

APC MINUTES

JULY 21, 2021

Members present: Adrian Moulton, Steve Hernly, Andy Fahl, Tom Kerns, Don Calhoun, Tom Chalfant, John Reece, Jim Hufford, Will Greer, Bob Lahey

Members absent: Bryn Albertson, Amy Alka, Terry Alfrey

Legal Representation: Jason Welch

Staff Present: Randy Abel, Executive Director

Staff Absent: Debra Johnting, Recording Secretary

Others present: Glen Peters, Mike Blankley, Floyd A. Root, Diane Horning, Ron Imel, Mike Bruns, Tom Boyer, Chad Spence, Marlin Hoover, Dave & Cindy Davis, Rachel Jordan, Joyce Hayes, Roger Youmans, Ross E. Nord, William Guinn, Nathan Conklin

President D. Calhoun: It's 7:00 now so we'll go ahead and start the Area Planning meeting this evening. Do all the members have a copy of the minutes from the last meeting? Is there any corrections or changes that we need to make?

J. Hufford: I will make a motion to accept the minutes as presented.

A. Fahl: Second.

President D. Calhoun: It's been moved and seconded to accept the minutes from the last meeting, it would be the February 17th meeting, all those in favor say aye, all those opposed the same. Motion passes. On our agenda tonight, we have a request for a new subdivision, APC2021-8-SD, Union City. Is there anybody who is here to represent this petition?

M. Bruns: Mike Bruns with Mote & Associates.

President D. Calhoun: Ok, if you would come up and state your name and address and tell us all about it.

M. Bruns: Mike Bruns with Mote & Associates, 214 W 4th Street, Greenville, Ohio. We are proposing a twenty five lot subdivision in Union City right off of Plum Street. They have had the need for many years to try to increase their housing. They own a pretty significant tract of ground between Plum Street and their waste water treatment plant and they are hoping to move forward with this Phase I which is the first twenty five lots. It's kind of butted up against a subdivision on two sides with Plum Street on one side and then vacant ground that would be a future phase towards the waste water treatment plant. We have submitted this to the County Surveyor and we went before the Drainage Board and got approval there. We have worked with Randy and Deb on several items and I believe we've fulfilled what we need to at this point. We have a set of plans here that we can review and discuss.

President D. Calhoun: Is there any board members that have any questions or comments?

J. Hufford: Now, I've got one here, will there be a retaining pond put in to get rid of any water, we have had water problems in that area...

M. Bruns: Yes, we have a storm detention pond and everything that's going to go from that area is going to run into this pond and that's going to be a restricted outlet into that creek that runs between them and Royal Drive. There's a storm outlet that turns into a creek and crosses against Jackson Pike, but yes, we have a storm detention pond that was sized and designed and approved by the drainage board. Each phase will have its separate detention pond. It's on the back side, if you've got your drawings, I'm not sure which drawing you have, it's lot 17 and lot 18, on the back side of that.

D. Johnting: Their drawings are kind of small.

M. Bruns: Their drawings are too small? It's in the upper, off to the left...it's right here.

R. Abel: One question is, on the topographical contours, you said you were going to get that at a later date?

M. Bruns: We have the contours shown on there, the existing is shown, the proposed would be started after the approval tonight. But, the existing is shown. And we know which way...everything is draining to the north and that's where the pond is going so, we know the lay of the land at this point, yet we have to work out the final swales and the final design.

R. Abel: I am just looking at the final approval, if everybody looks at their ordinance, there's a couple of pages here of things that have to be met, we've worked with them on these, there's a very few things, this topographical needs to be tweaked a little bit later on, which can be done before the secondary plat approval, and I think they're in the process of getting a LOMA, which will tell us what the exact base flood elevation is. There were just a few things like that, that they are still working on. But that can be, obviously conditioned upon the secondary approval then. And we want to make sure we know some of that work still needs to be done, but that doesn't affect the primary approval.

M. Bruns: The existing topograph survey is on the drawings, the final will be later.

D. Johnting: That checklist is in the back of your packets, we took that out of the Subdivision Ordinance, and some of this is done, some of this is in process, and some will come after tonight.

President D. Calhoun: Now, am I right that we are the final say on this, on subdivisions, it doesn't go to anybody else, so what we decide here will be the final say, it's not like everything else that goes to a governing body. It's one thing that we can make a decision on, so....

J. Hufford: The whole project is what, three phases?

M. Bruns: Potentially, at this point we're looking at three phases, I mean, once we get Phase 1 done we'll see how it works, we'll determine, but at this time it's tentatively 3 phases.

R. Abel: Is the city in ownership? Are they planning on building these lots, hiring contractors?

M. Bruns: Their intent is to work with a contractor, but they're not planning on selling lots. They're planning on selling houses as a package with a lot and the house. They're not actually individually selling lots themselves. They own the property, so they'll have full control of how that happens, but they have been working with some developers to build houses. Not sell lots. Their overall intent is to increase housing.

R. Abel: Yeah.

M Bruns: And the way they do that is to actually build the houses.

A. Fahl: Any projection when Phase 1 would be completed?

M. Bruns: I would think if we get approval today, I mean, like I said, we have got several developers that are ready to start, so as soon as we get on with the next final phase and get that back and approved, I would think that if we can get approved in two months, they would be working this fall over winter. They're very eager to get started. They're working out a couple financing things in conjunction with what we're doing, but as long as it all comes together, they're ready to go.

