

March 5, 2009

The Ellettsville, Indiana Plan Commission met in regular session on Thursday, March 5, 2009 in the Fire Department Training and Conference Room located at 5080 West State Road 46. Terry Baker called the meeting to order at 6:06 P.M. and lead the Pledge of Allegiance.

Roll Call: Members present were: President; Terry Baker, Vice President; Sandra Hash, Dan Swafford, Don Calvert, Ron Wayt, Frank Buczulich, Phil Smith, Connie Griffin, Frank Nierzwicki, and Micah Austin.

Members Absent:

Approval of the Minutes- February 5, 2009

Sandra Hash, I make a motion to approve of the February 5, 2009 Plan Commission meeting, Dan Swafford, seconded the motion. All in favor-minutes approved.

Terry Baker, A new item has been added to the agenda concerning potential conflicts of interest concerning a commission member and items on the agenda. Terry asked the commissioners if any of them have any conflict of interest on any items listed on the agenda for this evenings meeting. There was no reply from any of the commissioners; no conflicts of interest were made known.

Old Business

Proposed changes to the Ellettsville Town Code Chapters: 52, 92, 93, 96, and 152

Connie Griffin, We will start off with the legislative procedures concerning the appointment of a secretary from the commission board. Connie produced the necessary documents to show the secretary for the commission does not have to be a board member. A secretary can be appointed. The document was changed to reflect the change in meeting time (6:00 P.M.) and under motion to adjourn or recess was changed to 8:00 P.M. since no new business can be introduced after that time.

Phil Smith, I make a motion to approve the new language of the legislative document. Sandra Hash seconded the motion. All in favor approved.

Sandra Hash, I nominate Connie Griffin to be secretary of the Plan Commission. Phil Smith seconded the motion. All in favor approved.

Connie Griffin, Chapter 93 Disease Control. The codes for this evening, which we have been discussing, have been separated into chapter sections for motions to approve. We will deal with each chapter one at a time; collectively.

Sandra Hash, I make a motion that we forward our changes for Chapter 93 to Town Council for approval. Phil Smith seconded the motion. All in favor approved.

Connie Griffin, Chapter 152 Applicability-dealing with construction areas of less than 1,000 square feet, this section also covered parking, loading and driveways.

Sandra Hash, I make a motion that we recommend to the Town Council the changes that we've made in Chapter 152 Applicability. Ron Wayt seconded the motion. All in favor approved.

Connie Griffin, Chapter 152 Sign Code Changes. Banner is a new definition from February, and number 14 was re-worded for scrolling interior signs. The fine was decreased to \$25.00 because a Class E violation is \$25.00 and we do not have a class violation for \$50.00 in code.

Sandra Hash, I make a motion that we recommend to the Town Council approval of the changes made to Chapter 152 Signs. Don Calvert seconded the motion. All in favor approved.

Connie Griffin, Animals, Chapter 96.

Changes: 96.01

- Keeping of Poultry instead of Fowl Running At Large.
- Fowl- New term poultry instead of fowl.
- Section A and B are new.

Commission concerns:

- Peacocks,
- Homing Pigeons and/or Carrier Pigeons,
- 4-H projects,
- Fowl/Poultry definition,
- Are we discouraging 4-H in Ellettsville,
- Agricultural animals in town limits,
- Limiting the code to one type of animal draws discrimination,
- People hiding their animals to have projects.

Terry Baker, We will skip this code until more research is conducted.

Connie Griffin, Chapter 52 Sewers. The definition of septic privy vault is to be added to this section for clarification purposes.

Sandra Hash, I make a motion that we recommend for approval to Town Council the changes made to 52.023 septic privy vault. Don Calvert seconded the motion. All in favor approved.

Connie Griffin, Chapter 92.01 Snow and ice on sidewalks; removal. The most important words of the code are "practicable and reasonable." These words allow compromise for several situations, such as age of the property owner, new snow fall, and ice were a few items mentioned that may call for exceptions.

Sandra Hash, I make a motion that we recommend approval to the Town Council of the recommendations the Plan Commission has made on Chapter 92 for streets and sidewalks. Ron Wayt seconded the motion. All in favor approved.

Frank Nierzwicki, I have one item under Old Business. Terry Baker asked us to review the FCC's rules on satellite dishes. A copy of the FCC's reply was received in the office at 3:00 today, and a copy is before you. 47 CFR Section 25.104 (a) was read. Staff needs to review this with our code. We will come back next month with more detailed information.

New Business

Frank Nierzwicki, Heritage Crossing Declaratory Resolution and Redevelopment Plan. He recommends:

- Plan Commission approve of the resolution without zoning changes.
- Residents and businesses to voluntarily change their zoning if they desire.
- Waived fee until the end of the year.

Plan Commissioners agreed that the information needs to be made available as soon as possible to the residents and businesses in that area. The commissioners were pleased to make the zoning change voluntary.

- Publication/notification/legal notice of the waived fee and voluntary zoning change advertised and made available (Public spots; radio and newspaper and letter mailed-regular mail) map available at the Planning Dept. and provided to the newspaper.
- Exempted properties on Temperance will now be added back into the TIF district.

Russ Ryle, I applaud you for what you are doing for the existing property owners. You could send them a map, a fact sheet, options that you have and requesting their involvement in the future.

Frank Buczolic, I make a motion that the Plan Commission approve the Heritage Crossing Declaratory Resolution and Redevelopment Plan as presented. Don Calvert seconded the motion. All in favor approved.

Frank Nierzwicki, Last item. March 23, 2009 is the date for the training session at McCormick's Creek from 10:00 to 3:00, with discussions going until 4:00. We need a head count the week before. This is paid for by the I-69 planning grant. Materials will be provided by the consultant. I'll get the agenda to you as soon as possible.

Dan Swafford, March 30th, is National Earth Day we are to reserve our power from 8:30 to 9:30 P.M. Bulky item drop off days are April 3 and 4 at the Monroe County Fair Grounds.

Non Agenda Items- None

Adjournment

Terry Baker- I would entertain a motion. Phil Smith- I make a motion we adjourn. Dan Swafford- I second. All in favor say aye. Adjourned. Meeting time ended: 6:55 P.M. Next meeting will be April 2, 2009.

Terry Baker, President

Sandra Hash- Vice President

Frank Buczolich

Don Calvert

Phil Smith

Dan Swafford

Ron Wayt

Connie Griffin, Secretary