



LAPORTE COUNTY PLAN COMMISSION

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LA PORTE COUNTY PLAN COMMISSION MINUTES January 26th, 2021

MEMBERS PRESENT: Anthony Hendricks Rita Beaty Kelly
 Joe Haney Earl Cunningham
 Harold Parker Glen Minich
 John Carr Azad Chahal
 Adam Koronka

OTHERS PRESENT: Doug Biege, Attorney, Ashley Kazmucha, Secretary.

PLEDGE OF ALLEGIANCE

Anthony Hendricks asked for approval of the agenda for the January 25th meeting.

Harold Parker made a motion to approve the agenda as presented.

Joe Haney seconded.

All approved. Motion carries 8-0.

Anthony Hendricks asked for approval of the meeting minutes November 24th, 2020.

Rita Beaty Kelly made a motion to approve as presented.

Glen Minich seconded.

All approved. Motion carries 8-0.

ELECTIONS:

Anthony Hendricks asked for nominations for President of the Plan Commission.

Rita Beaty Kelly nominated Anthony Hendricks.

Earl Cunningham seconded.

All approved. Motion carries 8-0.

Anthony Hendricks asked for a nomination to retain the Board Attorney Dough Biege, BZA member Glen Minich, and Vice-President Rita Beaty Kelly.

Glen Minich made a motion to retain the Board Attorney, BZA member Glen Minich, and Vice-President Rita Beaty Kelly.

Rita Beaty Kelly seconded.

All approved. Motion carries 8-0.

Anthony Hendricks asked for nominations for Building Commissioner. They have candidates that have sent them resumes and interested parties.

John Carr joined the meeting via Zoom.

Rita Beaty Kelly nominated Mike Polan.

Harold Parker seconded.

John Carr nominated Russ Hatfield.

Adam Koronka seconded.

Earl Cunningham nominated Melissa Mullins Mischke. He stated she has not applied, but he can give a brief overview of her background. She is presently the BZA President.

Glen Minich seconded.

Rita Beaty Kelly made a motion to close nominations.

Adam Koronka seconded.

All approved. Motion carries 9-0.

Anthony Hendricks stated he would like to have a roll call and each member will state which candidate they are voting for.

Harold Parker asked if they are going to have a visual of any of these people or are they voting in the dark.

Anthony Hendricks stated if he would like to, they can open the floor.

Harold Parker stated the floor should be open. They should meet these people.

Mike Polan stated he is one of the nominations for Building Commissioner. He is currently a Crew Chief with the LaPorte County Drainage Board and he is the MS4 President. He has served the Drainage Board for sixteen (16) years and MS4 for ten (10) years. If there are any questions from the Board for him, he can answer them at this time.

Harold Parker asked Mike Polan why he wanted the job.

Mike Polan stated he has faithfully served for many years in the capacity that he is currently with LaPorte County. They have built an award winning MS4 program. They just won an award for Best in State for Public Education and Outreach. He was called to action to take that position. Now this position is open and he goes where he is needed. If this Board appoints him to serve in the capacity of Building Commissioner he would certainly do so to the best of his ability.

Joe Haney asked how his current position relates to the Building Commissioner position.

Mike Polan stated in the MS4 world there is code enforcement. That would be one of the things that carries over into the Building Commissioner territory. It is a different type of code enforcement. MS4 is primarily storm water and water quality. There are some overlapping jurisdictions between the Building Commissioner and MS4, but overall, it is a different type of code enforcement.

Harold Parker asked how long he would work for them.

Mike Polan stated as long as they would have him. He presumes that if he ever stops doing a good job he'd be fired.

Russ Hatfield stated he is very knowledgeable. He has over ten (10) years of experience working with the code ordinances, State laws, and State standards. He is very knowledgeable on ICC codes. He is knowledgeable on the MS4 program. He wanted to be present and see if the Board had any questions for him.

Harold Parker asked Russ Hatfield why he wanted the job.

