

Sandi Schreiber
President
Appointed by Mayor
Jan. 1, 2024 to Dec. 31, 2027

Luke Lefever
Member
Appointed by Mayor
Feb. 6, 2025 to Jan. 1, 2027

Willie L. Brown
Secretary
Appointed by Mayor
Jan. 1, 2024 to Dec. 31, 2027



Dina Harris
Vice President
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Dorisanne Nielsen
Non-Voting School
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REGULAR MEETING
ELKHART REDEVELOPMENT COMMISSION
LOCATION: CITY HALL, 2ND. FLOOR, COUNCIL CHAMBERS
Tuesday, August 11, 2026
4:00 p.m.

PRESENT: Dina Harris, Sandi Schreiber, Luke Lefever, Cindy Ostrom, Gary Boyn, Sherry Weber (Recording Secretary), Mike Huber, Adam Fann, Jacob Wolgamood, Mary Kaczka, Drew Wynes, Chad Rapp (speaker for Karen Drive), and Perry Germann

PRESENT BY TEAMS: Chris Pottratz, Thalia Mora, Maggie Marnocha, Anthony Elkins

CALL TO ORDER

This meeting was held in-person, telephonically, and virtually through Teams. The meeting was called to order at 4:00 p.m. by Ms. Schreiber, President.

AMEND AGENDA

Ms. Schreiber asked for a motion to amend the August 11, 2026, Regular Meeting Agenda. Moved by Mr. Harris. Second by Ms. Ostrom. Voice vote, all in favor. Motion approved.

APPROVAL OF MEETING MINUTES

Ms. Schreiber asked for a motion to approve the July 14, 2026, Regular Meeting Minutes. Moved by Ms. Harris. Second by Ms. Ostrom. Voice vote, all in favor. Motion approved.

NEW BUSINESS

A. Opening of Bids

Mr. Adam Fann addressed the commission stating there are no bids to open.

B. Karen Drive Offer

Mr. Adam Fann addressed the commission to answer questions. Ms. Schreiber asked for a motion to approve accepting the offer at the price of \$14,000 on the terms in the attached purchase agreement reviewed and approved by the seller and allocate \$15,000 from the Cassopolis TIF Area Land Improvements account #4450-5-000-4410000 to fund the price and cover any miscellaneous costs. Moved by Ms. Harris. Second by Ms. Ostrom. Voice vote, all in favor. Motion approved.

Chad Rapp, resident at 218 Karen Drive, spoke against the city's ongoing actions related to Karen Drive. His statement is attached to the end of these minutes for the record (*).

C. State Street Offering

Mr. Adam Fann addressed the commission and answered questions. Ms. Schreiber asked for a motion to approve the offering of the two parcels listed on the resolution for sale at a highest and best use of residential, approve the offering sheet that is attached to the resolution, approve the offering price of \$250 that is listed and approve the publishing of public notice, which is attached to the resolution. Moved by Mr. Lefever. Second by Ms. Ostrom. Voice vote, all in favor. Motion approved.

D. The 131 Use Agreement

Mr. Adam Fann addressed the commission and answered questions. Ms. Schreiber asked for a motion to approve the request for access to The 131 property on the date designated in the agreement and approve the form of agreement authorizing the president to execute the same and deliver the agreement. Moved by Ms. Harris. Second by Ms. Ostrom. Voice vote, all in favor. Motion approved.

E. 2026 TIF Spending Plan Adjustment

Mr. Mike Huber addressed the commission and answered questions. Ms. Schreiber asked for a motion to approve amending the 2026 spending plan as it pertains to the Downtown Allocation Area in the amounts as pertains to the accounts set forth in the form of resolution presented and authorize those amendments to be filed with the LGF as required. Moved by Mr. Lefever. Second by Ms. Harris. Voice vote, all in favor. Motion approved.

