



**THE DOWNTOWN ECONOMIC IMPROVEMENT DISTRICT, INC.
BOARD MEETING MINUTES**

November 11, 2022
Innovation Pointe Media Suite/Zoom

Board Members Present:

Tresa Miller, Stephanie Engelbrecht, Phillip Roberts, Stephanie Terry, Johnathan Pope, Jeff Justice, Amanda Schmitt, and Dwight Emmert

Board Members Visible on Zoom:

Randy Hobson, Anna Jordan, Kelley Coures, and Lucero Tennis Kieffer

Board Members Absent:

Heather Vaught, John Lamb, Stacey McNeill, and Kendra Vanzo

Guests Present on Zoom:

Tara Barney and Dr. Kimberly Haywood-Pfender

Counsel Present:

JR Trockman and Mike Schopmeyer, KDDK

Staff Present:

Joshua Armstrong, Adam Trinkel, and Alli Turpin

CALL TO ORDER

Chairman, Phillip Roberts, called the board meeting of the Downtown Evansville Economic Improvement District to order at 7:32 a.m.

Quorum was present.

SECRETARY'S REPORT

Approval of Minutes (action)

Secretary, Lucero Tennis Kieffer, stated that the minutes from September's Board Meeting was sent out earlier this week to review. Johnathan Pope motioned to approve the minutes as presented, Jeff Justice seconded; none were opposed. The motion passes.

Present motion of 2023 Board Slate (action)

Lucero shared that President, Josh Armstrong, sent out the 2023 EID Board Slate prior to today's meeting. Josh provided an overview of the new members joining the EID Board in 2023. The 2023 Board Slate included short biographies for each new member.

1. **Dr. Kimberly Haywood-Pfender – Evansville Eyecare Associates**
Evansville Eyecare Associates has a long tradition in Downtown Evansville, serving patients on Main Street since the 1950s.
2. **Jim Moore – One Main Financial**
One Main Financial is the largest collection of parcels in the district.
3. **Bernard Hamilton – Doubletree by Hilton**
Doubletree is one of the most highly accessed parcels in the district.
4. **Todd Gile – Trinity United Methodist Church**
A historic site in the district, started construction in 1864. Urban Seeds is also located in the building.

Josh mentioned that all existing EID Board members would like to remain on the board in 2023.

The approval of the 2023 Board Slate comes in the form of a motion from the EID Executive Committee, Tresa Miller seconded; none opposed. The motion was approved.

TREASURER'S REPORT

Approval of financial reports September/October (action)

Treasurer, Stephanie Terry, mentioned that the financial statements from September/October were sent out prior to today's meeting. Stephanie gave a quick update on the financials. Revenue is up \$88,000, primarily due to sponsorship dollars. Expenses are up \$35,000. These are event expenses from the fourth quarter. Stephanie asked for a motion to approve the financial reports. Jeff Justice sole moved, Tresa Miller seconded; none opposed. The motion carries.

Approval of 2021 990 tax filing (action)

Josh announced that the EID's accounting firm, Riney Hancock, will not have the 990 ready until the end of the day today (11/11/2022). The 990 needs to be filed by November 15, 2022. Josh explained with being so close to the deadline, there will not be time for the Board to review the form before submitting it.

Counsel, Mike Schopmeyer, advised to send a copy of the form out to the Board once it has been completed.

To get the form filed on time, Josh asked for a motion to submit the 990 once it is complete. A copy of the form will be sent out to the EID Board after it has been submitted. If there are any questions from the Board, it is easy to amend the form as a 990A.

Lucero Tennis Kieffer sole moved, Stephanie Terry seconded; none were opposed.

PRESIDENT'S REPORT

Update on 2022 Projects

President, Josh Armstrong, provided an update on 2022 EID projects.

Micro dog park – approval of License for parcel (action)

Josh explained that originally there was a plan for a 10-year license agreement with The Evansville Water and Sewer Utility for the use of the parcel (located on the corner of 3rd and Ingle) for a mini dog park. EWSU has pushed back with a 5-year term for \$1 instead.

Randy Hobson commented on challenges working with the EWSU to create a green space with parking next to 2nd Language and Pangea Pizzeria. The property is owned by EWSU and is unsure of the future of the space.

Josh provided the Board with counsel JR Trockman's summary of the proposed lease. JR gave an overview of the amended lease. JR explained that overall, the agreement has gone from something that was very much in favor of the EWSU to something that is more mutually agreeable to both parties. This is a license agreement that is granting the EID the privilege of accessing the property, that comes along with assuming the risk and liabilities of any damages. The EID would be paying utilities, property taxes, and holding events on the property.

JR explained that with any contract there are four provisions: indemnity, insurance, release of liability, and waivers of certain damages. Both parties have agreed upon mutual indemnities including the EID's inclusion in the Tort Claims Act. The EID is a quasi-government entity, that means if there are any incidents on the property, notice must be given to the proper authorities within 180 days or that claim is barred. There is a limitation of liability with a max of \$700,000. The EID's insurance will be the only one on the license - only for claims arising during the term of the license. JR noted that as far as comparative fault, the parties will indemnify each other. For example, if something is caused by the water utility instead of the EID, they will help us out there. Waiver of damages, both mutual. Long jurisdiction was added to the interpretation clause. Modifications to the license can only occur if both parties agree.

JR noted that the risk is that the license requires the EID to keep the property open for public use at all times. Presumably, if someone is injured at a time where the EID is not on the property hosting an event, there would still be potential liability from that incident. JR stated that these terms are common and they have seen other licenses with similar language in the past.

Josh Armstrong clarified that the EID would be responsible for maintenance of the property during the license. The EID has budgeted to hire another part-time person to help with cleaning beginning in January.

