

APR 21 2025

RESOLUTION 14, 2025

CITY CLERK

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA APPROVING CERTAIN MATTERS IN RELATION TO AN AMENDMENT TO THE DECLARATORY RESOLUTION FOR THE BRICKYARD ESTATES AND PADDOCK AT THE PARK ECONOMIC DEVELOPMENT AREA AND THE ECONOMIC DEVELOPMENT PLAN FOR SAID AREA.

WHEREAS, the City of Terre Haute Redevelopment Commission (the "Redevelopment Commission") previously adopted (the "Declaratory Resolution") establishing and expanding an economic development area known as the "Brickyard Estates and Paddock at the Park Economic Development Area" (the "Area"), designating a portion of the Area as an "allocation area" for purposes of Section 39 of the Act, and approving an economic development plan for the Area (the "Plan"), pursuant to Indiana Code 36-7-14, as amended (the "Act"); and

WHEREAS, the Redevelopment Commission, on April 30, 2025, approved and adopted its Resolution No. 15-2025 (the "Resolution") which further amended the Declaratory Resolution by (i) designating the area described on Exhibit A attached to the Resolution as an allocation area pursuant to Sections 39 and 56 of the Act to be known as the Brickyard Estates Residential Housing Allocation Area within the Area, and (iii) supplement the Plan as described on Exhibit B attached to the Resolution, including by incorporating a residential housing program into the Plan (collectively, the "Amendment"); and

WHEREAS, on May 7, 2025, the Vigo County Area Plan Commission approved and adopted a resolution (the "Approving Order") approving the Resolution and the Amendment, and determining that the Resolution and the Amendment conform to the plan of development for the City of Terre Haute, Indiana (the "City"), and has submitted the Approving Order to the Common Council of the City (the "Council"); and

WHEREAS, pursuant to Section 16(b) of the Act, the Redevelopment Commission has submitted the Resolution and the Amendment to this Council.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Terre Haute, Indiana, as follows:

1. Pursuant to Section 16(b) of the Act, the Council hereby approves in all respects the Resolution and the Amendment, and the Approving Order.
2. This Resolution shall be in full force and effect immediately from and after its passage and in accordance with Indiana law.

Introduced by: _____ Anthony Dinkel, Councilperson

Passed in open Council this _____ day of _____, 2025.

_____ Todd Nation, President

ATTEST: _____ Michelle L. Edwards, City Clerk

Presented by me to the Mayor this _____ day of _____, 2025
at _____ o'clock.

_____ Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2025.

_____ Brandon C. Sakbun, Mayor

ATTEST: _____ Michelle L. Edwards, City Clerk

RESOLUTION NO. 15, 2025

**RESOLUTION OF THE CITY OF TERRE HAUTE REDEVELOPMENT
COMMISSION AMENDING THE DECLARATORY RESOLUTION FOR THE
BRICKYARD ESTATES AND PADDOCK AT THE PARK ECONOMIC
DEVELOPMENT AREA AND APPROVING AN AMENDMENT TO THE ECONOMIC
DEVELOPMENT PLAN FOR SAID AREA INCLUDING THE ESTABLISHMENT OF A
RESIDENTIAL HOUSING PROGRAM**

(Brickyard Estates and Paddock at the Park)

WHEREAS, the City of Terre Haute Redevelopment Commission (the "Commission"), governing body of the City of Terre Haute Department of Redevelopment (the "Department"), previously adopted a resolution (the "Declaratory Resolution") establishing an economic development area known as the "Brickyard Estates and Paddock at the Park Economic Development Area" (the "Area"), designating a portion of the Area as an "allocation area" for purposes of Section 39 of the Act, and approving an economic development plan for the Area (as subsequently amended, the "Plan"), pursuant to Indiana Code 36-7-14, as amended (the "Act"); and

WHEREAS, pursuant to Section 53 of the Act, the Redevelopment Commission intends to establish a residential housing program to provide for the construction of new residential housing or the renovation of existing residential housing (the "Program") in the portion of the Area described on Exhibit A hereto (the "Program Area"); and

