

January 22, 2008

The Ellettsville, Indiana Plan Commission met in regular session on Tuesday, January 22, 2008, in the Fire Department Training and Conference Room located at 5080 West State Road 46. Frank Nierzwicki called the meeting to order at 7:02 p.m. Don Calvert lead the Pledge of Allegiance.

Roll Call: Members present were Frank Buczulich, Terry Baker, Ron Wayt, Don Calvert Phill Smith, Dan Swafford and Sandra Hash. Frank Nierzwicki, Director of Planning Services, Connie Griffin and Micah Austin were also present.

Frank Nierzwicki conducted the election of officers. We have President, Vice President and Secretary. The nominations are open for President. Terry Baker made the motion for Sandy Hash to be President, seconded by Frank Buczulich, all in favor, in favor Terry Baker, Frank Buczulich, Dan Swafford and Don Calvert, opposed by Ron Wayt. The next item is Vice President, any nominations: Sandy Hash nominated Terry Baker for Vice President, seconded by Don Calvert, all in favor: Frank Buczulich, Ron Wayt, Don Calvert, Phill Smith and Dan Swafford, and Sandy Hash. Since Sandy is the President, Connie would be available for Secretary. This would streamline the issues with us and our office, Frank explained. Nominations open for Secretary: Phill Smith nominated Connie Griffin for Secretary, Terry Baker seconded, all in favor: Frank Buczulich, Terry Baker, Ron Wayt, Don Calvert, Phill Smith, Dan Swafford and Sandy Hash. A rotation of seats, Sandy went up front and Connie switched seats to take notes. Sandy Hash thanked Frank Buczulich for his many years of service as President of the Plan Commission. We should try to rotate amongst the membership annually and let everyone have a chance to be President and or Vice President to gain that experience.

Approval of the Minutes

Sandy Hash, the first thing on the agenda is the approval of minutes from the December 6, 2007 meeting. Do I have a motion: Frank Buczulich made a motion that we approve the minutes of November 1, 2007 meeting. Dan Swafford seconded. All approved of the December 6, 2007 meeting minutes. Motion carried.

Old Business

Proposed Zoning Changes within Ellettsville Redevelopment Area

Frank Nierzwicki- In concert with the Comprehensive Plan and Redevelopment Plans for the downtown area that calls for a tourist area in the downtown area between the one way pairs, staff has prepared a draft of a rezone map that details areas for different zoning changes. What we are looking at in the area is to go to the C2 Commercial Tourism area vs what we currently have. There are some residential changes to C2 featured in blue, Industrial zones to C3, some parcels I1, I2, to C2, and we had one C1 to C2. The difference between a C2 and C3 the very basic difference is that gas stations and auto repair are not allowed in a C2, nothing against those types of businesses, we have grandfathered all current operations at their locations, which means they can stay at their present use at that location. We have met with a number of people and businesses in the area, we have adjusted the map on the outer fringe and we've worked with other individuals on other properties. Are there any questions from the Plan Commission?

Don Calvert- commented, I studied this and I'm not comfortable with all of this. At our Dec. 6 meeting in the notes it was clearly stated by Mr. Bolin that the value of his property lies as a C3 designation and I know I put down that they are grandfathered now, but if you go to sell that, you can't sell it as a business as a C3, and I looked back again at our notes and we were talking about new business, and we brought in 40 acres that once zoned would be R1 and also AG 1, which is agriculture, because there is a dog business there, and I thought that the home owners association can eliminate that the dog owners business, I wasn't sure, but I thought in that particular case we've got the most restrictive zone next to one of the most liberal zones. A couple of people presented last December selling your home to a buyer and the buyer has to convert the home to a bed and breakfast or an antique shop or a coffee shop, they can't move into their home.

Frank Nierzwicki – Residential use can still be in a C1, C2, or C3.

Don Calvert-The point I'm trying to make, if the people who own businesses want to sell that business you can't sell it as a business location.

