

TOWN OF UPLAND, INDIANA

OCTOBER 24, 2007

The Town Council of the Town of Upland met in regular session on the above date. All members were present except Jagers. The meeting was called to order at 7:00 p.m. by President Joe Romine. There was a motion by Martz seconded by Cooper to approve the minutes from the October 10, 2007 meeting. Those voting aye: Bonham, Romine, Cooper, Martz. Nays: No one.

REZONING OF 5 ACRES ON 500S.: There was a motion by Bonham seconded by Cooper to bring off the table the change in zoning on 500 S. from R1 to RS. Those voting aye: Bonham, Romine, Cooper, Martz. Nays: No one. Bonham reported that one of the concerns that was raised at the last meeting was the concern of the storage building would lower property values. His job takes him to other counties such as Blackford, Pike, Dubois and Grant. He checked with all the Assessors of these counties to see what their read was on how it would affect adjacent property owners. They all responded that they felt there would be no negative impact. He also spoke to appraisers who all agreed that it would probably be the best usage for that site. He also explained that Mr. Duckwall started this process in July with the Area Plan Commission. Concerns were raised at that time and the motion was tabled to address the concerns. With the concerns addressed, the Area Plan Commission unanimously approved the change in zoning and sent to the Town for their approval.

MOTION TO CHANGE ZONING: Motion by Bonham seconded by Cooper to change the zoning of five acres owned by Mr. Guy Duckwall from R1 to RS with Ordinance prepared by Area Plan Commission with a deed restriction for usage for storage units only with the concerns of signs, lighting, buffer zones and planting of trees as discussed be addressed. Those voting aye: Bonham, Romine, Cooper, Martz. Nays: No one. Mr. Bonham explained to Mr. Duckwall that the zoning had now been changed and his next step is to go to the Board of Zoning Appeals for approval to build the units.

TAYLOR UNIVERSITY BOND ISSUE: Mr. McKown reported that Taylor University would like to bond 9.1 million dollars. By going through the Town it allows a non taxable status. The Town is no way responsible for the bonds if Taylor would default and our own bonding would not be affected. Mr. Sutherland from Taylor University then explained what the bonds would be used for. They are planning on using 4 million for an apartment complex at Third and Reade and 5.1 million to repay bonds that already exist. The Economic Development Commission met at 2:00 p.m. today and gave a favorable recommendation to the Town for the Bonding. There was a motion by Cooper seconded by Bonham to approve the Resolution as prepared and upon the recommendation of the Economic Development Commission to approve the bonding for Taylor University. Those voting aye: Bonham, Romine, Cooper, Martz. Nays: No one. There will be a Public Hearing on November 14th, 2007 at 5:00 p.m. with the Economic Development Commission and 7:00 p.m. with the Upland Town Council to consider the matter and for any parties that wish to speak.

SUBDIVISION: The Council was given information on a new subdivision on the west side of town for review for change in plotting. The subdivision is being developed by Barry Barrett.

KERSHNER COMMONS: A request has been made to add seven additional lots at Kershner Commons. Long is concerned about adequate water for fire protection. There is also the issue of an additional fire hydrant. Long recommended to the town that the request be denied until the concerns have been corrected. There was a motion by Bonham seconded by Martz that upon the

recommendation of the Town Manager to wait for approval until the concerns are corrected.
Those voting aye: Bonham, Romine, Cooper, Martz. Nays: No one.

RESOLUTION: Motion by Bonham seconded by Martz to approve a Resolution of transfer of funds in the General and MVH fund Accounts as prepared. Those voting aye: Bonham, Romine, Cooper, Martz. Nays: No one.

RESOLUTION: Motion by Cooper seconded by Martz to approve a Resolution of reduction of appropriations for 2007 that will not be used in the General, Local Road and Street, Motor Vehicle Highway and Riverboat Wagering Funds. Those voting aye: Bonham, Romine, Cooper, Martz. Nays: No one.

There being no further business, the meeting was adjourned. The next regular meeting will be Wednesday, November 14th at 7:00 p.m. There will be an Executive Session at 6:30 p.m. for the purpose of discussing personnel.

ATTEST: _____ SIGNED: _____
JANE E. ROCKWELL COUNCIL PRESIDENT
CLERK-TREASURER