WHEREAS, the Commission now desires to further amend the Declaratory Resolution, pursuant to Sections 15-17.5 of the Act, to (i) designate the Program Area as an allocation area pursuant to Sections 39 and 56 of the Act to be known as the Brickyard Estates Residential Housing Allocation Area (the "Brickyard Allocation Area"), and (ii) supplementing the Plan, including by incorporating the Program into the Plan, as described in Exhibit B attached hereto (the "Plan Supplement") (collectively, the "Amendments"); and

WHEREAS, the Commission has thoroughly studied that portion of the City of Terre Haute, Indiana (the "City") described on Exhibit A attached hereto; and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Brickyard Allocation Area, the location of various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, remediation, replatting, replanning, rezoning, or redevelopment of the Brickyard Allocation Area, the parts of the Brickyard Allocation Area to be devoted to public ways, levees, sewerage, and other public purposes under the Plan as amended herein, and lists of the owners of any parcels proposed to be acquired, together with an estimate of the cost of acquisition and redevelopment; and

WHEREAS, Sections 41 and 43 of the Act have been created to permit the creation of "economic development areas" and to provide that all of the rights, powers, privileges, and immunities that may be exercised in an economic development area, subject to the conditions set forth in the Act; and

WHEREAS, Sections 39 and 56 of the Act has been created and amended to permit the creation of "allocation areas" to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said section; and

WHEREAS, Sections 53 through 56 of the Act permit the establishment of a residential housing development program for the construction of new residential housing or the renovation of existing housing in an area within the jurisdiction of the Commission;

WHEREAS, prior to the submission of the Program to the Commission, the Commission solicited input through a public meeting and other means as required by Section 53(d) of the Act; and

WHEREAS, the Redevelopment Commission has thoroughly studied the Program Area and hereby finds that normal development and occupancy in the Program Area are undesirable or impossible because of lack of local public improvements and lack of development that cannot be corrected by regulatory processes or the ordinary operations of private enterprise without resort to the Act, and the public health and welfare will be benefited by the establishment of (i) an allocation area and (ii) the Program in the Program Area under the Act; and

WHEREAS, the Redevelopment Commission deems it advisable to apply the provisions of said Sections 15, 16, 17, 17.5, 39, 41, 43, 53, 54, 55, and 56 of the Act to the approval of the Amendments.

NOW, THEREFORE, BE IT RESOLVED by the City of Terre Haute Redevelopment Commission, as follows:

1. The Commission finds that the Program Area is an area in need of development through the construction of new residential housing.

2. The Commission finds that the Amendments promote significant opportunities for the gainful employment of its citizens, attraction of major new business enterprises to the City, retention and expansion of significant business enterprises existing in the boundaries of the City, and meet other purposes of Sections 2.5, 41, 43 and 53 of the Act, including without limitation benefiting public health, safety and welfare, increasing the economic wellbeing of the City and the State of Indiana, serving to protect and increase property values in the City and the State, and providing adequate residential housing in the City.

3. The Amendments cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of lack of local public improvements or other similar conditions, including without limitation the cost of the projects comprising the Program and as otherwise contemplated by the Amendments.

4. The Commission finds that the public health and welfare will be benefited by the accomplishment of the Amendments for the Area, all as authorized under the Act.

5. The accomplishment of the Amendments will be a public utility and benefit as measured by the provision of adequate housing, the attraction or retention of permanent jobs, an

increase in the property tax base, improved diversity of the economic base, and other similar public benefits.

6. The Plan Supplement for the Area conforms to the comprehensive plan for the City.

7. The Plan Supplement for the Area is reasonable and appropriate when considered in relation to the purposes of the Act.

8. In support of the findings and determinations set forth in Sections 1 through 7 above, the Redevelopment Commission hereby adopts the specific findings set forth in the Plan Supplement.

9. The Plan Supplement does not recommend any specific property acquisition, and the Commission does not at this time propose to acquire any land or interests in land within the boundaries of the Brickyard Allocation Area. At the time the Commission proposes to acquire specific parcels of land, the required procedures for amending the Plan under the Act will be followed, including notice by publication, notice to affected property owners, and public hearing.