Frank Nierzwicki –You could sell it as a business location with the restrictions that gas stations and or auto repair.

Don Calvert-When they go to sell it, they can't sell it as an auto repair and they can't sell it as the business that they have built there isn't that correct.

Frank Nierzwicki –Yes, the one issue that we are looking at on this is actually that area has been excluded from the zone.

Don Calvert-They have been excluded.

Frank Nierzwicki – Yes, the Anderson's property, and Ken's property have been excluded from that zone, because we did meet with them and talk with them. Two of the three wanted to make alterations with the zone itself, because we are looking at edge properties with Mr. Guzik and the Anderson's. The one property we haven't changed is the garage on Vine Street and I did speak with Mr. Bolin a few moments ago and I did talk with Carl Thurman who's looking at possibly moving into the location. I proposed a variance for the garage, we can work out details, it allows the PC more flexibility more review of uses. A variance runs with the property and does not the owner. It allows us to have a little more control over the situation, we try to meet the people half way, we are trying to get the business in there, and we're trying to work with them. We are trying to enhance other types of businesses that the Comprehensive Plan calls for in this area. The issue we are looking at the property can actually go up in value, depending on the success of the downtown redevelopment area. The land itself could be worth more than the business per se. That's my opinion, but that is what we are looking at.

Sandy Hash- Any other questions from the Plan Commission? Open to the floor for public comment. Would anyone like to comment on this plan for re-development.

M. Miller – This is the first time I've heard about this, I've been out of town, and I don't know anything about it, I live on the corner of Vine Street and Temperance. I'm a senior citizen, and I know that I'm going to have to make a change, what is going to happen to my house when my kids come in and have to take over and do something with my house. I have to trust you, I don't want to make anything more difficult for my kids trying to come in and take over things.

Frank Nierzwicki-The one issue with this is the way the zoning is set up is if you leave the area the house goes to your heirs, it can still be used as a house or C2 commercial, businesses in a house type setting. So the issue is it can still be used as and sold as a residential. The way the zoning works, the most restrictive zone is residential, and then commercial with some stipulations then it goes to industrial, which is more open ended with a lot of different uses, heavy industry. We are trying to look at is a commercial C2. Homes can still be lived in, and sold as a residential. I can't predict if someone coming in would want to buy your home as a residential home.

Daniel Bohlen- I live over on Association Street, I own a property at 430 W. Vine, known as Carl's Body Shop. Still trying to understand how this came about and my experience to this point is to receiving a letter and Dec. 6 meeting, and then what happens here tonight. I don't feel well informed about the process, but I do feel strongly about the principals involved here. If someone can fundamentally alter the use of my property or my ability to sell it for a fair price it really shakes me up. Politics has forgotten the fundamental freedoms the right to own property. One other business that had concerns, you were opted out because you were close to the edge, so you are ok, your C3 stays and you are ok. What was offered to the tenant of my property was some sort of negotiated variance and the only detail because it was predicated that you just can't park cars on the outside of the building. Now, this has been a garage for a long time, and a part of Ellettsville history for a long time, I'm not proud of the current condition of the property. I've been working on a transaction on the property for some time now, before I was ever aware that this was an issue. If there is a way to prevent my properties zoning from being changed I'll do whatever I need to do, too ensure its value for whoever comes along after me. Thank you.