Russ Hatfield stated it is something he has always been very dedicated in. It is his passion and he is experienced. He enjoys working with the codes and the building inspection process. He would like to pursue that career again.

John Carr asked what kind of experience he has.

Russ Hatfield stated he has ten (10) years of code enforcement experience. He also spent several years on the State Code Education Committee setting up the classes to educate building inspectors throughout the entire State. He supplied the Board with some of his education background and his certification. If anyone has questions about those, they are free to ask.

John Carr asked if he is currently employed.

Russ Hatfield stated he is employed with the Michigan City Police Department and the City of Michigan City nearing fourteen (14) years of loyal dedication to the City. It is a very high-maintenance and active facility. He has used his knowledge to set up programs that benefits the entire City and Police Department.

Earl Cunningham stated Melissa Mullins Mischke worked for LaPorte County as the GIS Coordinator for nine (9) years. She was the Michigan City GIS Coordinator for seven (7) plus years. She also did sewer and electrical inspections in the City. She is currently employed with Edge IT. Most importantly she is a member of the Board of Zoning Appeals for the last thirteen (13) years of which she was president for that past two (2) years.

Harold Parker asked if he liked Melissa Mullins Mischke and if he would vote for her.

Earl Cunningham stated yes. After having worked on the BZA and Plan Commission for the last four (4) year, he has found Melissa Mullins Mischke to be very knowledgeable with their code. She has experience in government work with both the City and the County. That doesn't mean he can't live with the other candidates; he is discouraged that Melissa Mullins Mischke didn't put in an application because she was told by a County Official that the job was already filled and gave her a name stating there was no sense wasting her time. They were going to hire so and so. That is discouraging as a member of this Board.

Anthony Hendricks stated there are three candidates on the floor. They will vote roll call and say who they are voting for. If no candidate gets five (5) votes then the top two (2) candidates will be voted in a second round.

Ashley Kazmucha read the roll:

Anthony Hendricks stated Mike Polan.

Rita Beaty Kelly stated Mike Polan.

Joe Haney stated Mike Polan.

Glen Minich stated Melissa Mullins Mischke.

Earl Cunningham stated Melissa Mullins Mischke.

Adam Koronka stated Russ Hatfield.

John Carr stated Russ Hatfield.

Azad Chahal stated Mike Polan.

Harold Parker stated Mike Polan.

Anthony Hendricks asked what the tally is.

Ashley Kazmucha stated five (5) for Mike Polan, two (2) for Melissa Mullins Mischke, and two (2) for Russ Hatfield.

Anthony Hendricks thanked the Board for their votes. Five (5) votes are the quorum for the Plan Commission out of nine (9). Mike Polan is the next Building Commissioner.

Russ Hatfield thanked the Board for their consideration.

John Carr stated he agrees with Harold Parker in regards with the Commission not having an executive session to interview all applicants. It is terrible that they didn't do that. None of these candidates got a fair shake because they didn't do their due diligence to speak to every one of them.

Petitions:

1. Petitioners, Glenn A. Wallace, Rita M. Wallace, Anthony Wallace and Michelle Magley represented by Anthony G. Novak and James Kaminski of Newby, Lewis, Kaminski, and Jones, LLP respectfully petitions the Plan Commission to vacate an unimproved public way which runs north and south along Lot 7, 11 E Hopper St., Hanna, IN. Hanna Twp., zoned R1B. (Parcel 46-18-08-277-007.000-049) Exhibits attached hereto.

Tabled from November Meeting

Attorney Biege stated notice is adequate.

