

**MINUTES**  
**CASS COUNTY PLAN COMMISSION**  
**Tuesday September 1, 2020**

Stacy Odom, President, called the regular meeting of the Cass County Plan Commission to order at 8:30 AM in the Commissioners Hearing Room on the 2<sup>nd</sup> floor of the Cass County Government Building.

ROLL CALL: Welcome new member Gary Berkshire.

Members present: Jon Guy, Fred Seehase, Brian Reed, Krista Pullen, Stacy Odom, Jim Donato and Gary Berkshire

Member absent: Josh LeDonne and Jim Sailors

Staff present: Arin Shaver, Eric Servin, and Peggy Dillon

Staff absent: Jeff Stanton, Legal Council

Public in attendance: See sign in sheet

ACTION ON MINUTES:

Minutes of July 7, 2020 were presented. Mr. Seehase motioned to approve as presented. Mr. Donato seconded the motion; all were in favor.

PUBLIC HEARING:

None:

REPORTS:

Acknowledgement of Financial Report for Waeltz, Sustainable Products LLC

Mrs. Shaver explained that this financial report is sent to the Plan Commission and the acknowledgement is to be signed by the President. No questions were asked.

Unsafe Property:

Mrs. Shaver explained that in the past as well as currently, several unsafe properties have been brought forward to Planning Staff that have trash and debris; unsafe properties with no unsafe structures. Mr. Koppe showed pictures of such properties along Gleitz Drive and along Wabash River Rd. Mrs. Shaver explained that she would like the Plan Commission to review properties such as these and determine whether or not they should go through the unsafe process.

Richard Smith, 2305 E. Wabash River Rd, spoke to the Board about his concern of trash and debris on properties that need to be cleaned up and old vehicles removed.

Mrs. Shaver asked for direction from the Board when these types of issues are brought to staff.

Mr. Koppe asked where do we draw the line on properties with junk on the property.

Mr. Donato stated we have to determine if the debris is unsafe, there is no debris ordinance.

Mr. Musselman, Health Department, explained that there are multiple state rules that regulate issues such as these. Mr. Musselman explained the following:

- Burning is allowed if it is natural; paper or cardboard: during sunlight hours
- Debris must be stacked; be disposed of within 90 days
- The Health Department has plenty of regulations but doesn't have a Board to enforce violations
- The Health Department can bring issues to this Board for further action

Mrs. Shaver explained that the standards under the unsafe ordinance are very broad. Mrs. Shaver explained that the Health Dept could review properties and if there are violations of state regulations; work with planning staff to determine whether a property should be brought to this Board for enforcement.

Mr. Donato asked if we have a committee for unsafe properties, Mrs. Shaver stated not at this time.

Mrs. Shaver explained that there are different ways to approach the problems such as a dumpster day for neighborhoods to dump debris into.

A discussion of the formation of an unsafe committee to give planning staff direction followed. Fred Seehase, Jim Donato, Stacy Odom and Jon Guy volunteered to be on the committee. Mr. Donato motioned to approve to establish an unsafe property committee. Mr. Seehase seconded the motion and all were in favor. The motion stood with the appointment of members as presented, all were in favor.

OLD BUSINESS:

*1411 N. US 35 – Pollard: fire; unsafe structures*

Mrs. Shaver stated that this property did not sell at the auction.

Mr. Koppe explained that no clean up has been made and people are stopping to throw more junk on the property.

Mrs. Shaver stated that there are 3 different land owners: one for the wooded area, one for the old Pizza King and one for the motel.

Mr. Koppe stated that staff recommends to give them 60 days for the demolition of structures and clean up and bring forward to the November meeting; if not, staff will have bids to have it done.

Mr. Odom questioned what action can be taken at this time. Mrs. Shaver stated:

- Letters were sent as 1<sup>st</sup> Order due to the property owner change
- The fine was put on the previous owner but that would go to the new owners
- Plan Commission can establish a new fine
- Demolition will be more than \$10,000 and bids must be received and approved.

Mr. Reed motioned to send a letter stating that the structures are to be demolished and the property cleaned up by October 28, 2020. The motion included:

- Stating there will be a fine of \$5,000 plus the cost of demolition
- Letters will be sent to each property owner
- Inspection will happen on October 28, 2020 and brought forward at the November 3, 2020 meeting
- Bids to be received for demolition and considered at the November meeting

Mr. Seehase seconded the motion and all were in favor.

*271 W. SR 16 – Lopez: Roof damage and doors not secured*

Mr. Koppe explained:

- Mr. Lopez had stated at the last meeting that the roof would be repaired and finished but it is not
- A lot of work has been done and someone is working on the inside
- The structure is secure
- There is a \$2,000 fine on the property
- There is a \$1,000 fine in the process

Mr. Donato motioned to give Mr. Lopez until October 28, 2020 to the finish the roof and securing of the property; bring this forward to the November 3, 2020 meeting and put a hold on the fines.

Mr. Odom asked for questions from the Board, there were none.

Mr. Guy seconded the motion and all were in favor

*2842 S. 475 E. – Lopez: Roof needs repaired; windows rotted*

Mr. Koppe explained that on 8/12/2020 the property was sold to Juan Perez and someone is working on the property.