Darlyne Sowder- It started in the Redevelopment Commission, minutes are available online. The minutes I would like to go back to are July 2007, and at that meeting Frank explained to the Redevelopment Commission how this would

work. He said that the people in this affected area would have the option to change zones. That was stated in the minutes, and then when he came before the Plan Commission in December, he stated that the Redevelopment Commission had approved this change in zoning. I can't find any vote on the approval of this change, and I was told that it hadn't been approved. If at that point if they were going to give people an option, let's give them that option. I'm classified as a C2, but when I purchased my property in 1978, I went to Town Council to ask them about the zoning of the property and I was told it was zoned properly for the type of business I was going to put in, I'm zoned like Robinson's. I talked with a member of the Plan Commission about 10 years ago, and he said that C2 didn't exist then, so how could I have been C2 for thirty years when it didn't even exist when I bought my building. So these people who have these businesses, once it is changed it is changed. Mr. Thurman was told he could go in and get a variance, well unless you've worked out a deal on that too that variance is going to cost him money and then you're still going to decide if you are going to give it to him or not. You may or may not, because you are going to come in front of the Plan Commission, like I did to get mine fixed, and they turned me down. I was told that I could stay there as long as I wanted doing what I was doing, but I couldn't sell it. I can't sell my business. I've been there 30 years and I can't sell my business. Now if there is anyone else with a business along the highway, 30 years from now will be saying the same thing. It changed and there was nothing you can do about it. I think he should go back to where he was when people would have the option to change if they wanted to change. If we can only sell it for the value of the land or the building that is not the same as selling as business and if Mr. Nierzwicki thinks it is the same then you've never dealt with businesses, because if you had a multi-million dollar business in a small location in a small building your business is worth way more than the land or the building. I urge you not to approve this change.

Carl Thurman- I run a collision repair business, next to Bowman's garage. I have a tentative deal worked out with Mr. Bohlen on the garage downtown, to make a larger collision repair and classic car restoration facility. I would be able to grow my business for some solid value to me. I'm very cautious at this point about everything that I'm hearing and seeing before me. If we don't have a done deal we have a tentative agreement. I run a tidy shop, and I want a classy facility in a retro style building. The building I'm looking at does have historic value, for the land to be worth more I think it would have to be a very booming metropolis area for that to happen. It needs to be preserved and renovated and used for what it has always been used for. Thank you for your time.

Ed Bitner- 202 W. Main St. I come tonight to make sure that the property that I have is going to all be in the area. I talked with Frank last week, and it looks like all of mine is in there. But, I also represent Sheila Zerface. She paid money to go to a C3; she wanted to be in a place that she could sell her property as a C3 and use it as a retirement income. I didn't know about options on C2 and C3. Sheila will be glad to hear that, she had to work, she didn't receive her letter because she lives in Owen County and the Monroe County GIS hasn't been updated. She would like to keep her property a C3. I've inquired about making my property a C3 since it adjoins her, I would still like to do that. I feel there are more options to sell it as a C3. The Plan Commission has the right to tell us what can go in, and you have the right to appeal the decision and go ahead and go in. I do think the people should have the right to decide C2 or C3 especially if they are adjacent or have paid money to be a C3. It was brought up at one meeting to be a C2, and I had to remind them that it was a C3, because that is what she paid to have done. She would like to maintain that as a C3. If you are currently a C3 taking that away from them is taking money out of their pockets. I know her property is worth more as a C3 than a C2. Darlyne's property isn't going to be worth anymore as a C2, even though it is a C2 now, but she can't sell it as a business, and it is a known establishment. Please reconsider about giving people the option to go to C2/C3 if they already C3, give us the option so it would give us a chance of selling our property latter on, which personally I'm going to do now since Ellettsville, is turning into Exit Ville to me and get out of here and its current membership on the board itself. Thank you very much for listening.

