

Plan Commission Meeting Minutes  
June 25 2020

Meeting came to order by President Richard Tincher at 7:00 pm.

Commission Members present: Richard Tincher, Travis Wake, Mike Duke, Mark Tucker, Gary Holbert, Lynnette Allen

Building Commissioner: Gene Kates

Town Manager: Kevin Slick

Town Attorney: Ed Martin

Public Members: Rex & Karen Lawson( Main Street), Spencer O'Dell with AR Engineering 5725 Venture Park Dr. Suite A, Kalamazoo, MI 49009, ph: 734-272-6557 email: [spencer@arengineeringllc.com](mailto:spencer@arengineeringllc.com) and Dave Pinney construction manager with C-F Industries Inc. 5282 W Booth Rd, Liberty, IN 47353 ph: 513-615-7120 email: [dollargeneraldave@gmail.com](mailto:dollargeneraldave@gmail.com) for the Alayne Hope Investments LLC, Coffman subdivision. Roger Richert 2132 Mattie Harris Rd, Centerville, IN 47330, Robert Warner, Warner Engineering LLC, 6546 Baker Rd, Hagerstown, IN ph: 765-969-4044 email [bobwarner87@yahoo.com](mailto:bobwarner87@yahoo.com), Jeff Smoot and Evan Smoot excavating

Reviewed minutes from October 24, 2019 regular meeting and minutes for the special meeting held on December 5, 2019. Unanimously approved.

As there were no meeting held November 2019, January, February, March, April or May 2020, no minutes to review.

**Old Business:**

Election of new officer: Lynnette motioned to maintain the current officers: President: Richard Tincher, Vice President Travis Wake and Secretary Lynnette Allen. Mike Duke 2<sup>nd</sup>, unanimously approved.

Reappointment of members: Per Conversation with Ed Martin, he thought that at the last Council meeting, the president Dan Wandersee did a blanket reappointment. Felt that all that was required now was for everyone to get with Susan Dillman to be sworn in again. Lynnette was to e-mail Susan to let her know what the plans were.

Rob Doty resignation: Per Gene Kates and Mark Tucker, Rob is asking to remain on the commission and the BZA. His family crisis is looking to be resolved in July. As he wants to remain on the board, no need for a replacement.

The Mark Harris Condemned property removal bid: Gene received three bids: KAF Enterprises @ \$11,825, Reynolds Service Tech @ \$10,060 & Cox Excavating @ \$6,700 these bids were quoted 12/2019. Gene did reach out to Cox Excavating to verify the bid would be upheld due to the COVID 19 quarantine and social distancing regulations that have prevented the Plan Commission to review and they told Gene the quote was still good. Mark Tucker motioned that we recommend to the Town Council to accept the Cox Excavating bid of \$6,700 to remove this property, Richard Tincher 2<sup>nd</sup>, unanimously approved.

Temple Annexation has been finalized

Wayne County Advisory Plan Commission: They have not held any meetings in the last 3 months due to the COVID 19 quarantine and social distancing. Last meeting was to finalize the their Comprehensive Plan that Steve Higinbotham was working on.

INDOT meeting: Per Kevin Slick, Town Manager there was a meeting held in November 2019. Suggestions were listened and they are going to cut in some of the drainage that was mentioned. They will not be replacing the sidewalks along US 40, but will cut in the intersections and add handicap accessibility.

Downtown Revitalization Update: Rex Lawson The Centerville Downtown revitalization plan has been updated and presented to the Town Council on February 11, 2020, this has now been approved and was a necessary to step to be able to apply for any grants to replace the sidewalks in downtown. On March 13, 2020 Indiana Governor Eric Holcomb redirected community development grant funds(round 1) to the COVID 19. On June 15<sup>th</sup> OCRA announced that round 2 grant funds will be suspended and will be redirect to the fight against COVID 19, which means there will be no grant funds for the year 2020. OCRA changes to the Downtown program and the The Centerville Downtown group is waiting for the finalization of the plan, which should be in July 2020. Rex did mention that on May 22, 2020 Governor Holcomb stated that the State Agencies cut budge 2021 by 15%.

Hardest Hit Blight grant: Lynnette Allen's research found that Indiana stopped this program 2 years ago.