A. Fahl: Any projection though, on Phase 1 completion date?

M. Bruns: Phase 1 completion? I would assume with paving and everything it would be sometime next summer. Because by the time you get started this fall, I mean if it takes us two months, we're going to be into September. You know you're not going to get asphalt after October. So, probably do the dirt work and the underground this winter, potentially. And complete it next summer.

R. Abel: Is this contingent on the sale of the houses that you're building?

M. Bruns: No, I think it's just contingent upon making sure that they get the financing for this part of it, I mean they have to put the streets in before they can sell any houses, so they're going to have to do that first regardless.

President D. Calhoun: Does anybody else on the board have any questions? I assume that there's people in the audience that has questions, so if anybody would like to come up and state your name and ask your question why, I'm sure we'll try to get an answer.

M. Bruns: Did you want me to stay up here and answer questions why that would be fine? OK, I'll try to speak up. Also just so you know that the Mayor Chad Spence and Assistant City Manager Steve Shoemaker are here also, so.

[Unknown] Did you say that the land has already been sold?

M. Bruns: No, I'm saying that they're not selling individual lots. Their intent is to build houses on and sell houses as a package with a lot. Nothing's been sold until we get approval and get the funding.

[Unknown] It's still owned by the city, correct.

F. Root: I am Floyd Root, I live at 522 West Lynn Street. I've been there since 1964. I'm probably the only original owner in that two blocks of Lynn Street. That land was Marv Wigger's land. I was in the

original Jaycees when we [inaudible] the city for the Planning Commission. [Inaudible] So I've been on the planning board. I have been on the council for eight years, and I don't see this happening without getting industry into the city. When they built all those houses on Plum Street, Hardys was coming to town and Backstay, and everything was going good. Westinghouse was coming in when I got out of the service in 1953. All that was happening. And it has been good. I was with Sheller-Globe 38 ½ years. And I just can't see this happening, and nobody is worrying about the city. We've got houses going apart, tearing apart in Union City. The founders house. Doc Wagner's old house. The city did wonders on the [inaudible]. And there's things happening, but I cannot see more housing until you do something to get industry in here. Where are you going to get people from? When all this was happening, people were driving from New Castle and Anderson, to come to work at Hardys and the Body Company.

President D. Calhoun: Would you want to come up so we can hear you?

R. Abel: Or we're not gonna get any of this.

Mayor C. Spence: Can you hear me? Yes, Sir. Yes, Sir, you might know my dad on the Jaycees.

F. Root: Yes, I knew him.

Mayor C. Spence: Okay, you raise great points. What I would say is the industry is changing rapidly, people now, it's not so much the industry is drawing people into town. It's town that's drawing people in because the workforce is changing. Case in point, I've talked to one of our council members, sister. She's a graduate of Union City. Fiola. I just met her for the first time this afternoon. Talked to her from Florida. She works out of her home. She actually comes back to Union City frequently, but the work environment has changed so much and it's been heightened because of Covid. The overwhelming majority of our workforce going forward is working from home, and the industries are not what they were back in the heyday, when my dad worked at Westinghouse. And, because of that, we've got to change with that, so in order to draw that evolving workforce into our community, it all comes down to housing, and this whole, the genesis of this whole project comes down to a conversation I had with our number one realtor, Paul Faddis. I don't think he'd mind me saying his name. I had a conversation with him. I was pacing up and down the halls inside the City Building at 6:30 one morning because we were having people come to us and saying I would live in Union City but I have nowhere to live. We've had that comment made more than once to us. Case in point, the facilities at the park, all the houses available at the park, they all are sold. That's the quickest selling places in Union City is the park district. But we have nothing to match that. And Paul told me almost verbatim. He goes, we have a housing crisis in this county. And the time is going to have to come where people are going to either have to do something about it, or shut up. And I don't mean citizens shut up, I mean County, City Leadership do something about it or shut up. Because we have nowhere for people to live when they come into town. Yes, Sir?

F. Root: But you went too far on HUD homes in Union City. [Inaudible]

Mayor C. Spence: Sir, I don't disagree with that. That's also part of the imperative nature of this project. Because these homes are not HUD homes. These are \$225,000 to \$250,000 thousand dollar

homes. Now, some people are going to say, well, you're never going to sell \$225,000, \$250,000 thousand dollar homes in Union City. We have heard that time and time again. The other thing, a good question to ask would be okay, you put this down there in the neighborhood, a brand new neighborhood amongst an older development how you gonna keep it nice? Well, that's why we're working on HOA, but I can't stress enough the HOA is specific to this neighborhood. Because as a typical small community goes, word travels and all of a sudden people think we're going to establish the citywide HOA. No, that can't be done, for one thing. But no, that's not what we're going to do. We're going to protect this neighborhood to make sure that it retains its value, because the one thing we've not done a good job for you and other citizens is protecting your property value. I know that because I lived across from that lot at 1210 N Plum at one point in time and then I moved to Columbia Street, and I've got a house down the street that's got banners on it that offend and hurt my heart.