Russ Ryle- I've been here 20 years. I've done a review of history of this area. We are in the process of trying to redevelop the downtown and save as much as we can of our old city. Most retail businesses today, need large amounts of square footage, so we are not going to be able to return the downtown into a number of little grocery stores and novelty shops, hardware stores 50 to 60 years ago, but we can do is get crafts people and artisans in and try to get along the theme of Ellettsville, restore, replicate and renovate, repair. A classic car shop would be one of the cornerstones you could have to start bringing in the smaller owner operated independent we need to go into that space. If we go and try to bring in an outside big commercial interest they are going to want the whole thing cheap and a tax abatement, nobody is going to gain but the outsider coming in and he has very little stake in the town. If we can develop and save what we've got there and develop small individual businesses, people that live in Ellettsville, we are laying a foundation that will

economically be beneficial to this town for generations. I'm very concerned, the more I see this process unfold that whatever the Plan Commission, the Town Council the Redevelopment Commission does the golden rule is thou shall not tread on the people who have put their lives and efforts into this town to this point. I definitely think that rezoning should be optional and not mandated unless you are willing to write a check tonight for the fair commercial value and they are willing to accept it. Don't devalue their efforts by the stroke of a pen.

Sandy Hash- Frank do you have any additional comments after hearing the public comments?

Frank Nierzwicki- The one issue we have and the thoughts on this as I recall in going back is to have a number of different zones downtown and some of those zones are not very conducive to actually giving the type of development we would like to have according to our Comprehensive Plan, which you all received a copy tonight. The issue we have on this is spot zoning and that is something Planners do not want to do, is to pick and choose different areas within a larger area to be spot zoned that could be looked at as favoritism. The one issue we are trying to look at is to have an opportunity to redevelop the downtown. The issue on options, staff had put something together as an option. Your options as I see them right now with the rezone accept what was presented; reject what was presented, a mend what was presented with different parcels in mind. Or you could ask the staff to go back and try to do this over again. I understand the issue on this, this goes over a year and a half, as Darlyne mentioned, this didn't start last night. We've had articles in the newspaper; we've talked about the redevelopment areas, approved in May of 2007, so we have been at it for a while, but until we actually had something in writing for people they didn't notice. What can I do about that, obviously we are going to be working on PR more this year than we did last year. One of the things we are going to work with the neighbors on issues. We've tried to listen and I have had an ear full on this one. Trying to keep the concept of this district alive and looking at working with the neighbors is do we have to look at some of the fringe area, of trying to chip off some of that area and I've talked to the Anderson's. Show me, you've been here for a long time and haven't seen any type of any development downtown. That is one of the comments I've had, I don't think it is going to happen. I'm willing to work with people and come back in five years to try to see how things have changed. I'm obviously going to work hard. I believe in the concept, I believe in the concept of trying to redevelop and reuse. Trying to work with the public on this will continue to work on this; it takes a lot of time and effort to do this. We've had to look at the parcels, we had to send out mailings, we've made our best effort to make sure everyone did receive; we did try to get Sheila her information on that. We're not trying to hide anything. I want everyone to understand. We may not agree on things that is fine too. What my staff and what we can do is to continue to work on this. The issue we have somewhat is when are we going to be done. I've had one Redevelopment Commissioner say that we get new people on, and then we have to start all over again. That's an issue, the other thing I was trying to do is with the Redevelopment Commission itself is to have a TIF that would allow us to do improvements in this area, and we worked with a number of departments heads and the public on trying to get improvements in the downtown area. We want to look at reconstructing the depot on its original location; we are trying to get the trail up and running which is called for in the Comprehensive Plan. We are trying to get the type of uses that would be compatible to that downtown area. Staff went ahead and looked at the number of parcels. We had over 80 individuals we had to contact. We're trying hard to do this, and this is not easy, and it isn't supposed to be easy. This is something we have worked on for a long time. The town has to look at the future for a government office space at some point. The current Post Office has to look at a spot where people can actually park and safely go to the Post Office, if we don't find something in the downtown area these entities will move somewhere else, which would be against our Comprehensive Plan, but the downtown will actually die. We want a vibrant downtown with green space and a trail and businesses, if we can't do this we are going to end up as people will travel thru Ellettsville, and not realize where it begins or ends. That's what I'm trying to do on this.

Sandy Hash- It has been planned and worked on for a long while. This is the third year for our Redevelopment Commission. You don't really know the affect it is going to have on people's lives until the public meeting stage. I think there are enough changes in zoning and enough people concerned to step back and reconsider some of those existing businesses.