Anthony Novak stated he is joined by Glenn Wallace on Zoom should they have any questions. This is pretty simple and straight forward. He is an attorney with Newby, Lewis, Kaminsky, and Jones representing the Wallace Family. The Wallace Family owns the property at 11 East Hopper Street, Hanna, IN. It is outlined in blue on Exhibit One (1) of the packet. They also own the house immediately next door, which is to the East at the corner of Illinois and Hopper Street. That is 15 East Hopper Street. It is shown on Exhibit One (1) and Exhibit Three (3). There is a twelve-foot (12') wide unimproved alleyway that runs North and South along the Western border of their property at 11 East Hopper. The alleyway has been platted, but never improved. It's just grass with shrubbery either in or over it. The Petitioners seek to have that alleyway vacated. To specify, it is just the portion of the alleyway that is adjacent to their property on 11 East Hopper. Exhibit Three (3), the actual plat of survey, shows it is the portion between lot seven (7) and lot (six) 6. The portion that runs to the North between lot two (2) and lot (3) are not of issue here. There are six (6) adjacent landowners that have to be noticed. The seventh is the Wallace Family. Of the six (6) that were notified, they received five (5) of their consents to this petition which were provided to Attorney Biege. The sixth (6th) was unable to be reached. Simply vacating this alleyway shouldn't harm anybody's access to the properties. They can still access their property from Thompson Street and Illinois Street. There is also an East and West alleyway that runs near the properties as well. They are seeking a favorable recommendation of the Commissioners that this portion of the alleyway be vacated. He and Glenn can answer any questions they may have.

Joe Haney asked which lot was owned by the person they were unable to contact.

Anthony Novak stated it was Amanda Stevens. She is north of lots five (5) and six (6).

Anthony Hendricks stated it is parcel two (2) on Exhibit Four (4).

Anthony Novak stated that is correct.

Remonstrators:

Glenn Wallace stated he is for it.

Anthony Hendricks stated this is a unique situation because there are alleys that are East/West and North/South. It looks like they have access on the East/West alley. He is not sure if there are any utilities there. Typically, they can vacate an alley, but they cannot vacate any easements that may be there for utilities.

Attorney Biege stated that is correct, the easements will remain.

Anthony Hendricks stated the vacation will be half and half unless some discussion happens between the owners.

Joe Haney stated this is one of the most straight forward ones he's seen come through.

Anthony Hendricks stated he is lucky for his first time.

Joe Haney made a motion for favorable recommendation for Petitioners, Glenn A. Wallace, Rita M. Wallace, Anthony Wallace and Michelle Magley represented by Anthony G. Novak and James Kaminski of Newby, Lewis, Kaminski, and Jones, LLP to vacate an unimproved public way which runs north and south along Lot 7, 11 E Hopper St., Hanna, IN. Hanna Twp., zoned R1B. (Parcel 46-18-08-277-007.000-049).

Earl Cunningham seconded.

All approved. Motion carries 8-0.

2. Solar Ordinance

Anthony Hendricks stated they have been working on this for ten (10) months to almost year.

Attorney Biege stated pretty much.

Anthony Hendricks stated they have had some great input. This past weekend, when he had time, he was looking if he wanted to put solar energy systems in, what would this do for him as a private owner. He had concerns. With the addition of a new Building Commissioner, new Commissioner, and two (2) new Plan Commissioner members, he would like to table this to February. He doesn't believe anybody is building solar panels in January and February. They can discuss then. He will draft up his concern that he has highlighted and send them to everyone via email. They are minor, but things he was looking at were the chart on the Use Table. One states P is primary use. Is that permitted use and SE is special exception? It didn't say on the chart. He was concerned that the small-scale solar systems are special exception in everything except

industrial and agriculture. He doesn't know why they would be special exception. If somebody wanted to put a small solar panel system in your yard, as long as it met the setbacks, he doesn't have a problem with them. They should encourage people to do solar panels. His other concerns about permitting they will put in the email. He would like to table this to February to get everyone up to speed.

Joe Haney stated he looked over the draft as well and he had similar concerns.

Harold Parker asked Attorney Biege is number six (6), under B1, is this the guarantee that the facility will be paid for when it is taken apart.

Attorney Biege stated yes, that is the intent.

Harold Parker stated it doesn't read very well, but that does say that?