F. Walker Consultants Contract for Parking Analysis

Mr. Mike Huber addressed the commission and answered questions. Ms. Schreiber asked for a motion to approve the employment of Walker Consultants at a fee not to exceed \$32,500 to perform the parking analysis, approve the form of contract for services that is attached to the resolution and allocate \$32,500 from Downtown Allocation Area No. 1 Professional Services account 4445-5-000-4310400 to cover the cost of the services. Moved by Ms. Harris. Second by Mr. Lefever. Voice vote, all in favor. Motion approved.

G. G&W VRP Closure Engagement Letter

Mr. Gary Boyn addressed the commission and answered questions. Ms. Schreiber asked for a motion to approve the engagement letter of McCarter and English to provide the legal services

on the terms that were set forth in the engagement letter and authorize the execution of that letter. Moved by Mr. Lefever. Second by Ms. Harris. Voice vote, all in favor. Motion approved.

H. Award Office Furnishings for Offices at Woodland Crossing

Mr. Jacob Wolgamood addressed the commission and answered questions. Ms. Schreiber asked for a motion to approve the award of the furniture, furnishings and equipment (FFE) for the offices at Woodland Crossing to Office Interiors in the amount of \$70,428.24, allocate the sum of \$120,000 from the Consolidated TIF Area Buildings and Structures account 4453-5-000-4420400 to pay the cost of FF&E and any other contingencies that may arise in installation of equipment with any unused funds to be returned to the appropriate account and authorize the execution of all contracts that are necessary. Moved by Ms. Harris. Second by Mr. Lefever. Voice vote, all in favor. Motion approved.

I. Award Windsor Sidewalk and Cassopolis Lighting Project Proposal

Mr. Jacob Wolgamood addressed the commission and answered questions. Ms. Schreiber asked for a motion to approve the award of pedestrian lighting and stormwater improvements along East Windsor Avenue and Cassopolis Street to Rieth Riley Construction Company in the amount of \$513,600 and allocate that sum from the Cassopolis TIF area account 4450-5-000-442000 to pay for the project and authorize execution of all contracts. Moved by Ms. Ostrom. Second by Ms. Harris. Voice vote, all in favor. Motion approved.

J. Lien release for 1420 Maple Row

Ms. Mary Kaczka addressed the commission and answered questions. Ms. Schreiber asked for a motion to acknowledge the NSP restrictive covenants have been fully complied with and all obligations under the agreement have been fully satisfied and need to be forgiven and approve the execution recording of the releases of lien and restrictive covenant agreement that exists with authorization to execute and record the releases. Moved by Ms. Harris. Second by Mr. Lefever. Voice vote, all in favor. Motion approved.

K. Mennonite Thrift Shop Access Agreement

Ms. Mary Kaczka addressed the commission and answered questions. Ms. Schreiber asked for a motion to approve the request for access for Great Lakes Mennonite Thrifting to space 148-11 at Woodland Crossing for the time period and on the terms stated in the agreement, approve the form of access agreement which is attached and authorize its execution. Moved by Ms. Harris. Second by Mr. Lefever. Voice vote, all in favor. Motion approved.

L. Park 131 Equipment Change Order

Mr. Jacob Wolgamood addressed the commission and answered questions. Ms. Schreiber asked for a motion to approve the proposed Premium Concrete change order, which would raise the contract price totality to \$290,850 with Premium Concrete Services, allocate \$41,000 from the Downtown Allocation Area No. 1 Improvements account 4445-5-000-4430100 to cover the additional cost with any unused funds to be returned to the appropriate account and authorize the execution delivery of the change order. Moved by Ms. Harris. Second by Mr. Lefever. Voice vote, all in favor. Motion approved.

M. Neighborhood Evolution Contract

Mr. Mike Huber addressed the commission and answered questions. Ms. Schreiber asked for a motion to approve the employment of Neighborhood Evolution, LLC to perform the services set forth in the agreement at a fee not to exceed \$42,500, approve the form of contract that is attached to the resolution, authorize its execution and allocate \$42,500 from the Consolidated TIF Area Special Account 4453-5-000-4310400 to cover the cost of those services. Moved by Ms. Harris. Second by Ms. Ostrom. Voice vote, all in favor. Motion approved.