Frank Nierzwicki- Would it please the commission to have a work session on this. Basically the amount of time to do justice to this issue is to have it separate from the Plan Commission meeting. And we can go ahead and have public notice and try to do a work session on this, and work on this issue.

Dan Swafford- I would like to say to the two new members are you guys prepared to vote on something like this. I like the idea of a work session, with the two new people I think the new people a work session would be great and give us

more time and more input from the people.

Frank Nierzwicki- We are working on deadlines, and with the tax year it is the end of February and to actually have the area counted as a TIF area we would have to everything approved by the end of February, so that is why we are trying to actually have these meetings in such a manner that we would be able to reach that. I don't think it is a possibility and the other issue we need to look at is the deadline of October or November to actually have everything completed, and it will take that long with a month or two to actually have more input from the public. I think that is something we have to look at.

Sandy Hash- From the comments this is a life changing event for some of these property owners. I think that we need to be understanding. We don't have a person interested in doing any redevelopment at this time. We should have the work session and work with the business people and not take something away that they have worked to protect and develop. With all of that said I would entertain a motion.

Darby McCarty- I am on the Redevelopment Commission. I understand it from a property owner's point of view and from a business owner's point of view, but nothing stays the same, and my industry proves that. You can maintain a status quo and vegetate on a vine or you can work for solutions where you do have a retirement from what you have. I realize it is difficult, but on the other hand I get upset when it still goes back to I've lived longer than most of you. Bloomington would love nothing more than to see Ellettsville wither on the vine. They want our schools and they want anything else they can get that belongs to Ellettsville. We are not a little town anymore, we don't have the maple trees, we don't have the friendly neighbors anymore we're lucky if we know our neighbors, and it's just changing, you can't stop it, but, you can structure it. I think if you don't develop some kind of a plan you'll be caught off guard. We work with towns now like Loogootee and Linton who want our services, if they don't have those services to take them and carry them into the years to come, their towns are going to wither and die, which goes back to economic development. It is very much a part of our lives that we want to stay a viable entity. And if we don't do some of these things and seriously work towards them, they're won't be anything to work on, because people will go away. It's not just a matter of I don't like it and I'm going to sell my property, it is more than that. So, you have to look at the Town itself and all of the annexations we have done to continue the Town. If you don't annex I can guarantee you either Spencer, maybe, Bloomington will encroach on us as far as they can. It's a good town, it's got good people. But our mainstays have all died. Darby reflected on a conversation she had with Dan Rarey about this the other day at church, discussed people that have died, a lot of older people that a lot of us wouldn't know that cared about the town, and Dan said wonder what is going to happen and I said "it's up to people like you and me." We've been here a long time and we've seen the changes. You want to orchestrate those changes, which is what I think is what Frank is trying to do, and we all lose something for the greater good if you want to look at it that way. It's just something for you to think about, and I think worth a work shop so you really can understand what is trying to be accomplished. I'm not going to say it is all good, but it's all valuable and don't close your mind to what you can learn, because that is the first mistake a small town makes, and if you don't believe me go and talk to the mayor of Loogootee he's 79 years old and the man is a go getter. If I could get fiber to him tomorrow he would take it, and Loogootee lives off of Crane. Thank you.