F. Root: And a good Christian man owns it.

Mayor C. Spence: Yes, sadly. And so, because of that, we are not doing enough to protect our citizens. And this is a step, albeit a big one. Albeit in many eyes a risky one. But we've gotten to the point where it's a necessary one if we're ever going to take the next step forward and elevate ourselves. We are trying to tear down blight homes. I worked personally on the home you referenced, Mr. [inaudible] home and I will share with everybody his daughter called from Colorado and thanking us up and down for doing what we've done to her dad's home. We're going to continue to do that. We want to restore as many homes as we can in our community, and the ones that can't be restored, we want to tear them down. Because we want to absolutely, positively elevate the appearance of our community and make sure that people like yourself that have pride in where they live in the house they live in, that it shows not just in your place, but every place down the street. I hope that helps answer a little bit.

F. Root: Why, why not develop homes on Oak Street? I owned one of those homes on Oak Street, and the Body Company bought it and I moved out on Lynn. And I said way back then, it's a good place to build homes on.

Mayor C. Spence: I agree.

F. Root: Going out to the cemetery.

Mayor C. Spence: I agree.

F. Root: And what's ever happened there?

Mayor C. Spence: Yeah, well, it's actually been, has it been marked? I talked to the guy...that's been a saga with that builder from Indianapolis and that's another thing I want to touch on, so keep that in mind. The builder in Indianapolis, it's been a long drawn out process that has lasted way too long, but I did talk to him again. Nathan Conklin, Councilman and I have worn out his phone. In getting him to move on those so that is still supposed to occur. This development is a little bit different though, in the way that it's structured and it's also a development that was...well, the builder himself was referred to us by Jeff Raatz. Senator Raatz. So this is a, this has a local connection. We've reached out to a local engineering firm, Mote & Associates in Greenville. We found how important it is, it's not to dismiss anybody from out of town, but we found how important it is to deal with people locally as much as

possible. Because we found they have a higher degree of accountability when they're seen at the neighborhood market or in, or down the street. They're held accountable for what they do. And so, but it's absolutely imperative that we do something and trust me, I want to ensure that we protect neighborhoods surrounding that because this is a school district that we're talking about. And the one thing I'm working hard to do, and hopefully you've seen something downtown happen. I'm trying to work hard on our corridors. Our corridors being the main entryways into town, into Union City, State Road 28 and State Road 32, and then also the numerous folks that travel down to the school for school events, meetings, you name it. These are the entryways that represent our community. These are the first and sometimes sadly last impressions that citizens have of a community. And if we're not doing our best to make those look pristine, and to make them look immaculate even, and an improvement on a continual basis to where you see, "oh, you can go into Indianapolis and throw a rock in any direction and see something new." It's that when you're going to Indianapolis, you get that sense that this is growing, this is building, this is happening. You don't get that sense in Union City, I'm sorry to say.

F. Root: I've got a few more things and then I'll shut up.

Mayor C. Spence: Yes sir, yeah no, you're good. Well, I should say that for you guys.

F. Root: You're taking money away from the city that they're getting off that partner and have you checked out other towns like Arcanum? Very, very small towns? No industry, but go up north to Saint Henry, Indiana.

Mayor C. Spence: Yes, yes, yes.

F. Root: Beautiful towns with no industry. But they don't let things happen in their town, like it's happening in Union City.

Mayor C. Spence: I concur, I concur. And so again to speak to your point, you've got beautiful areas up there, beautiful homes but no industry right? So people will go if it's worth moving to, if it's worth living there, people will move there. If we continue the momentum that we've developed which we are, we do have momentum. I've gotten more..., Bill Corbin is a 62 graduate of Union City. He lives in Carmel. He handles a lot of our press and communications. And he monitors Facebook and all the other, you know, various social media. He says that it's a palpable change in terms of the attitude regarding Union City and what's happening. Now, it's not where it needs to be yet, and it's not even close, but it's changing and it's improving and people are seeing this, and case in point, the house you mentioned [inaudible], we have a family coming into Union City to buy that house. They don't live in Union City currently. They're coming in to town to buy that house. So it's proof that if you make the right thing, if you build it they will come, but you've got to build it with the customer in mind. And that's why these homes are priced at the value they are.

F. Root: [Inaudible] you stayed in Union City.

Mayor C. Spence: Yes, Sir.

F. Root: We're not keeping our young people in Union City.

Mayor C. Spence: We're not, and we've got to change that. We've got to change. Yeah. We do have some examples that they moved and they've come back, but that's not happened enough, And that's what we want to do here because to be honest with you right now, I can have, I graduated 92, I could not have a serious conversation with any of my former classmates that currently do not live in Union City about coming back to Union City and living. There's nowhere for them to buy.

F. Root: I read your resume and I appreciate it. I think you are the right man for the job.

Mayor C. Spence: Oh well, that's sweet as well by the grace of God, that's not me. And by my parents.

President D. Calhoun: Can you come up here and state your name and address for the record please?

M. Blankley: My name is Mike Blankley and I live on 507 Royal Drive in Union City and I appreciate your question but I didn't hear your answer about the water problem. Now let me finish. Then you can go. When I moved out there that was a damn swimming pool out there and we still have water problems. And that field...that you want to build all these houses on, when the crops, even when the crops are there if we get a good rain I got a creek going through my backyard. Now the city, I think the city did it, I don't know, put a big ditch in there. Yup! But that fills up. And when that fills up, it comes down and it goes right across my yard. And, if it's hard...they used to call it the hundred year rain. Now I don't know if it's a hundred year rain or if they knew what the heck they were talking about, but I've had boats, and I'm not joking, going up Royal Drive. And, all these houses, there's about four of them. It even goes over to 28 and goes down the state ditch. Now, what are you going to do, to stop that?

