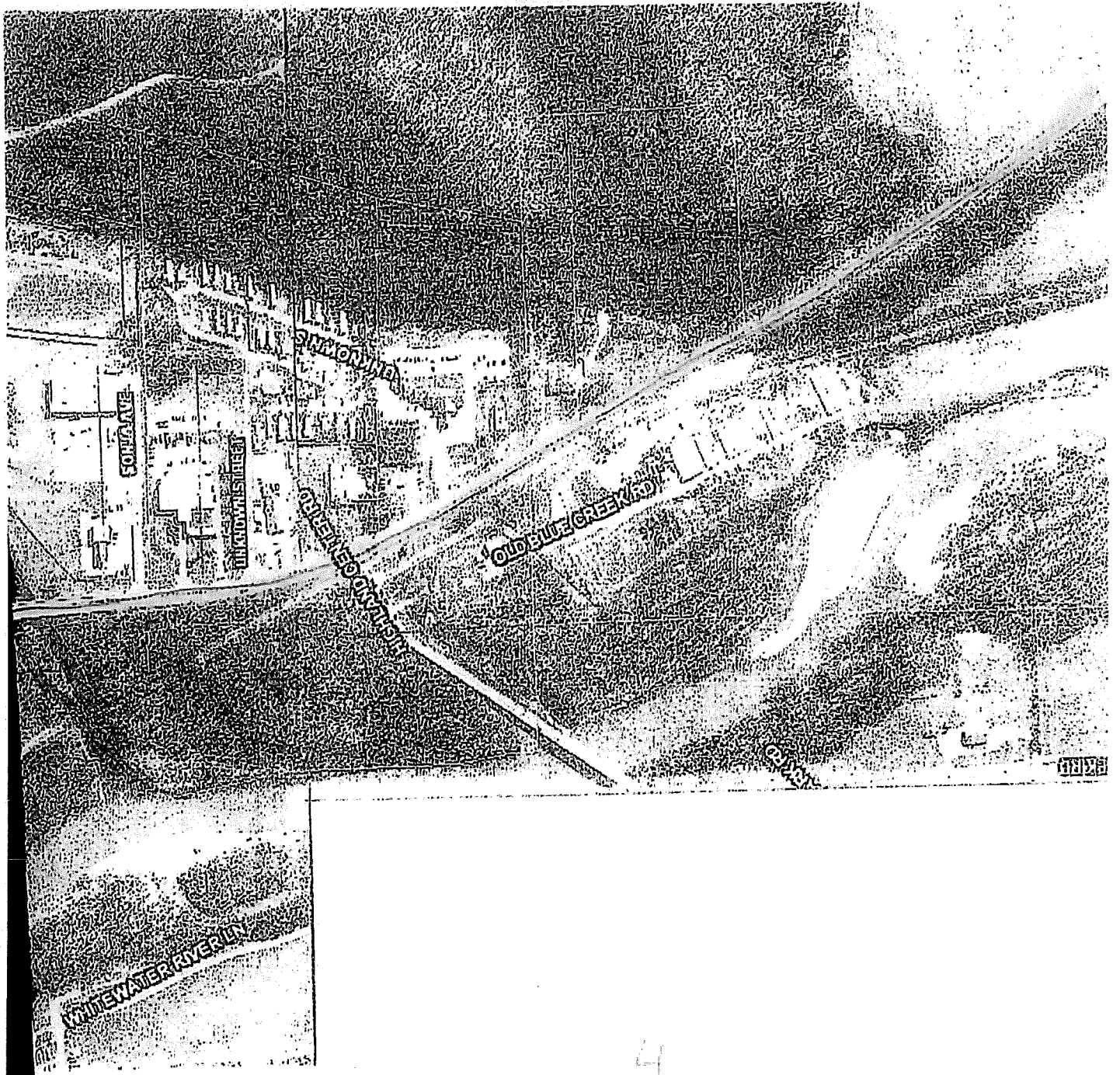


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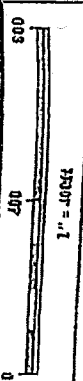
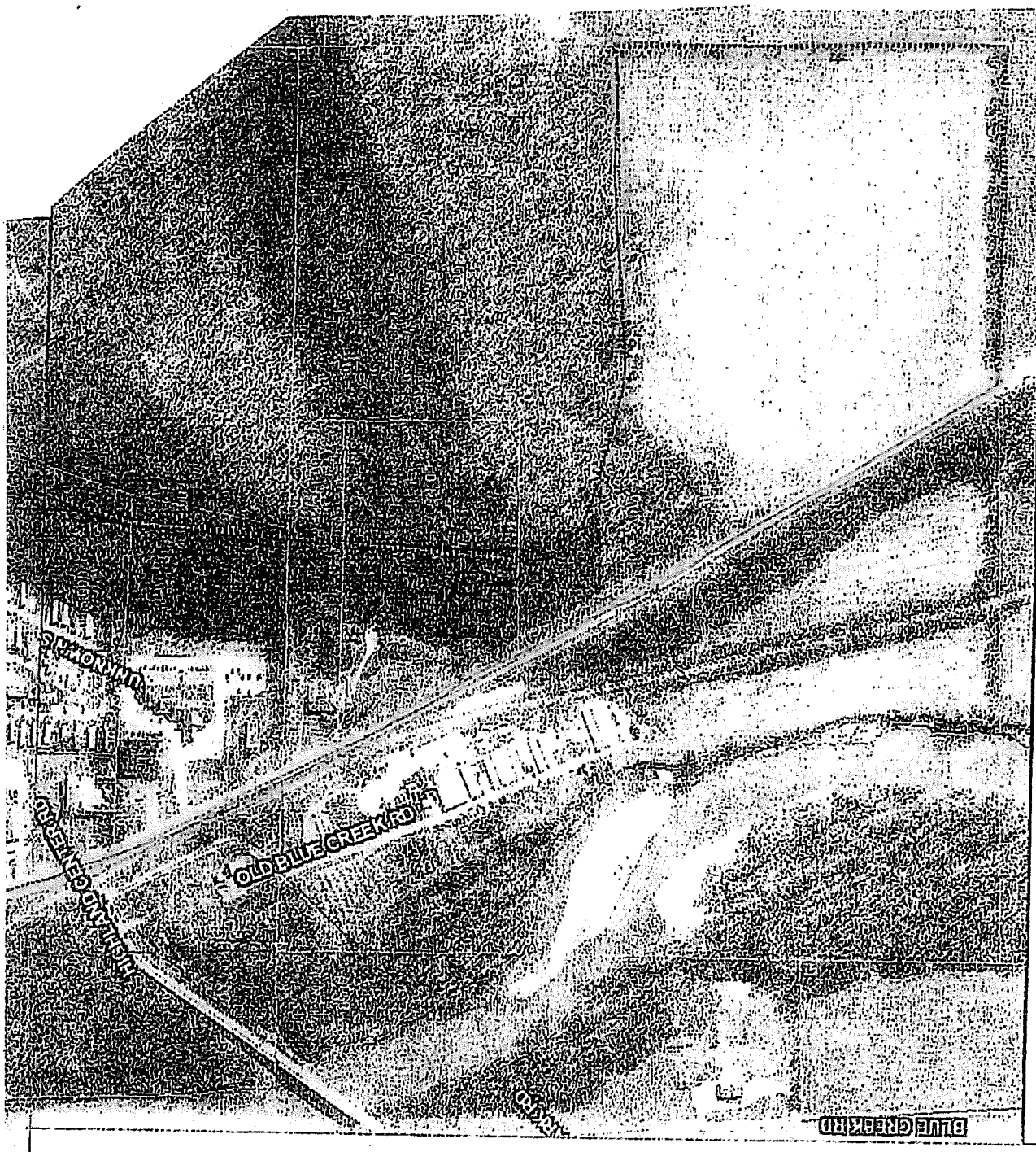




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Exhibit B

**Main Street Improvements including sidewalks, curbs, street lights, and paving
Parking meter system**