10. The Commission finds that no residents of the Area will be displaced by any project resulting from the Plan Supplement, including the Program, and therefore finds that it does not need to give consideration to transitional and permanent provisions for adequate housing for residents.

11. The Plan Supplement, including the Program, is hereby in all respects approved, and the secretary of the Commission is hereby directed to file a certified copy of the Plan Supplement with the minutes of this meeting.

12. The Declaratory Resolution is hereby amended to designate the Program Area as an "allocation area" pursuant to Sections 39 and 56 of the Act to be known as the "Brickyard Estates Residential Housing Allocation Area" for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Sections. Any real property taxes subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Sections 39 and 56, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Sections 39 and 56, property tax proceeds in excess of those described in the previous sentence shall be allocated to the redevelopment district and when collected paid into the allocation fund for the allocation area that may be used by the redevelopment district to do one or more of the things specified in Section 56(c) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Redevelopment Commission. Except as otherwise provided in the Act, before July 15 of each year, the Commission shall take the actions set forth in Section 56(d) of the Act.

13. The foregoing allocation provision shall apply to the Brickyard Allocation Area and shall expire on the date that is twenty (20) years from the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues derived from the Brickyard Allocation Area. The Commission hereby finds that the adoption of the allocation provision will result in new property taxes in the Brickyard Allocation Area that would not have been generated but for the adoption of the allocation provision. The base assessment date for the Brickyard Allocation Area shall be January 1, 2025.

14. Said allocation area is hereby designated as the "Brickyard Estates Residential Housing Allocation Area" and said allocation funds are hereby designated as the "Brickyard Estates Residential Housing Allocation Area Allocation Fund."

15. The officers of the Redevelopment Commission are hereby directed to make any and all required filings with the Indiana Department of Local Government Finance and the Vigo County Auditor in connection with the creation of the Brickyard Allocation Area.

16. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

17. This Resolution, together with any supporting data and together with the Plan Supplement, including the Program, shall be submitted to the Vigo County Area Plan Commission (the "Plan Commission"), and, upon the approval of the Plan Commission, to the Common Council of the City (The "Common Council"), as provided in the Act, and if approved by the Common Council, this Resolution shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

18. The Secretary is directed to file a certified copy of this Resolution with the minutes of this meeting.

19. This Resolution shall take effect immediately upon adoption hereof by the Commission.

Adopted the 30th day of April, 2025.

CITY OF TERRE HAUTE
REDEVELOPMENT COMMISSION

President

Vice President

Secretary

Member

Member

EXHIBIT A

Description of the Brickyard Estates Residential Housing Allocation Area

The Program Area shall be designated as an allocation area to be known as the “Brickyard Estates Residential Housing Allocation Area” which shall consist of the following parcels within the Area:

PARCEL ID NUMBERS:

84-06-24-308-002.000-002

Map of the Brickyard Estates Residential Housing Allocation Area



EXHIBIT B

Form of Economic Development Plan Supplement

CITY OF TERRE HAUTE REDEVELOPMENT COMMISSION

BRICKYARD ESTATES AND PADDOCK AT THE PARK ECONOMIC DEVELOPMENT AREA

ECONOMIC DEVELOPMENT PLAN SUPPLEMENT (INCLUDING RESIDENTIAL HOUSING DEVELOPMENT PROGRAM)

Dated: _____, 2025

Purpose and Introduction

The Terre Haute Redevelopment Commission (the “Redevelopment Commission”) has designated and declared an economic development area within the City of Terre Haute, Indiana (the “City”), known as the “Brickyard Estates and Paddock at the Park Economic Development Area” (the “Area”). This is a supplement to the economic development plan for the Area (the “Plan”). This supplement to the Plan (the “Plan Supplement”) may be amended as provided in the Plan and Indiana Code 36-7-14, as amended from time to time (the “Act”).

Pursuant to Sections 15 and 16 of the Act, the Plan Supplement must be approved by each of the Redevelopment Commission, the Vigo County Area Plan Commission and the Common Council of the City. Upon such approvals, the Redevelopment Commission will hold a public hearing on the Plan Supplement as required under Section 17 of the Act, before confirming (or modifying and confirming) the approval of the Plan Supplement.