M. Bruns: Right here, the storm detention pond is about the size of four lots. Whenever it rains, all that water from this area is going to go inside that pond and stay there. All the other water that you got right now that fills up this ditch will fill up the ditch just like it does. After the rain is over and this creek goes down, that's where our pond drains into, but not while it's filling up, but after it goes down. So you've got a four, roughly a four lot development that's holding a hundred year storm, which is an engineering calculation which we went through the drainage board on. All that water is going into this pond number one, so we can hold it and we're not out letting it any faster than what it goes off of that track right now, and we're not out letting it until the creek goes down. Is that okay?

M. Blankley: Now where? I probably won't be around the time you get these all built. Because I'll be out at the west end of town. I sleep all the time.

M. Bruns: No, no, no. We'll build one for you.

M. Blankley: Where are your inlets to this housing development? Just off of Plum only?

M. Bruns: We've got one right here off of Plum, and we've got another one that's an extension of what was Grace Street down here that's going to come on in and then eventually we'll have another phase.

M. Blankley: There was at one time, for an outlet....

M. Bruns: There's nothing going that way, number one, just because we don't want to add any extra traffic there and number two, if we did we'd have to cross that creek.

M. Blankley: Okay.

Mayor C. Spence: Thank you sir, good question.

M. Blankley: I didn't hear what you were saying. That's the reason I came up and wanted to ask.

M. Bruns: Sorry, sorry. I mean, I'm used to getting yelled at, not yelling myself.

President D. Calhoun: Any other questions from the audience? Questions, comments anybody? Yes, come up, please.

[Inaudible] I live on Lynn Street, and the first thing you want to do before you start building houses, is to put a stick of dynamite in that damn windmill.

[Unknown speaker] Will this make our taxes go up higher?

Mayor C. Spence: No, in all honesty, the idea is not only to provide better housing, but the idea is to lighten the burden on all of us that live in the community. Because when we have more citizens living in the community, we have more people sharing the burden of what needs done in the community. So that's why we're trying to trying to increase our population. Yes?

[Unknown speaker] So, about property taxes, I live on North Plum. So, will they go up or down?

R. Abel: Can you come forward, this has got to be typed up verbatim, and if we don't know your name or what you are saying.

C. Davis: Cindy Davis, North Plum Street. Yeah, I'm wondering if the property taxes are going to go up or down. My property butts up against where they're going to build the new ones.

Mayor C. Spence: Right. I don't, I can't answer that with any degree of accuracy.

M. Bruns: That is reassessed every so many years depending on the market, but there shouldn't be a huge impact depending on this development.

C. Davis: Okay, now I have another question, on the windmill. Is the windmill going away or is it staying there?

Mayor C. Spence: My hope is that it goes away. That's not the city's wind turbine, that's the schools', so that's out of our jurisdiction, if you will, with that regard. But my hope is that it goes away and that's the hope of other interested parties within the community as well.

C. Davis: Okay, alleys, is there going to be alleys in there?

M Bruns: No, these are the streets, but there's no alleys.

Mayor C. Spence: Good question.

M. Bruns: But no alleys. This is what we are developing here, which is Phase 1. So you come in here, you have this connection at this cul-de-sac and that cul-de-sac and those are what are intended to serve as the streets, but no alleys.

C. Davis: Okay, okay. Now, the storm detention pond, is that going to create mosquitoes and stuff?

M. Bruns: It's a dry pond, which means it fills up when it rains and then after the rain goes down it dumps out and it completely drains out so it's not holding water on a regular basis.

C. Davis: Oh, I see. Yeah, I didn't know how those worked. Thank you.

Mayor C. Spence: Another great question.

M. Bruns: Yeah, no. No water, no fish.

C. Davis: You said something about HOAs?

M. Bruns: Yeah.

C. Davis: If there is, is that going to affect my property?

M. Bruns: No, it's just this tract.

Mayor C. Spence: Good questions. Yes?

M. Shoemaker: Real quick clarification on the HOA. There are covenants on the deeds of the properties, but it's not truly an HOA.

Mayor C. Spence: That's a good point of clarification. It's not a true HOA but there are covenants, restrictions in terms of what these property owners can do because we want the property to look like, as it's sold.

T. Kerns: Hey Chad, who enforces those and how do you keep them enforced?

Mayor C. Spence: That would be through our city ordinance.

T. Kerns: Because there's, the same thing is in place for out at the Lincolndale development and stuff, and none of them were ever enforced. That's why I asked.

Mayor C. Spence: That's good to know.

S. Shoemaker: We have basically identified that as something we need to clarify. At this time we're going to be able to align the covenants and restrictions, a great deal with our local ordinances. We need to get legal clarification as to can the ordinance officer for the City of Union City, because he only works off of the local ordinances, can he enforce something that may be outside of the local ordinance and only part of covenant restriction? So we may have to have a few tweaks with Council adopting something, maybe passing something as an ordinance to be able to enforce that, we're researching that currently and we will have an answer to that question.

Mayor C. Spence: But the desire is to have him do it. That's another good question.

President D. Calhoun: I've got a question. The lots on the cul-de-sacs. Are they big enough to put a good house on?

M. Bruns: So this drawing right here, on the cul-de-sacs, these dashed areas shows the setbacks. These boxes right here are the 1,700 square foot house, so obviously they're not hitting setbacks. We just showed them on there so they would have an example, but you can see how a 1,700 square foot house fits on any spot and not touching the setbacks. So, in theory we probably could get a 2,000 square foot house on any lot.