N. Professional Service Agreement with Public Works and JPR

Mr. Mike Huber addressed the commission and answered questions. Ms. Schreiber asked for a motion to approve funding request, request Public Works execute and supervise all contracts necessary to perform the work and allocate \$18,700 from Downtown Allocation Area No. 7 Special Fund account 4445-5-000-43104100 to assist in covering the cost of the local public improvements with any unused funds be returned to the appropriate account. Moved by Ms. Harris. Second by Mr. Lefever. Voice vote, all in favor. Motion approved.

STAFF UPDATES

Mr. Adam Fann addressed the commission with updates on projects around the city

- **Conn** - Roberts Environmental and HIS is on site and will be bringing equipment to start doing excavations next week.
- **Walter Piano** - EPA is back in town next week to do indoor air quality sampling for houses in the Crawford neighborhood.
- **The 131** - Power should be installed in a week or two.

OTHER BUSINESS

Ms. Schreiber asked for a motion to approve the Warrick and Boyn invoice in the sum of \$14,118.31. Moved by Mr. Lefever. Second by Ms. Ostrom. Voice vote, all in favor. Motion approved.

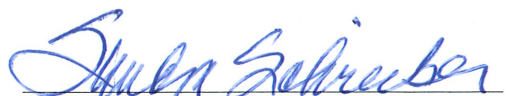
The commissioners have the TIF Report.

PUBLIC COMMENT

No public was present to address the commission.

ADJOURNMENT

There being no further discussion, Ms. Schreiber asked for a motion to adjourn the meeting. Moved by Ms. Harris. Second by Mr. Lefever. Voice vote, all in favor. Motion approved. The meeting adjourned at 4:43 p.m.


Sandra Schreiber, President

*Chad Rapp statement attached

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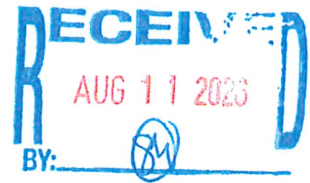
Elkhart Redevelopment Commission Pre-Agenda Meeting Summary For August 7, 2026

PRESENT: Sandi Schreiber, Dina Harris, Cindy Ostrom, Gary Boyn, Mike Huber, Sherry Weber, Adam Fann, Jacob Wolgamood, Mary Kaczka, and Thalia Mora

PRESENT BY WEBEX: Chris Pottratz

The Commission reviewed each agenda item, staff explained the status of each matter to date and the need for and purpose of the proposed resolution to be acted upon at the upcoming Elkhart Redevelopment Commission meeting on August 11, 2026.

8/11/26 RDC meeting Chad Rapp public comment statement regarding Karen Drive. He asked for these document to be included on file.



Public Comment Statement

"Good afternoon, members of the Commission. My name is **Chad Rapp**, and I am here today as the elected speaker for the three remaining property owners of Karen Drive who have legally united to form a single, unified front against the city's ongoing wrongful actions.

I am here to place critical facts onto the official record regarding the parcel the city is attempting to purchase today. This specific plot is a fragment of the already approved 16-acre Emerson/Marketplace Planned Unit Development (PUD). The actual physical condition of this land is entirely undeveloped woods and grasses. It completely fails to meet the legal standard or statutory definition of a blighted property or an 'Area Needing Redevelopment' under Indiana law.

Labeling an active, multi-million dollar PUD as 'blighted' simply to push through a land acquisition is a clear legal pretext. We believe the city is executing this maneuver solely to circumvent its previous erroneous actions and civil violations regarding the Karen Drive acquisition. In 2022 and 2023, the city improperly took the first 525 feet of our shared private drive to install a water and sewer loop for the very apartments planned on this 16-acre parcel.

The city cannot claim ignorance of these violations. In the official records of the City Plan Commission and City Council, the city was provided explicit documentation. This includes the 2002 and 2003 City Attorney statements pledging to honor the residents' rights to keep Karen Drive private, alongside paperwork from the original property owner detailing the exact purpose of the easement. Furthermore, I hold an audio recording from an April 2026 meeting where a city attorney explicitly admits she was aware of this history, stating she instructed an assistant plan director to inform us.