Project Objectives

The purposes of the Plan Supplement are to benefit the public health, safety, morals and welfare of the citizens of the City; increase the economic well-being of the City and the State of Indiana; and serve to protect and increase property values in the City and the State of Indiana. The Plan Supplement is designed to provide for local public improvements in or serving the Area, promote significant opportunities for residential development, in order to attract and retain permanent jobs, promote a variety of residential housing types, increase the number of students within the associated school districts, and increase the property tax base.

This area is under significant development pressure, but lacks the necessary infrastructure and means to provide the infrastructure in order to attract the private investment needed to spur residential growth within the area. The Plan Supplement will focus on utilizing the various tools permitted by the statutes governing a residential economic development area. These tools include the ability to acquire property for development, construct infrastructure improvements, and implement public/private partnerships in order to develop housing opportunities. The following plan will allocate resources to accomplish the goals established within the plan.

Description of Area

The Area consists of approximately 45 acres of land. The Area is generally located South of West Hudson Drive and North of Ohio Boulevard between South Fruitridge Avenue and South Brown Avenue in the City. The Area is generally described in Attachment 1, which is attached hereto and made a part of the Plan Supplement by this reference, including a description of the Brickyard Estates Residential Housing Allocation Area (the "Brickyard Allocation Area").

Estimate of Cost and Description of Projects

The Terre Haute Redevelopment Commission is supplementing the Plan for the Area in order to increase the development of housing opportunities within the City. Terre Haute is a community with increasing housing demands and has shortages in available housing options. In order to create tools that will be available to implement those strategies in the future, the Redevelopment Commission is targeting economic development areas that will accommodate housing developments, including the following:

- a. Projects: The housing development within the Area will consist of the construction of approximately 93 +/- units within the Area. The development of the Area will require the installation, construction and/or repair of related infrastructure, including, but not limited to, streets with curb and gutter, storm water ways, sanitary sewer lines, water lines, sidewalks, signage, lighting and underground electric lines.
- b. Estimated Project Cost: It is estimated that the cost of the installation, construction and/or repair of infrastructure improvements serving or benefitting the Area will be \$4,000,000 - \$7,000,000. However, this is just an estimated cost range. As specific infrastructure projects are identified and cost estimates are refined, this Plan Supplement may be updated.
- c. Timeline: 1 to 5 years

While the projects above represent a significant amount of infrastructure improvements within the Area, it is not intended to represent a complete list of projects and may be updated from time to time as future developments are proposed. All of the projects proposed are expected to foster additional economic growth in, serving or benefitting the Area. The projects contemplated by this Plan Supplement (collectively, the "Projects") consists of the design, acquisition, construction and installation of public infrastructure, the costs of which are roughly estimated based on current market conditions and are expected to foster additional economic growth in the Area. If and to the extent permitted by law, the following projects are also permitted:

Permissible Projects

Tax increment revenues from the Brickyard Allocation Area, or other sources of funds available to the Redevelopment Commission, may be used for the purposes permitted in Sections 53-56 of the Act, as may be amended from time to time. Specifically, tax increment revenues from the Brickyard Allocation Area or other sources of funds available to the Redevelopment Commission may be used to finance the cost of infrastructure improvements in or serving the Area

(as well as demolition, in, serving or benefiting the Area), including without limitation, (1) transportation enhancement projects including, without limitation, curbs, gutters, shoulders, street paving and construction, bridge improvements, sidewalk and multiuse pathway improvements, street lighting, traffic signals, and site improvements including landscape buffers; (2) utility infrastructure projects including, without limitation, utility relocation, water lines, water wells, water towers, waste water lines, storm water lines, retention ponds, ditches, and storm water basin improvements; and (3) public park improvements and recreational equipment. Although the precise nature of infrastructure that may be necessary from time to time to attract and retain prospective redevelopment and economic development opportunities in the Area cannot be predicted with certainty, the availability of adequate infrastructure is of fundamental importance in attracting and retaining such opportunities in the Area.