R. Abel: That's one story, correct?

M. Bruns: That's one story, correct.

S. Shoemaker: They're one and one and a half story homes, modern craftsman type design, a multitude of designs.

M. Bruns: But the boxes are 1,700 square feet, so you could get a 2,000 square foot, one story house, and if you went up obviously, that would be more square footage.

President D. Calhoun: We had an issue in Winchester, where the house got built on a cul-de-sac, and it caused some big problems.

M. Bruns: No, that's one thing that the city made very clear to us when we started this. They wanted these to be nice houses. I mean we could have fit a lot more houses on there, but that's not what we're after.

Mayor C. Spence: Good questions.

President D. Calhoun: Okay. Any other questions?

F. Root: How much does the city get off that field a year?

Mayor C. Spence: Do you know what do the cash rent is per year?

[Unknown speaker] \$32,000 per year.

Mayor C. Spence: \$32,000 per year. Correct. Don't quote me on that.

[Unknown speaker] \$11,700 a year.

Mayor C. Spence: Okay, considerable difference.

[Unknown speaker] [Completely inaudible].

M. Bruns: I think they will be in the \$225,000 to \$250,000 range.

[Unknown speaker] Okay, are they're gonna be like custom floorplan houses or will they be pretty much like a like a ten or twelve different plans you pick from?

S. Shoemaker: I believe it's going to be ten or twelve different floor plans that you can choose from. And it depends on when you sign the paperwork and make your commitment as to how much input you get on the finishing of the home. But you'll have options there. They're, I don't want to call them cookie cutter, but they're a "semi-custom" home.

[Unknown speaker]: Thank you.

President D. Calhoun: Does anyone on the board have any questions?

Mayor C. Spence: You stated that this is the only meeting for the public to speak at, or not?

D. Johnting: There will be a later approval meeting but this is the only meeting with public comments.

President D. Calhoun: Okay, this is the only meeting that the public can speak at, so if anyone has questions, please ask them.

F. Root: And then where does it go? You say this is the last day that we have any say so, right? Then where does it go? To the City Council?

R. Abel: No, no. This is it, this is the final approval. Then it will go to a secondary plat approval which is really just working out the bugs and the details. And as long as it meets the intent of this primary proposal it is passed in the secondary plat approval. Which is really, I mean the public can attend, but it's really no comment, it's just a basic approval.

J. Hufford: Now somebody wanted to build in that area where you're doing this and you just got these twelve houses that you can do. And somebody wanted to build a custom home, can that be done?

Mayor C. Spence: It would have to be approved by us because, that the one thing that drives me nuts and I'll throw myself under the bus, going down Columbia Street we've got a couple homes that were put in before I bought a house on Columbia Street that they're not even facing the right way.

J. Hufford: I know that.

Mayor C. Spence: Wrong, it's just so wrong. And it messes up the aesthetics of the entire neighborhood. And so yeah, it would have to pass our approval, we would not...

J. Hufford: But it can be done?

Mayor C. Spence: If it fits...

S. Shoemaker: But the deal that we're structuring with the builder is he's going to bring a book of floor plans, a book of options of both of "this is what we're going to build here". And that is the primary intent of the neighborhood. Is that all homes are going to be similar construction, finish, same similar types of finished materials, roof structures. We're not going to have flat roofs, and tall peak buildings--they're all going to be similar in nature. He does, our builder does have the ability to build a completely truly custom home. As this development goes through Phase 2 and Phase 3, what we're envisioning is we're going to be at the entrance in that \$225,000 to \$250,000 range, and as we move back through Phase 3, then we're going to get into bigger, more customized homes that are going to be upwards of,

you know, the high \$200,000 to the low \$300,000. So yes, that is going to be possible, but that may be, somewhere down the road. What we want to do to get it up and running and identify that yes, this is going to be successful, and yes, this is going to work well.

[Inaudible discussion in crowd.]

R. Abel: So it might be important to note right here at this point that Phase 2 and 3 will again have separate meetings that you could come and have comment at. So all we're approving tonight is Phase 1, so for Phase 2 and 3 there will be public attendance again for comments.

President D. Calhoun: Could you come back up here again?

[Unknown speaker] So, approximately about 60 homes are going to be built in that field back there.

Mayor C. Spence: Upon completion of all three phases. Yes, it would be.

[Unknown speaker] Okay, and how's that gonna increase traffic down that street?

Mayor C. Spence: Well, yeah it would obviously have increased traffic. The one thing I thought about this question before too because I have to deal with that on Columbia Street, and I guess the one thing I would keep in mind is the quality of homes that we're looking to put in, and the traffic that you'd be talking about, now how do I say this delicately? I don't anticipate us having a ton of hot rods and large scale motorbikes revving their engines really loud down through that neighborhood unless the family is coming to visit, you know. But we are looking for a...we're envisioning like a park district. And then point be made just for transparency's sake. I wanted this addition originally and so did other members in the city, we wanted this addition out at the park. There was a development to the...let me get my directions right, east side of the current park district. It's a big open field and there's a two story white house that sits across from that, yeah. And we wanted to build there. And that fell through. That actual property went to another individual who's also from Union City and actually lives outside right outside the city and wants to build some homes there. But she only wants to build a half a dozen to ten, nice, really nice homes and she wants the rest for like pasture and stuff like that. And so that no longer was a viable opportunity for us.