Anthony Hendricks stated Harold Parker will have a month to edit it.

Attorney Biege agreed.

Harold Parker stated it wouldn't matter how long as long as there is some means to recoup the cost and not break the landowner who leases it for twenty (20) years to somebody else across the planet. All the wind mills in Benton County go back to New York; that energy is not used locally. The new transmission line they put through Plymouth goes to New York. None of it in Indiana is used in Indiana. NIPSCO will be the first one.

Anthony Hendricks stated it sounds like another resolution from their Board.

Joe Haney made a motion to table the Solar Ordinance to the February meeting.

Rita Beaty Kelly seconded.

Attorney Biege stated that when drafting the ordinance, he pulled up a template and they have been evolving as they go. We want the ordinance, but nobody is married to the language or concepts within. He added what he thought they may want.

Anthony Hendricks stated they are driving this as Michigan City is looking at it too. Most of the solar panels in their open land anyway.

Glen Minich stated he does see the point about making it a special exception, but it does leave it to be put in review by the Board of Zoning Appeals. So that when they first get it out, there will be neighbors that question it. There are a lot of things cause glare and problems with neighbors and this could be another one of those things that they find does that.

All approved. Motion carries 9-0.

Anthony Hendricks asked if there is any old business.

Anthony Hendricks asked for any new business.

Harold Parker welcomed everybody to the Board.

Anthony Hendricks stated Attorney Biege drafted a Resolution to honor Annemarie Polan for all her years of service. It is Resolution 2021-1 which will be read into the record.

A Resolution Showing Appreciation for Annemarie Polan's Service

Whereas, Annemarie Polan has announced her retirement as Building Commissioner.

Whereas, Annemarie Polan has served as LaPorte County Building Commissioner for nearly a decade.

Whereas, Annemarie Polan has served the citizens of LaPorte County for decades in multiple roles in the County Government or behalf of the LaPorte County resident with a steadfast loyalty.

Whereas, LaPorte County Plan Commission and LaPorte County owe a debt of gratitude to Annemarie Polan for her service.

NOW THEREFORE BE IT RESOLVED BUT THE PLAN COMMISSION THAT WE:

We Thank you, Annemarie Polan, for your meritorious service to our Community as we wish you well in your much earned retirement.

ALL OF WHICH IS RESOLVED THIS 26th day of January, 2021.

Anthony Hendricks stated he has been around the courthouse since he was a little kid. He has seen many Building Commissioners and Annemarie Polan has done a wonderful job in the public world and the private world. LaPorte County is open for business. LaPorte County welcome people to build. He works in lots of surrounding communities. There's not a day he doesn't thank that he is working in LaPorte County.

Rita Beaty Kelly stated she would like to thank Annemarie Polan.

Attorney Biege stated from his perspective, she has been incredible to work with. She is pleasant. She has been motivated. She did a great job for the citizens. He truly enjoyed working with her over the last ten (10) years or so.

Harold Parker stated it was hard to tell when she was really mad. She held it intact and that was a nice thing. Some people can turn your numbers on you pretty good and she did well. He will miss her.

Anthony Hendricks stated they will truly miss Annemarie Polan.

Jeff Wright stated he has done a lot of projects with Annemarie Polan and it has been his honor to work with her over the years.

Earl Cunningham made a motion to adopt the resolution.

Rita Beaty Kelly seconded.

All approved. Motion carries 9-0.

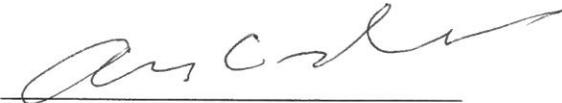
Anthony Hendricks asked for a motion to adjourn.

Rita Beaty Kelly made a motion to adjourn.

Joe Haney seconded.

All approved. Motion carries 9-0.

There being no further business before the Plan Commission, meeting adjourned at 6:32 p.m.



Anthony Hendricks, President



Michael Polan, Recording Sec.