

MINUTES TOWN OF UPLAND, INDIANA, DECEMBER 13, 2016

The Town Council of the Town of Upland met on the above date in regular session. The meeting was called to order at 7:00 p.m. in the Upland Town Hall at 7:00 p.m. by President John Bonham. There was a motion by Jagers seconded by Slain to approve the minutes from the November 1, 2016 meeting. Those voting aye: Jagers, Crouch, Bonham, Slain, Ross. Nays: No one.

PROPOSED REZONING ORDINANCE: A request has come before the Council to rezone 570 S Main from Residential to General Business. Upland Partners has filed the petition with the Area Plan and a hearing was held on December 5th at the Area Plan meeting. The Area Plan has made a non favorable recommendation to the Town. It then has come before the Council at this meeting for final approval or denial. The proposal is construction of a General Retail store at least 9000 square feet with 30 parking spaces with drive onto the state highway. They are aware of some drainage issues that will be taken care of before or during construction. Several people from the public then spoke against the project. Joan Stanley, 537 S. Main St. cited that most of the homes in that area are historical and it would depreciate the value of the homes, increase of traffic, local stores would suffer. Marilyn Holder 525 S. Main agreed with everything Ms. Stanley had said and added the close proximity of the school citing that two children had been hit on Main Street in that area. Mike Howard 557 S. Main St. then spoke about rezoning to General Business and what businesses could be there if this retail failed to exist anymore. Those being a dog kennel, auto body shop, strip club/bar and etc. He also cited that trash could be an issue. Ruth Howard was on the committee to build the memorial park and said that area is such a bright spot in town why would we want to distract from that with a business there. Ed Miller, 505 S. Main St. said we already have a business district in town and thinks the business should find property in the already business district. Tony Mills was concerned about the trucks making deliveries. Ron Sutherland challenged the Council to think about the Master Plan that we have worked so hard to accomplish. That was not a part of the Master Plan then so why would we want to change it now? Rebecca Durovey, Mel Callison and Kevin Webb also spoke against the rezoning citing same reasons as previous speakers. Jim Bitner, Commercial Real Estate Agent expressed that this business has been looking for the last ten years to come to Upland and has not been able find a suitable place. He said this would create new jobs in town. They like to be close to schools. It has to be on Main Street preferably a corner lot and the unloading of trucks would be done during business hours not a 24 hour business. Chip Jagers commended the public for the way they conducted themselves. He also expressed that if we have a Master Plan why would we not follow it. Warren Ross thinks the pros out weigh the cons. He cited an additional tax base for the town and economic development. Bonham said that the Area Plan Director went to our Master Plan and it maintains to protect low density residential areas. The Master Plan discourages spot zoning. There was then a motion by Jagers seconded by Bonham to

deny the request to change the zoning from Residential to General Business. Those voting aye: Jagers, Crouch, Bonham. Nays: Slain and Ross.

TOWN INSURANCE: Trent Dailey with Insurance Management presented the renewal policies for Town Insurance. There was a motion by Ross seconded by Crouch to approve the renewal as requested. Those voting aye: Jagers, Crouch, Bonham, Slain, Ross. Nays: No one.

GRANT APPLICATION AGREEMENT: Lou Savka, Triad and Associates presented a contract to help the town acquire a matching grant for roads. There was a motion by Jagers to accept the contract. Motion died for lack of a second. There was then a motion by Crouch seconded by Ross to table the contract until the January 3rd, 2017 meeting. Those voting aye: Jagers, Crouch, Bonham, Slain, Ross. Nays: No one.

STORMWATER UTILITY: Lou Savka reported they are working on estimates for several stormwater projects. The Town has been collecting \$3.50 per water meter since 2011. In order to have enough resources to complete these projects Triad is going to recommend in the very near future that the town consider raising the fee from \$3.50 to \$5.00 per meter.

CHICKENS WITHIN TOWN LIMITS: Mr. Forcum will draft an ordinance to have ready for the next meeting for Council review concerning allowing chickens in town.

POLICE REPORT: Marshal Wolf gave the police report for the month of November 2016. He introduced our new police officer Daniel Strobe and his wife Jenny. Clerk administered the oath of office to Officer Strobe.

BIDS ON 1987 FIRE TRUCK: Three bids were received and opened for the 1987 Fire Truck. There was a minimum bid of \$1000.00. The bids were Brian Lemmer, \$3000.00, Terry Smith, \$1500.00 and Gary Massiongale \$1569.00. There was a motion by Slain 2nd by Crouch to accept and sell the 1987 Fire Truck to Brian Lemmer for \$3000.00. Those voting aye: Jagers, Crouch, Bonham, Slain, Ross. Nays: No one.

CHANGE OF MEETINGS: It was the consensus of the Council to have Council meetings on the 1st and 3rd Tuesday of the month beginning in January 2017.

LIBRARY BOARD APPOINTMENT: Motion by Bonham seconded by Ross to appoint Linda Thorne to the Barton Rees Pogue Memorial Library Board for a term starting December 2016 and ending November 2020. Those voting aye: Jagers, Crouch, Bonham, Slain, Ross. Nays: No one.

GR. CO. EMERGENCY MANAGEMENT BOARD: Motion by Bonham seconded by Slain to appoint Steve Wolf to the Gr. Co. Emergency Management Board. Those voting aye: Jagers, Crouch, Bonham, Slain, Ross. Nays: No one.

STATE INSPECTION AT WWTP: Felver reported that the State had done their inspection at the WWTP and there were no write ups.

DEMOLITION OF BUILDING: Dollar reported that Vectren had abandoned their line at the building to be demolished.

RESOLUTION: Motion by Bonham seconded by Jagers to approve a Resolution of transfer of funds in the General and MVH Fund Accounts. Those voting aye: Jagers, Crouch, Bonham, Slain, Ross. Nays: No one.

LINE OF CREDIT: Motion by Bonham seconded by Ross to extend another four years our line of credit of \$150,000.00 with Citizens State Bank with semi annual payments. Those voting aye: Jagers, Crouch, Bonham, Slain, Ross. Nays: No one.

There being no further business, the meeting was adjourned. The next regular meeting will be Tuesday, January 3, 2017 at 7:00 p.m. There will be an executive session at 6:00 p.m. for the purpose of discussing personnel.

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