[Unknown speaker] Okay.

M. Bruns: And you do have access on Plum. You have access here and once you get to Phase 3, so it's not all coming out at one spot. Yeah it is split up a little bit number one just for exiting, and number two even for fire. And say you know things like that. EMS. But it would be, a majority of it would be on Plum Street, which is one of the major thoroughfares. Thank you so much.

T. Kerns: Chad, do you have sidewalks and stuff planned as part of this or just curbs?

S. Shoemaker: It'll be a sidewalk, street lights, so there will be a completely walkable neighborhood, and there is conversation about actually in the future, being able to actually connect it with the walking trail out to Harter Park.

T. Kerns: Is there an exit on either other one out towards 28 or anywhere in another phase?

Mayor C. Spence: So on Phase 3 the design is to exit out to 28. That's the end design.

T. Kerns: Is there any way that that could be done before?

S. Shoemaker: But we don't own that property yet we and we would be proposing that that would be a road straight out to 28.

Mayor C. Spence: But that's well down the road.

[Inaudible discussion]

F. Root: Oh, I don't need to come up there I can talk loud enough. Years ago Pete [inaudible] was our [inaudible] superintendent for years and he was on the Planning Commission with me and he said eventually the town going move north, east and west out there. But he said it's going to take lift stations. Is any of that been considered or studied or anything like that?

M. Bruns: Lift stations for the sanitary?

F. Root: No, up on that corner where the Lutheran Church is and everything.

M. Bruns: You're talking about lift stations...

F. Root: From Plum Street out to Jackson Pike, you're getting pretty close to it.

M. Bruns: I guess they can't talk about outside of our area, but you know the sanitary plant is right on the backside of this, the wastewater plant. And that's all one gravity. Water is all under pressure and the storm water is what we talked about going in that detention area. So as far as utilities, there's no...

F. Root: So it won't take any lift station to get that water sanitary?

M. Bruns: No, all the water is under pressure, so it won't take any lift station. It's already under pressure, and I mean if everybody on Lynn Street, and the opposite side of the subdivision has adequate water pressure, it will in the middle too.

F. Root: See that water has changed [inaudible] some of us came over to Lynn Street.

M. Bruns: Are you talking about storm water, or are you talking about drinking water?

F. Root: Storm water.

M. Bruns: No, the storm water is set up to go from these streets into this pond and into that ditch without any pumping, it'll all be gravity.

F. Root: Well, my backyard is soggy at times too since they changed the layout of that land.

M. Bruns: No, and these elevations on here show, I mean, if you want to look at it you can but we actually have the contours and show how it will run by gravity.

F. Root: I just don't know [inaudible].

M. Bruns: But no, we'll be fine.

President D. Calhoun: Anybody else?

Mayor C. Spence: Well, as parting words as Mayor, I just want to thank you guys for being here. I want to thank you for caring. Because I'll be honest with you, if every citizen in our community had the same vigor and passion that you have right now, we probably wouldn't even be here at this meeting right now, because we'd still have a lot of homes that were in immaculate shape that we wouldn't have to be talking about tearing down. So, thank you. Well, hopefully by God's grace we'll draw more people in our community like you.

President D. Calhoun: Thank you. I'd entertain a motion.

T. Kerns: I will make a motion we accept it.

A. Fahl: I second.

President D. Calhoun: It's been moved and seconded to take a roll call vote.

J. Welch: In voting, you have to consider certain things, and we have to make a Finding of Fact and that's located in Section 1.13 of the Subdivision Ordinance. There are seven questions there that the board has to have an answer to and a Finding of Fact. And some of those Randy may know the answer to, and there may be some things that we would need to put conditions on. That number one says, did materials presented meet the requirements of the applicable Subdivision Control Ordinance? So Randy did the materials meet those requirements?

R. Abel: As far as I am aware of, yes. I mean like I said, there's a few little things that I mentioned at the beginning like the LOMA and little things like that but yes, those can be done during the second plat.

J. Welch: So, so we would need to include those in the order so what are the...is there anything else in there that presents a problem in your opinion in the Findings of Fact?

R. Abel: I don't think so. Was Ed going to come back with some other things or not?

M. Bruns: Ed approved it at the Drainage Board and then he sent us a letter saying it was approved and I haven't talked to him since. He hadn't told me of any concerns.

D. Johnting: He said he was fine with the direction it was going.

M. Bruns: Yeah, they went to the Drainage Board and they approved it and he wrote us a letter stating that it was approved.

J. Welch: Does anyone have any questions with respect to those Findings of Fact that they would want to ask anybody in order to make a determination on any of those things?

President D. Calhoun: Well, what about number six, this is farm land, I mean?

J. Welch: That would be something each of you would decide. Does the subdivision interfere with the goal to preserve prime farm land as directed in the Comprehensive Plan? So, that's a decision you have to make as to whether or not this interferes with that type of a goal or with the overriding community interests.

R. Abel: This was technically already zoned R-1, which is residential. So in that sense, the Comprehensive Plan does not address R-1, it would address probably more like AG Limited and Ag Intensive areas.

T. Kerns: And it's already in the city limits.

R. Abel: Yes, it's already in city limits and it's already annexed, and it's already R-1, so I would say that condition is met.

President D. Calhoun: So, I assume that all seven questions are pretty well...