Don Calvert- Ellettsville population in 1960 was 1,222 and from 1950 to 1960 population increase of 42.9%. Between 1960 and 2005 we had a population increase of 333.7% and our population right now is 5,300. Frank (5,600). I think we need to salute Frank and not personalize this. Frank works for people just like you and I do. This is his job and I think he does an excellent job. I salute all of you for bringing your ideas forward. I think there are growing pains and I think that is what we are trying to deal with right now. I see a major part of our problem is issues like this not having been addressed years ago. I think that if you have an opportunity with the Comprehensive Plan that new, incredible plan, there are a lot of statistics in there, but I'll go back to what I said originally this evening. I don't want to see anybody hurt financially, in my opinion we work for you. Frank works for you; he'll tell you that, this isn't his idea. These are directions he has been given by somebody else to implement, most of us have disciplined a child and really didn't enjoy it, we've all have done things we really didn't enjoy, but it was our job. I think that some of you have concerns and really need to meet with us, it certainly has been enlightening to me, and I certainly appreciated the input tonight, but we've got to get together on this and move forward or be dispersed separately, one of the two. That's my comment on it.

Sandy Hash- So the options that we have are to postpone it and have a work shop, pass as presented or to pass it and let the commercial properties remain the same.

Frank Nierzwicki – I think my recommendation to this point is to the Commission to this point is to table it until we have a work session, it gives the public more time for input on this, and I think that is what I would recommend at this point.

Don Calvert- It's going to string out some of the business peoples decisions, so you're going to have to live with that too. As we make decisions and table this and move forward into the future, we can't give you anything concrete here tonight. We can't tell you what your zone is going to be, what your property is going to be worth, what your business is going to be worth, we can't do that, but I think all of us together can work out a suitable program where hopefully you don't get hurt. We don't need anybody walking away from here tonight hurt financially period.

Frank Nierzwicki- The other issue I have is I have a report I need to send in to INDOT this week concerning the train progress. We have \$169,000 sitting out there to do an improvement and obviously this will be something that we want to go ahead with, with this redevelopment effort. So, it will string it out, but I think it is beneficial in the long run.

Sandy Hash- Ok, then I would entertain a motion to table this issue and have a work shop. Don Calvert made the motion to table the issue and have a work shop, and Terry Baker seconded, all in favor, motion carried.

Frank Nierzwicki- I'll ask Connie to contact commissioners, and we'll try to have as many commissioners as we can on this and then we will try to have a date and place for the public, don't be surprised if I stop by your business in the couple of weeks and start talking and trying to get more input on the process, but we'll definitely work with the public and the Plan Commission on this.

Dan Swafford- Is there a way to have the Redevelopment Commission in on this. I would love to see all of us in the same room together.

Frank Nierzwicki- As long as we notify and do the open door requirements, we can do that. Another thing, I was going to mention later on is we do have a grant from INDOT for \$50,000 which we are going to be working on into next year. One item on this is it's going to good for all of us. There's \$3,000 set aside for training on planning and how the planning process works and that is open to the Plan Commissioners and to the Redevelopment Commissioners and BZA and Town Council members.

Sandy Hash- Is the work shop open to the public.

Frank Nierzwicki- Yes it is open to the public.

Sandy Hash- Give us your phone number. We'll advertise in the paper and call those of you interested in attending, so you don't miss out on the work shop. Thank you for participating. The next thing on the agenda is a request for a new communication tower on West 46.

New Business

Request for new communication tower on West State Road 46 (Chapel Hill Wilderness LLC) petitioner – Smithville Telephone

Frank Nierzwicki- Smithville telephone wireless communication code is the most extensive in the Town of Ellettsville code, it is big and there are a lot of codes to protect the citizens of Ellettsville. Smithville has done an excellent job and have provided me with information and we've been working with them. In your packet you are going to have conditional use WCF, wireless communication facility, they've actually met all of these to this point. They have supplied me with the missing items on page 2 of your packet. The proof of insurance will be presented within 30 days, FCC requirements I have that.

Darby McCarty- Frank I would like to make one correction. I know why it was done the way it was. This is not a wireless tower, as you can see there are two satellite dishes, and I think you can pretty much figure it is not wireless. This is a project we are undertaking and it will be a 12 to 18 month project for us to test. To be sure things work the way they are suppose to. I really don't want to pinpoint exactly what it is, as I said you can see the satellites, so you can put two and two together to figure what our project is. What with competition the way it is I really hate to say. The

satellites have been superimposed on the image. We followed to the letter the cellular and we just have to figure out what we are talking about without me stipulating exactly what we are talking about, because it is proprietary, it is a Beta site, that is kind of where we are going.

