

May 1, 2008

The Ellettsville, Indiana Plan Commission met in regular session on Thursday, May 1, 2008, in the Fire Department Training and Conference Room located at 5080 West State Road 46. Sandra Hash called the meeting to order at 7:02 P.M. and lead the Pledge of Allegiance.

Roll Call: Members present were: Sandra Hash, President; Terry Baker, Vice President; Don Calvert, Willis Ziese, Phillip Smith and Dan Swafford, with one member absent-Frank Buczolic. Frank Nierzwicki, Director of Planning Services, Connie Griffin and Micah Austin were also present.

Approval of the Minutes

Sandra Hash entertained a motion to approve the minutes from April 3, 2008. Terry Baker made a motion that we approve the minutes of February 7, 2008, Don Calvert seconded the motion, all approved of the April 3, 2008 meeting minutes, motion carried.

Old Business

Rezoning parcels within the Heritage Redevelopment Area-discussion

Frank Nierzwicki- addressed the recent and ongoing confusion concerning the creation and the intent of the Heritage Redevelopment Area and because of these concerns it was decided that more time and public outreach is required before the rezoning of any property within the Redevelopment Area. He recommends that the Redevelopment and Plan Commissioners and the public read the *Economic Development Plan for the Heritage Crossing Development Plan* (passed on May 31, 2007), and the *Comprehensive Plan* (updated and passed by resolution on May 29, 2007). Staff recommends to continue this proposal to the June 5, 2008 Plan Commission Meeting.

The Heritage Crossing Development Plan states that “In the planning and rezoning of real property acquired or to be used in the accomplishment of the plan...would be done by the Plan Commission.

The Comprehensive Plan on page 27 states under key Land Use Recommendations number 8, “Develop a detailed plan for each lot within the one-way pair configuration, which encourages a coordinated pattern of commercial uses based on tourist and town residents wishing to shop. It also states to exclude uses such as open sale lot of equipment, car or truck repair, general warehousing and storage.

Sandy Hash- Where can the public view these various documents?

Frank Nierzwicki- You can download a copy from the Planning website, it is in the library and all Commissioners have copies.

Sandy Hash- Are there any questions concerning the locations to review the documents?
Seeing no questions, we will continue this at the next meeting. I encourage everyone to read these documents.

Frank Nierzwicki- Since we have new members on the Commission, this will give them enough time to review.

New Business

Enforcement Issues, Status Report/Current Policy

Frank Nierzwicki- We are enforcing signs and we are making headway on this. We are also working on trash and debris, but we are having problems with parking on the grass. Every April we go through this, and I’m willing to discuss the Code and enforcement if need be. Are there any questions?

Sandy Hash-Are we going to discuss the Vine Street property.

Frank Nierzwicki- 409 W. Vine Street is an ongoing issue, especially with tall grass. The house had a fire about 3 to 5 years ago and it hasn't been inhabited since then. The house was boarded up at that time, but overtime it has become unsecure. Pictures of the interior and exterior were featured. We've recently inspected the house. We will continue to enforce the codes with this issue. It is unsafe and it will be boarded up. I recommend that we purchase the property. In my opinion the house is beyond repair. The issue we may be looking at is the value of the land. The Town owns land adjacent to this property. We can proceed with Monroe County on the enforcement.

Ted Robertson- It burnt in 2003. I think the owners have no inclination to repair the building. I think it can go another 10 years like this. I think if it were a parking lot it would be better for the Town. I don't know what lurks in the house. I don't let my child play outside near the house. It is an eyesore. The owners come by once or twice a year.

Dan Swafford- When was the last time the owners were contacted?

Frank Nierzwicki- Every year, we put liens on the property. When it is sold the liens have to be taken care of first.

Dan Swafford- You don't know how much the liens are on the property?

Frank Nierzwicki- Several inspectors have visited the property and letters have been mailed. Connie can get the records on this.

Sandy Hash- What about unsafe building codes?

Frank Nierzwicki- Unsafe building code, if enforced it would be at some point the owners will walk away from the problem. The owners could tear it down. It was for sale for a year and a half, we could try to get it condemned and tear it down.

Sandy Hash- Who would pay for those expenses?

Frank Nierzwicki- The expense would go back to the property owner.

Sandy Hash- By the looks of it I don't think there is much to save.

Terry Baker- The owner should be notified as to what's going to happen if they don't take care of it. If they don't we will.

Dan Swafford- I say send them a certified letter, and give them two or three weeks to comply and be done with it.

Frank Nierzwicki- We could go ahead and go through the paper work and we'll go ahead and get started on it, and we could do it ourselves and put another lien on the property.

Sandy Hash- As long as that is defined in unsafe building codes.

Frank Nierzwicki- We'll follow all of the procedures on that. At some point the liens will outweigh the value of the property.

Dan Swafford- Act on it quick, I wouldn't want my kids playing next to it. I say go to the Town Council with it, so we can get it done.

Frank Nierzwicki- We can get the Town to board up the home to protect and secure it.

Sandy Hash- What action do you need from us?

Frank Nierzwicki- A recommendation to proceed with this would help build our case.