Mrs. Shaver stated a new 1<sup>st</sup> order will need to be sent or this can be put on the watch list.

Mr. Donato motioned to put this property on the watch list.

Mr. Odom asked for questions from the Board, there were none.

Mr. Seehase seconded the motion and all were in favor.

*5002 W. 50 S. – 2019 Castle LLC: Structures falling down and debris on property*

Mr. Koppe explained that there is progress on the property and recommended a re-inspection be done on October 28, 2020 and bring forward to the November 3, 2020 meeting. Mr. Guy made this motion and added that a hold be put on the fines.

Mr. Odom asked for questions, there were none.

Mr. Seehase seconded the motion and all were in favor.

*1474 Sadler Rd.- Roberts: Fire in past, pile of debris and a hole where the basement was*

Mr. Koppe stated that nothing has been done since the first pictures in March and the property is extremely unsafe. Mr. Koppe stated that demolition needs to be done and debris needs to be removed and a slope to the basement be put in or whole basement filled in.

Mrs. Shaver explained:

- A letter sent stated that a \$2,000 fine could be put on the property
- Previously this was on the unsafe list and then put on the watch list
- Work has since stopped
- Council would have to appropriate more money to have the demolition done

Mr. Odom asked if the fine can be assessed, Mrs. Shaver stated yes.

Mr. Reed motioned to assess the fine of \$2,000 and if no progress has been made, bring bids for demolition and clean up to the November 3, 2020 meeting; re-inspection on October 28, 2020.

Mr. Odom asked for questions, there were none.

Mr. Guy seconded the motion and all were in favor.

*2301 Wabash River Rd. – Almon: Garage needs new rafters; roof of house needs replaced*

Mr. Koppe explained that the roof on the garage needs new rafters and roof; the house needs the roof repaired.

Mr. Almon, 2022 High St., presented pictures of repairs on the roof and explained that he will have Reid Roofing repair the roof; new studded walls and rafters are being installed. Mr. Almon explained that the garage has new support beams and rafters are being installed along with new decking and roof.

Mr. Guy motioned to re-inspect on October 28, 2020 and review at the November 3, 2020 meeting. Mr. Seehase seconded the motion and all were in favor.

Richard Smith, 2305 E. Wabash River Rd., expressed concern of the animals, chickens, geese, turkeys in the area; trash along side of the garage; the smell from these things along with a septic problem.

Mrs. Shaver explained that letters have been sent to the next 2 properties but confirmation of the certified letters being received has not arrived yet. The Board decided to hear a report and bring to the next meeting, October 6, 2020.

*8029 W. 150 S, - Warren: Burned; Extremely unsafe*

Mr. Koppe stated that the property burned about 3 months ago and no cleanup has been attempted at this time.

*9725 Church St. New Waverly – Emmons:*

Mr. Koppe explained that there is so much poison ivy that he was not able to inspect the property.

NEW BUSINESS:

*Work Program 2020:*

Mrs. Shaver explained that due to COVID 19, she had sent the Work Program 2020 to the group that reviews it and there were no changes to the program. Mrs. Shaver briefly outlined the work program that included;

- Education
- Planning Projects/ Federal Funding
- Updating Zoning & Subdivision Ordinances
- Economic Development
- Organizations & Departments
- Ongoing Planning & Zoning Projects
- Office Efficiency

Mr. Seehase motioned to approve the Work Program 2020. Mr. Reed seconded the motion and all were in favor.

FLOOR IS OPEN TO THE PUBLIC:

Dave Price, 220 Cotswald Ct. Logansport, expressed concern that adjoining property owners were not notified of the rezone earlier this year. Mr. Price asked if it was true that only the property owners that were affected by the rezone were notified and if an individual property owner was to rezone, would they have to notify adjoining and adjacent property owners as well.

Mrs. Shaver explained:

- State Law requires a government body that is going to rezone, put a notice in the newspaper
- CCPC bylaws requires all properties being affected to also be notified
- An individual wanting to rezone is required to notify a proposed rezone in the newspaper as well as adjoining property owners and properties affected

Mr. Price stated that it is important that adjoining property owners be notified and hopes the Commission would look into a bylaw change.

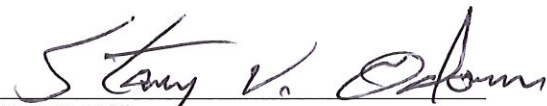
Mrs. Shaver asked the Board if they would like to consider a bylaw change, the Board replied yes.

Lora Redweik, 5524 N. 600 E., asked if the reason that adjoining property owners in the area of the Clymers Industrial Park rezone did not get notified was the requirements in the bylaws. Mrs. Shaver said yes.

Mrs. Redweik expressed concern that discussions of rezones and Overlay have not been lengthy. Mrs. Redweik also stated that Board members should represent the entire county, not just in certain areas.

ADJOURNMENT:

There were no further questions and the meeting was adjourned at 10:00 AM September 1, 2020.

  
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CCPC Officer

  
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CCPC Officer

  
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Peggy Dillon Recording Secretary