Frank Nierzwicki- As part of this agreement, three names have been provided to me, and I called one person that turned down the review process. A second has not returned a call, so I'm working on that, my statement on this is from a staff view point they have followed everything that I have asked them to supply, and it is a lot of information to supply. The only thing that we do not have is independent consultant review. I hope to try to have that as quickly as possible, so we can go ahead at the next meeting and be able to have that done. One reason to present it to you today is to give you an idea of where it is and how it would look, because that is part of the requirements of code. It's over 500 feet from the neighbors; it's in the right zone for that use, everything is correct up to this point. I don't have a problem with what I've reviewed up to this point.

Sandy Hash- Since we do not have the consulting engineer we need to take this under advisement.

Frank Nierzwicki- This is the opportunity to ask any questions. For your reference this is on the west side of town in the new area that has recently been annexed into town 240 some acres. They've done a very good job on this. The cost of actually having the consultant do that, we don't pay that, the petitioner pays that, this is written into the code. Any questions?

Sandy Hash- I think it is pretty straight forward. I didn't read the entire agreement, but I looked over the paper work and if the other commissioners don't have questions, we'll just wait for the outcome of the independent report. The next thing on the agenda is a request to construct a farm store in the Smith Square Shopping Center.

Request to construct an Orscheln Farm and Home Store, Smith Square Shopping Center.

Frank Nierzwicki- The request before you tonight, is a 30,000 square foot building, using about 20,000 square feet for the retail space. The vacant open spot of the Richland Square Shopping Center, everything is requirements we have on this. I'm bringing this to you tonight because it is a large endeavor, a major change. It will have 20 to 30 full time employees employed at this site. We have parking, sewers, everything is available, and you see a floor plan of what the store will look like once completed. I've been working with the petitioner and we've made progress up to this point, to be able to have you look at this for comments or questions. And the petitioner is here.

Tom Orman- This is a great opportunity for Ellettsville to grow. That is why we decided to annex in from Monroe County to Ellettsville which should bring a lot of money to Ellettsville. The target date is March 2008 for a spring time opening. Everything is up to code, everything is there that needs to be there. I think it will be the anchor store that Smith Pike crossing needs to go ahead and fill up.

Frank Nierzwicki- The issue also on this, for the citizens of Ellettsville, you may not want to buy one item out of that store, which is fine, but as a tax payer in the town of Ellettsville, we get more assessed valuation the tax rate goes down, so you will benefit as we get more businesses in town.

Sandy Hash- Asked if Rick Coppock had any questions, and he said it was all fine. I entertain a motion to approve the request to construct an Orscheln Farm and Home Store in the Smith Square Shopping Center. Dan Swafford made a motion to approve the request to construct and Orscheln Farm and Home Store, seconded by Frank Buczolic seconded, all in favor, motion carried. Frank do you want to go over staff comments or privilege of the floor.

Frank Nierzwicki- The Planning Dept. goals for 2008 have set up a listing and have a copy to Plan Commissioners, page 8. Trying to look at outreach to the public and follow through, read from list. Discussed Main Street and grant information, trail and maintenance of the gateways, and downtown merchant improvement with their façade. The Planning Department has committed 8 hours a week of staff time to assist in the fundraising effort on this endowment grant and Main Street volunteers. We are looking to add a rental ordinance to be added to the code. We have a limited role in this, so we are going to look at other cities and towns to look at what they do with renters and land owners. The I-69 grant, work on maintaining green space for parks, applying for more grants, update GIS system for in-house capabilities, enforce town code, safe routes to school, which side of the street we are going to put the sidewalks on. Staff additions, we have Connie as part time, 36 hours, Micah an intern from IU for 9 hours, we've been asked to get the

Historic Preservation group up and running and this will be very important with redevelopment downtown, so that would be another commission, another meeting that Planning will have to deal with. This is part of town code.