J. Welch: As long as everyone is comfortable in your own mind with those answers, that's all we need to make sure before you have to vote.

President D. Calhoun: Has everybody got questions, on all of them?

J. Hufford: Yeah.

J. Welch: It's on page four of the Subdivision Control Ordinance. Does anyone have any questions on any of those other findings, or want any of them read? If not, you can enter any motion and take a vote.

President D. Calhoun: We've got a motion so let's take a roll call vote.

D. Johnting: Okay, Amy Alka, Bryn Albertson, and Terry Alfrey are absent. Adrian Moulton, yes, Will Greer, yes, Steve Hernly, yes, John Reece, yes, Andy Fahl, Tom Kerns, yes, Don Calhoun, yes, Tom Chalfant, yes, Jim Hufford, yes, Bob Lahey, abstain. Motion is approved.

M. Bruns: Thank you very much for your time.

President D. Calhoun: Thank you. Okay, do we have any old business that we need to discuss?

Mayor B. McCoy: Are you ready for me? This room has horrible acoustics. Well, I just wanted to bring something to everybody's attention. I think Deb basically can provide you guys with some information. I think when the whole problem with the "Shon's not my mayor" sign went up in Winchester, there became a lawsuit and basically the city settled, the county settled, basically revamped the sign ordinance and what we have now, although probably covers some things that were important that it does not cover... Well, for instance, this is a 10 square sign. That's the largest sign you can put on the building. Am I correct?

D. Johnting: I think maybe you can have two.

Mayor B. McCoy: Two? This, and do these guys got this?

D. Johnting: No, I don't think so.

Mayor B. McCoy: This was a sign that was recently put up in Winchester and I am not disagreeing that it was done right, but I see nothing wrong with that sign. If that sign was 10 square foot, you wouldn't be able to see it for one thing. Prior to that sign, there was a sign there for, it was Rodefolds. So I guess what I'm asking is for the current sign ordinance to be looked at a little closer. Otherwise pretty much in my opinion, most signs in Winchester and Union City on buildings do not conform to this current ordinance. So any future business does not conform. And it's confusing at that, I didn't really, Deb had to point it out to me as well as Randy. And I think she supplied you with the old one. And I guess my question is what was wrong with the old one other than the fact, as far as what went on buildings and freestanding signs and things like that. I don't understand how we got from here to there addressing an issue of freedom of speech because that's what why this whole sign ordinance got passed and I really, I don't remember who was on this, that board at the time? Maybe Don? That was probably, yeah, so and again. It's hard to understand. And you guys meet not very often and you get all this thrown in front of you. And I really think it was something that was missed. When you say 10 square foot and...

D. Johnting: I asked her if that was a mistake. And there wasn't, I mean, if you want to take this, there wasn't a lot of discussion about what to put in it, just get it done, get it approved.

Mayor B. McCoy: Right.

President D. Calhoun: Yeah, that's right, I remember.

Mayor B. McCoy: And I think I mean, and there was a lot of controversy over that sign in somebody's yard. And when they were told they had to take it down, then the lawsuit came. And then we revamped the whole sign ordinance.

J. Welch: I think the original intent was to clean it up when we when we did the new Unified Zoning Ordinance. Which we, somebody was hired I think couple of years ago, so they're in that process now. So, when that's done, any changes like that can be put into the new ordinance. That would be a good time to change little things like that that need to be changed.

R. Abel: And we're still working on it.

Mayor B. McCoy: But I really think this board needs to look at that and look at the old one. The way the signs was structured, like I said, other than anything that would infringe on people's rights or, and again, I mean looking at this page you supplied me with I, I really don't see issues with what we were doing prior to the change.

D. Johnting: Well, and in the progression of things, Casey's asked us what our sign ordinance was before we had this, so they fell under the old ordinance. O'reilly's came in, they're actually in manufacturing [Zone], even though it's more of a commercial type business. So they got to use the table, the standards for M-1 and M-2 even though they don't really qualify as manufacturing. So, this was the first test of this ordinance. And it doesn't even come close.

Mayor B. McCoy: Right, and even the City of Winchester sign, probably doesn't fit this ordinance. More than likely.

J. Hufford: Even at the hospital, the Emergency Entrance sign out there is a lot bigger than 10 foot.

R. Abel: So it depends a lot on the interpretation of the ordinance. So, if you have an emergency sign, I would interpret that as a directional sign. Because it tells you where to go. It doesn't say Saint Vincent.

J. Hufford: Or is it just an information sign too? So it's hard to determine what it is?

R. Abel: So a lot of it depends on interpretations, and then I look at other ordinances, I see things like, for so many lineal foot of frontage, you get so many square feet of sign, and then as that distance goes further from the right of way, it increases by percentage points, so that obviously the building is further away, you're going to have a bigger sign, so you want to have that same, you know vision, visual impact. And so there's a lot of different approaches by different ordinances, and I think that would be worth for us looking at, that definitely the 10 square foot, you know, if you're sitting right on the road, you could see a ten square foot sign, but the further back you go, the harder it gets obviously to, you know. I think this comes from a bigger city and quite frankly, I think in those areas you're probably getting on the Internet and looking up where the place is, and you're already going down the road on Google and all you're looking for is the sign to get you off of the road at the right spot, when Google says turn. So...