Tax increment revenues from the Brickyard Allocation Area or other sources of funds available to the Redevelopment Commission may also be used to offset payments by developers on promissory notes in connection with economic development revenue bond financings undertaken by the unit, or to pay principal or interest on economic development revenue bonds issued by the unit to provide incentives to developers, in furtherance of the economic development or redevelopment purposes of the Area. The provision of incentives by the application of tax increment revenues to offset developer promissory notes that secure economic development revenue bonds, or to pay principal or interest on economic development revenue bonds issued by the unit to provide incentives to developers, in furtherance of the economic development or redevelopment purposes of the Area, has become an established financing tool and an increasingly common form of incentive for attracting economic development and redevelopment.

The acquisition or construction of projects to enhance the cultural attractiveness of the entire unit, including the Area.

Acquisition or construction of projects (including the acquisition of vehicles and equipment) to enhance the public safety of the entire unit, including the Area.

Tax increment revenues from the Brickyard Allocation Area that are allocated for police and fire services may be used to finance the cost of police or fire services located in or directly serving or benefiting the Area, including the financing of capital expenditures and/or operating expenses of such police or fire services.

All other projects and purposes permitted by law.

Acquisition List

This Plan Supplement does not currently contemplate any property acquisition.

Disposal of Property

If the Redevelopment Commission were to acquire real property, the Redevelopment Commission may dispose of it by sale or lease to the public pursuant to procedures set forth in Section 22 of the Act.

Statutory Findings

The Plan Supplement for the Area meets the following required findings under Section 41(b) of the Act:

- a. The Plan Supplement for the Area promotes significant opportunities for the gainful employment of the citizens of the City by the construction of public infrastructure necessary for residential housing, which will allow for the attraction and retention of permanent jobs. The Project will also meet other purposes of Sections 2.5, 41, 43, 53 and 55 of the Act.
- b. The Plan Supplement for the Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act due to a lack of local public improvements. The Area and adjacent territory is limited in the scope of business enterprises it can support due to the present capacity, condition and structure of its existing infrastructure. To retain, expand and attract businesses that will provide gainful employment opportunity within the City, the City must improve the existing infrastructure in and near the Area in order to help provide for adequate housing opportunities for residents of the City.
- c. The public health and welfare will be benefited by accomplishment of the Plan Supplement for the Area. As described above, the Project will allow the City to better accommodate the needs that will result from the expansion or addition of significant business enterprises and the overall increased demands on the City's infrastructure as a result of the anticipated economic expansion related to the addition of new business enterprises in the Area. In addition, the general welfare of the citizens of the City is inextricably related to the economic opportunities available to them. The Project will accommodate additional business activity within the Area and surrounding territory, thus attracting new business enterprises and promoting significant employment opportunities for residents of the City.
- d. The accomplishment of the Plan Supplement for the Area will be a public utility and benefit as measured by the provision of adequate residential housing, an increase in the property tax base, and other similar public benefits. As described above, the Plan Supplement promotes the construction of new residential housing options within the City. The increase in new residential houses on property in the City, as a result of the Plan Supplement, will increase the property tax base of the City.
- e. The Plan Supplement for the Area conforms to other development and redevelopment plans for the City. The Plan Supplement is intended to facilitate the construction of new residential housing options and the retainage of and increase in the number of jobs within the City. This is consistent with other plans of the City.

Amendment of Plan Supplement

This Plan Supplement may be amended by following the procedures described in Section 17.5 of the Act.

Attachment 1

Description of the Brickyard Estates and Paddock at the Park Economic Development Area

The Brickyard Estates and Paddock at the Park Economic Development Area (the "Area") consists of the area shown in the following map outlined in yellow:



Description of the Brickyard Estates Residential Housing Allocation Area

A portion of the Area shall be designated as an allocation area to be known as the "Brickyard Estates Residential Housing Allocation Area" which shall consist of the following parcels within the Area:

PARCEL ID NUMBERS:

84-06-24-308-002.000-002

Map of the Brickyard Estates Residential Housing Allocation Area