This establishes a clear, documented pattern of bad faith by the City of Elkhart. You are now engaging in the exact same unconstitutional processes against the unified property owners of Karen Drive for a secondary right-of-way.

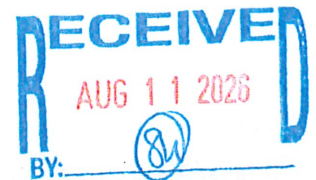
I urge each member of this Commission to understand a critical legal reality: the city attorney sitting in this room represents the City of Elkhart as an entity. They do **not** represent you individually, and they cannot protect you from personal liability. By voting to approve this transaction despite clear evidence of bad faith and constitutional violations, you are actively placing your qualified immunity in jeopardy. If a federal civil rights lawsuit is filed, you can be held personally accountable and assessed individual damages that the city cannot legally pay for you. [1]

On behalf of our unified property owners, I strongly advise this Commission to table this item immediately before you vote yourselves into personal legal liability."

FROM THE OFFICE OF
ELKHART COUNTY SURVEYOR

WILDEN L. SNYDER - NO. 7370

COURT HOUSE
GOSHEN, INDIANA



Home Phone: 3-1532
Office Phone: 3-1632

October 2, 1958

Mr. Jess W. Davis
1516 Silver Street
Elkhart, Indiana

Dear Jess:

Several weeks ago I was looking over Karen Drive with you and told you that I would look into the situation and report back to you. Karen Drive is the strip of land running in a westerly direction off of Cassopolis Street to the land of Kenneth Kiefer.

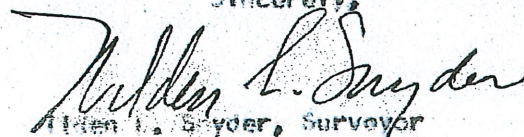
The tracts of land along the north of this road as is being used give only ten (10) feet reserved off of the south end to be used as a private drive. All property owners deeds read the same along the north side of the present drive. To the south a Mr. Ira Miller owns the land and no ground has been dedicated for highway purposes.

Now in order for Mr. Kiefer to dedicate his planned road he will have to have a fifty (50) feet strip dedicated from Cassopolis Street west to his property. As I suggested before you would have to split the distance between the buildings along Cassopolis Street and use that for center line of the road and then go 25' both ways for the right-of-way.

The next thing for the Kiefer's to do is contact all property owners and have them to agree on the establishing of a new right-of-way of fifty (50) feet.

Any further service I remain.

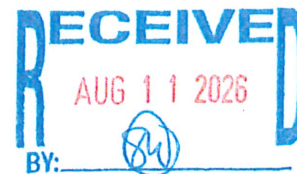
Sincerely,


Wilden L. Snyder, Surveyor

cc Kenneth Kiefer



The city with a heart



February 13, 2002

Rand W. Nilsson, Esq.
Barnes & Thornburg
121 West Franklin St., Ste 200
Elkhart, IN 46516

Re: Karen Drive Services

David L. Miller
Mayor

Dear Rand:

Vlado Vranjes
Corporation Counsel

E. Nelson Chipman, Jr.
City Attorney

John W. Dorbin, Jr.
Deputy City Attorney

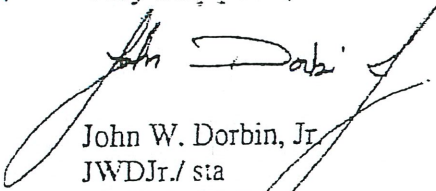
Crystal R. Rogers
Paralegal

Recently, questions arose as to the status of Karen Drive as a dedicated street or a private drive. As you know, I have contacted those persons who live on Karen Drive to ascertain whether or not the residents wished to formally dedicate this drive. You indicated that your firm represents Mr. Beck in this matter and responded on his behalf. Therefore, I am writing to you today. The clear response from my previous correspondence was that residents wished for the drive to remain a private drive.