D. Johnting: We did happen to get two more, two requests for signage, it's for Reid Healthcare, they're going to have a, the base sign, and they want two signs on the building that are hundreds of feet more than what we would allow. And they just want two signs. The other one is for Family Dollar/Dollar Tree in Losantville. Their sign package, they're asking for signs, one above the door on the building and they're too big. So we'll have a variance on those.

Mayor B. McCoy: So as it stands right now, anything basically being put up or planned to be put up that doesn't fit the current is a variance, just pretty much and really in my opinion unnecessary if things can be changed. But I mean I know that's just the way it is, but, and with the tobacco store, I heard the sign company did not communicate well with you guys to begin with and just you know they had the signs bought and just said well the signs are here and alot of that, we could have had this discussion prior to them putting the sign up, knowing that there was an issue because up to that point I didn't think--I didn't know anything that there was an issue. I mean, that's the first I've heard. I'm thinking 10 square foot?

D. Johnting: That was our actual real, true first test because of the two signs before worked out because it was the old ordinance and the zoning was more forgiving.

Mayor B. McCoy: So basically all I'm asking is everybody reconsider that sign ordinance. It will probably save you a lot of BZA meetings if you get that reworked anyway.

D. Johnting: When I talked to Debbie Luzier, the lady that wrote the ordinance and also Ed the sign man from Richmond and the gentleman from Muncie that comes in, the trend is going to what Chad was talking about, drive through town first impression, you don't want it to look like you're driving into Dollywood. With all the flashing signs and everyone competing. Small, tasteful like Randy said, if you know where you're going or you got it on your phone or your GPS, you're gonna find it.

Mayor B. McCoy: And that's understandable.

D. Johnting; The signs don't compete for your attention.

Mayor B. McCoy: And I think they went that direction on McGalliard in Muncie years ago and when they rebuilt Burger King and everything kind of lower to the ground, smaller. And McGalliard is a nightmare when it comes to signage. Again, I get the whole idea of the sign ordinance.

D. Johnting: And these are written by, done by, people who know what to expect when they go into a community and ask a question. So the sign man knew he was going to have trouble, because he looked at ours and he said I knew before I did anything that we're gonna have to do a variance.

R. Abel: But I've seen other UDOs that have been written within the last, I don't know 5-6 years they were more generous than this one. And so you know, my point is, we probably need to look at communities that are more like ours, and get some perspective that way.

Mayor B. McCoy: That's really all I had and I really appreciate on the subdivision that the time was taken to go through, basically the steps... I think one of you asked about sidewalks. I think one of you asked about sidewalks. In Winchester, there's lots of areas, probably as in Union City as well, build a subdivision, don't put sidewalk in. I think that should be mandatory that sidewalks go in and you know during each question.

J. Hufford: I think he made that decision over there several years back, that anything new goes in, any time there's a way to do it, replace the sidewalks. Anything new goes in, must have sidewalks.

Mayor B. McCoy: Yeah, that makes perfect sense. But yeah, I appreciate you know taking the time to hear that. That's all I have. So everybody can go home, right? What's that?

D. Johnting: So, are they going to do a variance? Putting you on the spot.

Mayor B. McCoy: Do they really need to be, I mean? I mean it's done. When you think about it, and I mean if you talk to the majority of the BZA they're, I mean, they would say why? You know what's wrong with that sign? So I don't know, what's that?

J. Welch: Because the next person that puts one up says, well they got that sign.

R. Abel: Right, and then the banner goes up, and it's four times bigger than that.

Mayor B. McCoy: Yeah, and I did ask them to take the fireworks banners down and they took them down.

R. Abel: And the fireworks sign is parked on a utility truck bed.

D. Johnting: That will never be in the ordinance, that they can put a full size banner on the side of a semi-trailer.

Mayor B. McCoy: Yeah for sure. Well, thank you.

D. Johnting: We'll see, that's not my call.

Mayor B. McCoy: You guys have a good evening.

President D. Calhoun: Do we have any ideas how soon we might be having our, getting the comprehensive plan?

D. Johnting: Covid really slowed things down, solar took the year before and Covid was last year. We measure things in years. We're working on definitions again.

R. Abel: And uses.

D. Johnting: Uses, yeah uses, I'm sorry.

R. Abel: So, we'll see what the next move is. Probably she's going to get us a little something here in the next month or so. And we'll probably come back to the committee, which, we've got a committee somewhere. I will have to look it up to see who's on it, but come back and review over then, the use matrix and things like that to make sure the committee is good with that. And then that will come back to the APC.

President D. Calhoun: Is there anything else?

A. Fahl: I'd like to encourage everyone in this room, if you haven't, I don't think anybody here has, to if you could attend the cultivating community meetings that are going on at fairgrounds, it's by Randolph County United and Ball State University. There's a total of four of them, they've had two so far, number three if I'm telling you right is August the 19th from 5:00 to 8:30? I've attended the first two. Very, very interesting and you will not fall asleep. It is very interesting. And we are all concerned about the future of Randolph County, and that's what these meetings are about. A lot of good ideas and Ball State has structured this for the four meetings, it will funnel down to a move forward plan. So number three meeting's coming up, we're going to do this one in the evening. Meal will be served and I'm telling you it's well worth your time.

President D. Calhoun: Thank you. Anything else? I will entertain a motion to adjourn. So moved, we are adjourned. Thank you for coming everybody, we had a good crowd.

President, Don Calhoun

Vice President, Andy Fahl

Recording Secretary, Debra Johnting