Terry Baker- I make a motion to that affect. **Dan Swafford-** I second. All were in favor, motion Carried.

Frank Nierzwicki- I'll C.C. Sandy and Phill Smith on the progress on this.

Sandy Hash- Do you have any other enforcement issues to discuss.

Frank Nierzwicki- Autumn Ridge came in with a petition at the last meeting. We've worked with Rick Coppock and Jim Ragle about the road condition in the subdivision. The sub base is in need of repair. Jim Ragle and Rick Coppock came up with a cost to repair and stabilize the road. The figure is \$10,000 to stabilize the road, in addition to the current 46,900.00, an additional \$10,000.00 added to the bond. We contacted Jason Walls. We didn't hear anything back for about 10 days. The Planning Department contacted the Monroe County Bank and pushed the procedure because of the date. We have a copy of the letter of credit that was faxed to me today. You have a copy in front of you. The original letter of credit was for \$46,900.00 the amount now is \$56,900.00. The date is for one year, due May 2, 2009. We will continue to work with the developer.

Sandy Hash- Do you know if they've started any of the repair work?

Frank Nierzwicki- I didn't see any work yesterday.

Sandy Hash – Any questions on enforcement issues?

Planning Staff Comments

I-69 Community Planning Grant (Status Report)

Frank Nierzwicki- INDOT will try to have the contracts to us at the end of May. We are going to be working with the Redevelopment Commission on process. In the packets Volume III, Citizens Planners, I'm trying to give you as much information as I can. We also have a library at the Planning Department. Frank showed the various books that are available. He read an excerpt on the duties of a Planner. That's all I have.

Sandy Hash- Any comments from the floor.

Russ Ryle- He provided a brief written paragraph as a suggestion, as we go forward on our planning documents. The gist of the document is that we value and respect our property owners.

Resolved: The Town of Ellettsville, Indiana honors its property owners rewarding their productive efforts which provide the economic basis which allows our town to survive. Further, the Town of Ellettsville, Indiana encourages the future growth of this community by promoting "voluntary" requests for annexation or rezoning in line with our planning and redevelopment goals.

It is the stated policy of the Town of Ellettsville, Indiana to use imminent domain, involuntary annexation, or involuntary rezoning very sparingly on a property-by-property basis where these steps are the necessary last available option to alleviate a currently existing threat to public health and safety. The Town of Ellettsville, Indiana will compensate an existing property owner for the current fair value of any property negatively affected by these actions.

Privilege of the Floor-Non Agenda Items

Don Calvert- Have you met with Mr. Thurman?

Frank Nierzwicki- Yes. I've met with Carl Thurman and Dan Bolin. The property has been sold.

Carl Thurman- We had a formal closing last Wednesday.

Frank Nierzwicki- The only other thing I would like to discuss is a citizen's complaint form. We would like to have written complaints. He read the harassment statement at the bottom of the complaint form. Harassment by Indiana Code was defined. The Planning Department will not tolerate harassment or inappropriate behavior. **Micah Austin-** Showed the form on the overhead.

Frank Nierzwicki- This is Micah's last meeting until fall.

Micah Austin- Discussed the website and the intentions of the Planning Department web site.

Sandy Hash- The Town pays a web hosting fee through Smithville telephone, why can we not share the space, we are going to duplicate the expense. How can we get both of these on one web space? **Micah Austin-** Up load the files.
Sandy Hash- Do I need to call Smithville and tell them that we only need one host site? **Micah Austin-** I would let Connie and Frank work on that issue.

Frank Nierzwicki- This is some of the work Micah has done for us during the academic year. He was able to do this with our assistance, to create this site.

Micah Austin- It's pretty basic. The web site was discussed, and the forms that are available on the site. Links were also discussed, as well as scheduled meetings.

Sandy Hash- Do I need to remove the forms from the Town site.

Frank Nierzwicki- We will coordinate with your office. We'll work with you tomorrow morning. We have some questions on special use variances and some other things.

Sandy Hash- What about the minutes for the Plan Commission and Redevelopment, do you want those.

Frank Nierzwicki- We can at some point. Let us look at how we want to handle that. We need to get maps up.

Sandy Hash- I can get a link on the town's web site to go to your web site.

Frank Nierzwicki- On the citizen complaint form checklist, it gives a run down on what is happening with each property.

Sandy Hash- Have you covered the 48 hours to respond, and that you are requiring complaints to be written. Does it say that?

Frank Nierzwicki- I'll check on that. (It is in the checklist section, it states two to three business days).

Dan Swafford- Who is going to do this work when Micah leaves? **Frank Nierzwicki-** We will be doing training.

Sandy Hash- Did Micah show you how to update the website?

Connie Griffin- Yes, to some degree, but we will need to purchase Adobe Dreamweaver.

Frank Nierzwicki- Discussed some of the other things that will be changing in the Planning Department, such as ways to collect fees for some of the work we perform.

Dan Swafford- Kudos for your department.

Adjournment

Dan Swafford made a motion to adjourn, seconded by Terry Baker. All in favor motioned carried. Meeting adjourned at 7:57 p.m. Next meeting will be June 5, 2008.