As I indicated, the City will respect the wishes of Karen Drive residents and the City will not pursue the matter further at this time. Please be aware, however, that since Elkhart considers Karen Drive a private drive, the City cannot provide street-related services such as snow removal, asphalt repair or resurfacing, or signage. I would appreciate it if you would advise your client as to that fact so that he can make any necessary arrangements.

Please give me a call if there are any questions or concerns.

Very truly yours,


John W. Dorbin, Jr.
JWDJr./ sta
Via U.S. Mail
cc: Vlado Vranjes, Chad Leiby

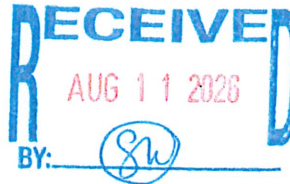
Legal Department

Municipal Building
329 S. Second Street
Elkhart, Indiana 46516

Phone: 219.294.5471

Fax: 219.295.9563

BARNES & THORNBURG



Bank One Building
Suite 200
121 West Franklin Street
Elkhart, Indiana 46516 U.S.A.
(574) 293-0681
(800) 821-0861
Fax (574) 296-2535

www.btlaw.com

May 16, 2002

By Facsimile Transmission
(219) 294-7277

Mr. James L. Todd
Sanders-Pianowski, LLP
401 West High Street
Elkhart, Indiana 46516

Re: Affidavit in Aide of Title to Real Estate

Dear Jim:

We are legal counsel for Mobile Structures, Inc., MSI Properties LLC, and Mr. and Mrs. Beck (the "Becks"). As you are certainly aware, the Becks are the owners of the real estate along Karen Drive, from Cassopolis Street back in a westerly direction to the real estate the subject of the enclosed Affidavit in aide of title. We believe that it is very unfortunate to have the Becks learn of this matter through neighbors coming to them indicating that the Becks need not be involved, and the Becks need not be informed, either because it is not their concern, or, they have not been real estate owners for a certain period of time. The Becks in fact have been the owners of the real estate for a number of years greater than that referenced in the Affidavit for certain of the subject parcels of real estate. (In passing, we note a reference to one real estate owner having been such for approximately ten years, and we understand that it is in error). The Becks are disturbed that the purpose of the Affidavit is to take away a portion of their real estate, for which they have invested substantial sums of money, in order to assist a property owner with his commercial business enterprise.

Enclosed is a letter from the City of Elkhart which you certainly have in your files. A neighbor, without consulting the other neighbors, evidently approached the City, and unfortunately caused the Karen Drive issue to result in termination of street improvements and other maintenance. We understand this of course distresses the neighbors. We further understand that the City letter correctly describes the situation. Karen Drive is a private drive for residential purposes, for purposes of ingress and egress to the residences on the real estate the subject of the Affidavit.

A concern of the neighbors and the Becks is the use of the property that may be contemplated by the person initiating the Affidavit. The fear of the Becks and the fear of other

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Letter to Mr. Todd

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May 16, 2002

neighbors, as we understand it, is that one particular neighbor has a commercial use in mind, and intends to sell his parcel to a commercial user, with the ultimate potential for not only a direct commercial use on Karen Drive, but also a way of ingress and egress to an adjacent business, and also, the potential for Karen Drive to become a means of access to a much larger commercial development (such as WalMart).

The Becks of course shall vigorously appose the Affidavit, and the proceedings that must be contemplated by the Affidavit. The Becks and their companies have always been a good neighbor, have respected the residential character of the neighborhood to the west of their parcel, and are ready, willing and able to enter into private drive easement agreements mutually acceptable to the Becks and those residential property owners. No one has approached the Becks and asked them to do so.

We are by carbon copy of this letter submitting the Affidavit and our objections thereto to our title insurance company for advise, assistance, and counsel.

We would appreciate discussing this with you at your earliest convenience.

Sincerely yours,

BARNES & THORNBURG

Rand W. Nilsson

C
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P
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RWN/haa

Enclosure

cc: Mr. Ed Hardig, Meridian Title (File No. 3551EO1)
By Facsimile Transmission
(574) 674-0074

bcc: MSI
By Facsimile Transmission

(574) 264-4399