

Plan Commission Meeting Minutes  
April 22, 2021

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

Commission Members present: Richard Tincher, Travis Wake, Gary Holbert, Mark Tucker, Lynnette Allen, Jack Bodiker & Rob Doty

Building Commissioner: Gene Kates,

Town Manager: Kevin Slick

Town Attorney: Mr. Ed Martin

Chief of Police: Ed Buchholz

Fire Chief: Dennis Spears

Town Council member: James Bullen

Public Members: Non present

Reviewed minutes from March 25, 2021: Travis Wake motioned to approve, Mark Tucker 2nd Unanimously approved.

**Old Business:**

\*Alayne Hope Investments LLC- No change in status. Travis Wake motioned to table this discussion until next meeting, Richard Tincher 2<sup>nd</sup>, unanimously approved.

\*New Rules for the Water Main & Sewer main extension: Per Ed Martin, these statutes went into effect July 2020. Now Municipalities have to abide by the long standing Water Main extension rules by the IRC. This is especially for profit public utilities. Because of the Alayne Hope Investment development agreement the town has with them, Ed had began drafting new contracts, they are about 80% complete, but with the stand still on the development, he stopped the work. Richard Tincher stated that he was worried that if another subdivision was to be developed, would we be ready to go, Ed Martin stated that we would be ready to go, and we will be ready when Mr. Coffman proceeds with the Alayne Hope development. Ed mentioned that he made two amendments to the proposed development agreement. 1) Mr Coffman had issue with posting a Performance Surety Bond. Performance bond and Surety bond are one and the same, wording was updated. 2) Changed language in the development agreement that the developer would have to execute the separate water or sewer main extension agreements that would go to the town manager. This would only apply if a someone would come to the town to ask for the water or sewer extension. This will not apply if the town is doing the extension on their own.

Status of Letters of Condemnation for properties:

- 209 W Walnut St: Continuance Enforcement order went out to US Bank as an order for Rehabilitation not demolition. They have 60 days respond. We are hoping they will rehab the home. If no remediation, we may have to amend the order to recommend demolition. July or August may have to have hearing with US Bank.

- 508 W Main St: Per Richard Tincher, we are going to table until after 209 W Walnut has been completed.

-1209 US 40, fire destruction: Gene Kates talked with the owner of the home. The owner is not sure what to do. The Insurance did condemned the building. The owner did clean it up.

-115 E Main St: Gene Kate has not hear anything from the Architect that purchased the building. Architect is suppose to be developing a plan that has in writing that the building is safe. Per Gene Kates, Indiana regulations states that if a Licensed Architect states in writing the building is safe, it overrides his opinion as building commissioner. Richard Tincher is concerned about the liability of the building if it collapses.

-Whitewater Valley Salvage(Jody's Restaurant): Per Gary Holbert the second and third floor are in bad shape. They have been painting the inside first floor and the outside facade. Gary also stated that "rumor" is that they

may put in another antique store and sandwich shop. Per Gene Kates, no building permits have been pulled.

\*Still in search 9<sup>th</sup> Commission member. Needs to be in the 2 mile fringe and any party affiliate opposite of what Rob Doty is affiliated with that was on the 2020 Presidential election ballot.

\*OCRA: Per Kevin Slick, there are rumors that they are looking to get grants started again. Per Jack Bodiker that they will review where their current grants are at. When eligible to apply for a new grant, Main Street was going to apply before the Plan Commission for Main Street Beautification. Ed Martin mention forwarding some information to Richard Tincher in regards to a community that updated their town ordinances with the help of a committee of citizens with the help of an organization.

\*Indiana American Water: Are they advancing into the town jurisdiction. Per Gene Kates, the town has not officially adopted a Water District. This concern first started by witnessing the pipe and equipment stores on property on US 40. Per Ed Martin, he and Kevin Slick investigated and this is items they are using for the Multi-million dollar upgrade and expansion that they are doing in the town of Richmond. He stated that they did purchase new easement along Airport Road. By law there isn't a territoriality for sewer or water district, sort of first come first serve. This area is outside the town corporate boundary.

\* Wayne County Advisory Plan Commission: They are currently going through their new Comprehensive Plan and planning and prioritizing and determining timeline of possible changes to their zoning ordinances. Updating their zoning terms and definitions.

They were going to discuss the HB1381 Wind and Solar standards. This bill was actually killed the day of the meeting.

\*Bessie Buhl's Eclectic Garden: Richard Tincher motioned that this will be tabled until after the investigation is complete, Lynnette Allen 2nd, unanimously approved

#### **New Business:**

\* Need to have Gary Holbert & Rob Doty reappointed at the next Town Council meeting. Lynnette Allen will send email to Susan Dillman to have this added to their agenda.

#### **Other Business:**

\* Gary Holbert wants us to look at updating our ordinances to update the sidewalk ordinances because of the Sunset View sidewalk situation where there are mailboxes and utility poles in the sidewalk. Lynnette Allen mentioned that the Town Manager just updated our ADA requirements and it should be common sense not to put these items in the sidewalk. Gene Kates mentioned that the town ordinances haven't been updated since 1957

Richard Tincher motioned to adjourn the meeting at 7:21 pm with Rob Doty 2<sup>nd</sup>, unanimously approved  
Next meeting May 27, 2021 @ 7:00pm