Josh shared that there are requirements that are in the use agreement regarding signage. For example, “no violent dogs,” “no dogs in heat,” etc. The EID will implement rules and regulations for the park so visitors know that they are doing so at their own risk.

Counsel believes that they have done what they can to amend the agreement to give the EID as much protection as the EWSU.

Mike Schopmeyer reminded everyone that the reason for the EWSU owning these Downtown properties is because Evansville is under an EPA order that states our utility has to separate more of the combined sewer system. As a result, to keep the overflow from hitting the sewer treatment plant, tanks are being placed underground in Downtown Evansville.

Josh added that when the 5 year license is up, the plan is to excavate the parcel to about 100 feet in depth to place a large tank underground. The tank would absorb storm runoff. At some point in the future, there will be the ability to bring back the dog park to this parcel. There is a possibility of relocating the dog park to another location during the time of construction.

Jeff Justice motioned to approve moving forward with the mini dog park, Stephanie Engelbrecht seconded; none were opposed. The motion passes.

Fundraising and costs will be updated to reflect the new 5-year license.

Underpass Lighting

Josh provided an updated on the underpass lighting project. It is proceeding through a process where the Evansville Redevelopment Commission is releasing a RFP to install the lighting. The EID will send out a bid for the purchase of the fixtures, controllers, and connectors along with a quote on the installation from a time and material point of view. Josh has applied for funds (\$16,000) from the READI program that would pay for the installation. The Redevelopment Commission would pay for the fixtures. Josh is awaiting a response from CenterPoint on their cost because a few poles will have to be installed. Josh shared that he believes this will be a spring/summer 2023 project.

2023 Effort – Riverfront Plan

Josh explained one of the issues that they have found with addressing the Downtown riverfront in a broader transformational way is having a plan that is more than ideation of five blocks. There was an application made to READI to hire a landscape architecture firm and other associated consultants to come up with a transformational riverfront plan. Cities across the country are developing their own plans i.e., Memphis, TN and Louisville, KY. This plan will help us understand the financial value to our community, other development opportunities that could come from this, tax benefits, and more.

A RFP will go out for this plan soon to architecture firms that have experience with similar projects.

City Council on December 5

Josh reminded the Board of City Council Meeting on Monday, December 5 at 5:30 PM. He encouraged the Board to attend if they are available to show their support of the EID. Josh will give a short presentation of the EID's work in 2022. City Council will vote to approve the EID's 2023 budget.

EVENTS & MARKETING REPORT

Marketing and Events Director, Adam Trinkel, gave the Events and Marketing Report.

Recent EID events

Since our last meeting the EID has hosted 3 events. The **Fall Wine Walk Presented by Romain Cross Pointe Auto Park** was held on September 30. Adam reminded the Board that the EID team received feedback about long lines in the spring. This was addressed to ensure shorter wait times. Attendance was down from the spring, but was on par with the 2021 Fall Wine Walk. Oliver's new Director of Events was impressed with how the event was organized and signed on to continue the partnership in 2023. The dates have not been confirmed yet.

The 5th Annual **NoCo Makers Market** on Carpenter Street was held on Sunday, October 16. Adam added that this is one of the EID's longest standing events. The EID plans to continue to grow the event by adding more children's activities. The vendors were surveyed after the event and received feedback to push back the event by an hour next year. Adam stated that the EID team will reach out to the Downtown church communities to get them involved.

The 2nd Annual **Halloween Stroll and Trunk or Treat Car Show** was held on Saturday, October 29. It was extremely successful and Adam is confident that there were over 2,000 kids in attendance. Jennifer Scales of Y Factor and her team have been instrumental in helping with manning the car show aspect of the event. 80 cars entered the car show this year, 40 attended in 2021.

Upcoming Holiday Events

Last Saturday (11/5), was the **Holiday Open House**. Adam noted that this was the one bad weather day that the EID has experienced so far in 2022. Due to extreme wind, TRU Event Rental could not set up tents for the existing retail businesses so it was not safe to have any vendors set up on the street.

There are 3 more events in the 2022 season:

1. **Small Business Saturday** – Saturday, November 26
2. **A Downtown Christmas Presented by Engelbrecht Enterprises** – Saturday, December 3.

Adam explained that this is the largest family-friendly event that the EID hosts.

3. **Santa Stroll** – December 16

Expanded Holiday décor on 4th and 6th

Adam shared that the holiday themed lamp banners were added to 4th and 6th streets. A new holiday installation of lighted trees was installed next to Samuel’s on 4th street by Wilde Horticulture.

BOARD COMMENTS

Kelley Coures mentioned that the benches that were on Main Street will start returning over the next week with tabletops installed in the middle of the bench. This was a project of the city.

Amanda Schmitt asked if Banterra Bank was moving Downtown. Josh Armstrong confirmed that they have already moved into the building at 227 Main. Bridge Alternative is located on the first floor and Banterra is on the second floor.

RATE PAYER COMMENTS

None

CHAIR COMMENTS

Phillip Roberts reiterated the importance of the Board attending the City Council Meeting on December 5 at 5:30 PM if they are available. This is an opportunity for Josh to present to City Council the work the EID is doing and for the approval of the 2023 budget.

NEXT MEETING

The next meeting of the EID Board is scheduled for Friday, January 13, 2023 at 7:30 a.m. at 318 Main Street or via Zoom.

The meeting was adjourned at 8:28 a.m.

ADJOURNMENT

Approved: Minutes from the September meeting

Approved: September/October financials

Approved: 2023 Board Slate

Approved: 2021 990 tax filing

Approved: Micro dog park – Lease for parcel

Prior to adjournment, a roll call vote was taken to ratify all actions that were approved during this board meeting. All in attendance and on zoom voted “yay.” None were opposed.

Submitted by,

Prepared by,
Alli Turpin, Marketing and Events Coordinator