Sandy Hash- If we do get the I69 grant, and we have a person, will that person review the land usage ordinance.

Frank Nierzwicki- The person we hire for the grant, I would not want that person 100% on the grant, because grant management is to have flexibility with staff for us to do different jobs. I'm looking for that person to assist with redevelopment. There is a lot to do with redevelopment. I have a draft of the job description, we hope they will also work with the school corporation, because we have a \$250,000 grant with the state to do sidewalks, and we have to work with the school corporation on that. Land use updates, I think we could do a spot update, I think we need to look at a rental ord.

Sandy Hash- It has been brought up several times that we are not tight enough on the ordinance of Planned Unit Development.

Frank Nierzwicki- It's what the community wants a fine line of where we fit into the process, the city of Bloomington has their own requirements, discussed requirements.

Sandy Hash- We need to look for more definition in ours. So we can look at it and better understand what would be required when that term is added.

Frank Nierzwicki- Let me go ahead with staff and try to prioritize. Frank asked Connie to have a report either Feb. or March on that, we also want to have an annual report.

Sandy Hash- Would like a copy of the job description for the new person; it would be nice to know.

Frank Nierzwicki- I'll get a copy of that job description and Connie's job description.

Sandy Hash- Opened the floor for questions and comments.

Ed Bitner- I just want to make a clarification, when I made a comment a while ago about the staff of Ellettsville is forcing me to want to sell my house and move out it had nothing to do with this board. I dearly love what this board has done, Frank you do a wonderful job, and the rest of you I give careful consideration to everything that is being done, that comment had nothing to do with this board. I do want to make that comment clear. If that was a mistake, I do apologize. Thanks.

Darlyne Sowder- Since we are clarifying things. We knew you were working on something, but I didn't in my wildest imagination and think that somebody could come in and change something that you have, because I can remember when I lived in the country that if I wanted to plant a tree I had to get a permit to do it, and I can't understand how anyone can go in and change something that I think you have and do something with it. It's not that we didn't know you were doing something I just never imagined you could come in and change people's zoning, and so that was, anybody, god could change it and I'm not opposed to change, I think there are some things that you think will last forever.

Frank Nierzwicki- I've grown into this job, my skin is a little thicker than in the beginning, I care about Ellettsville. I want to work with everyone and I want to see it succeed. I like this job, it has its moments. I will work with the public, we may not agree, that is fine, but I'm more than willing to work with the community. We are trying to document everything, and we are trying to work on.

Don Calvert- Publicly thanked Kenny Williams. With our agreements – a verbal agreement isn't worth the paper it is printed on (Ben Franklin). So, from now on we need to be very careful and cautious on that and get the records, and read them. We are trying to clean up a lot of things around here that were not correctly done in the first place. Have you had any luck on finding office space?

Frank Nierzwicki- Sort of. We are working with Don Lewis, and we have a draft to send to our attorney to see if we can agree on space, 900 sq feet, at the Street Dept. Town Council will hear on Jan. 28. We do have an agreement with Capital Ave. personnel and the developer last week, so that is done, I hope.

Sandy Hash announced our newly appointed Phillip Smith as a Town Council representative and Ron Wayt who works for Chandler Funeral Home and is a local home owner. Welcome aboard. Frank Nierzwicki stated the Redevelopment meeting moved to Feb. 21. No meeting in January for Redevelopment and the GIS moved to a later date.

Privilege of the Floor – non Agenda Items

Adjournment

Sandy Hash entertained a motion to adjourn. Dan Swafford made a motion to adjourn, seconded by Terry Baker. All in favor motioned carried. Meeting adjourned at 8:33 p.m. Next meeting will be February 7, 2008.