### **New Business:**

Roger Richert pond permit: Per Gene Kates, Roger Richert is wanting to excavate a 2.8 acre farm pond on his property which is approximately 18.8 acres located at 2132 Mattie Harris Road, Centerville, IN Lot 1 of the Bossert Estates. This property is zoned Agriculture and the pond will be considered a farm pond/recreational pond. The land is in the Town of Centerville's 2 mile fringe and does require a Lot improvement permit and a DNR Rule 5 permit. Gene reviewed the Wayne County and the Town of Centerville ordinances, the pond had to be designed by an engineer. The engineer, Robert Warner from Warner Engineering and the Jeff & Evan Smoot who will be excavating the pond were in attendance along with Mr. Roger Richert. Confirmed the depth of the pond will be a little over 10 ft with a 3 foot berm, with a 12" pipe and overflow to help prevent flooding in case of heavy rain. After discussing the concerns of the neighbors, 1) will maintain the mowing, but will keep some of the Milkweed for Monarch butterfly habitat. Gene mentioned that Indiana does have a obnoxious weed ordinance and there are about 5-6 weeds that have to be taking care of. 3)is there rules and regulation that govern the maintenance and care of the pond, who is responsible the enforcement of these rules. Per Gene Kates if there was flood or dam break that would be between the landowners, but there really isn't any ordinances or regulation on a farm pond. Per Bob Warner, this is not a DNR issue because there is not a dam, as it isn't over 16' fall. The Rule 5 is because they are disturbing more than 1 acre of the land. The neighbors are also concerned with attracting large gathering of geese, mosquitoes and other insects not currently an issue in the area. Gene Kates will research these questions and let the neighbor know the answers. Per Ed Martin, the decision to be made tonight is whether the Building Commissioner should issue the Lot Improvement Permit based on the fact the plans conform to the subdivision covenants and ordinances. The Plan Commission feels that Mr. Richert will take care of the pond appropriately and will not affect the drainage shed.

Mark Tucker motioned to affirm that the Building Commissioner approved the pond permit and Richard Tincher 2<sup>nd</sup>. Unanimously approved.

Alayne Hope Investments LLC- Coffman Subdivision. Spencer O'Dell with AR Engineering and Davd Pinney with C-F Industries in attendance to go over plans because there was original concern with the water shed causing more flooding. They have since added a detention pond to the plan and a elevated land behind the duplex along the North side of Coffman Court to prevent water from flowing into the existing watershed area. Gene Kate and Kevin Slick spoke to Spencer O'Dell about concerns with the water line length and feels that there will not be enough pressure at the end of the line for the fire hydrants. Wanted to loop the line back up to a "T" closer to the Dollar General land. Verified that the sidewalks will be ADA approved and suggested to have the Handicap accessibility ramps at the start points on each of the sidewalks. Also mentioned concerns with the green space in the middle of the cul-da-sac not allowing school buses or fire track ample turning area. Spencer stated that the road had about 21' around the green space. Lynnette Allen had mentioned possibly having the developer make sure the downspouts on the back of the duplex were dug below grade with the plastic flex tile to make sure the rain water was diverted away from the back of the house's foundation and the existing watershed to prevent flooding. She also voiced concern on who would take care of the green space since the duplex will not have an HOA. Dave Pinney and Spencer O'Dell both mentioned that the owner was going to lease the properties and would maintain ownership of the subdivision, which would most likely mean he would take care of the green space. Gene Kates stated that the plans have been sent to the Storm Water Board for review by an

engineering firm to make sure complaint not to involve the existing water shed not the the large detention pond has been added. Lochmueller will be contacting AR Engineering. No action required of the Plan Commission, this was for discussion only.

A&Z Engineering submitted Proposal to Update Town Ordinance Book Land Use Chapters and Prepare a Municipal Development Manual for Town of Centerville, IN on December 3, 2019. in the amount of 30,600. Per Richard Tincher, we are going to table til July 2020 meeting.

**New Items:**

Travis Wake wants us to back Gene Kate to get tougher on the mowing ordinances for the builder in the Sunset View Estates. The current home owners are not happy with the fact that they don't mow and maintain the building sites. They also don't pick up the trash like they should and when it is windy the trash blows all over the neighborhood. Gene Kates mentioned that they have been cited two different incidents, if they fail to mow and the town mows, there will be a fee added as a lien on the property. Travis would like for the town to get tough on them, because the dumpster over flow and the trash blows everywhere. Gene stated that in a construction area they only have to mow twice a year to keep the obnoxious weeds down.

Travis also is concerned what liability the city has to enforcing the subdivision covenants which the developer created. Per Mark Tucker, the town has no liability because the city doesn't enforce the covenants because as long as it meets the City requirement, the city issues the permit.

Lynnette Allen motioned to adjourn the meeting at 8:47pm with Richard Tincher 2<sup>nd</sup>, unanimously approved

Next meeting July 23, 2020 @ 7:00pm