

**MINUTES**  
**CASS COUNTY PLAN COMMISSION**  
**Tuesday, March 3, 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:**

Members present: Josh LeDonne, Jon Guy, Jim Sailors, Fred Seehase, Brian Reed, Krista Pullen, and Stacy Odom

Member absent: Jim Donato and Mike Kinsey

Staff present: Arin Shaver, Eric Servin, Jeff Stanton, legal counsel and Peggy Dillon.

Public in attendance: See sign in sheet

**ACTION ON MINUTES:**

Minutes of February 3, 2020 were presented. Mr. Seehase motioned to approve as presented. Mr. LeDonne seconded the motion; all were in favor.

**PUBLIC HEARING:**

Resolution #20-02 Rezone and Resolution #20-03 Future Land Use Map (FLUM):

*Clymers Industrial Park area*

Mrs. Shaver explained the Findings of Fact that the Board will consider; located the area and gave the following information:

- A rezone will allow for Special Exception to required for some uses that currently are not permitted in the district
- The current zone of AG, Agriculture will be changed to CG, County Gateway
- 1 residence along 375 W. will remain AG
- The surrounding uses that are mostly CG currently, include The Anderson's; Logansport Stone Co.; ADM and farmland
- The general goals of the Comprehensive Plan call for agribusiness and industrial
- Future growth for the CG district will occur in this area and to the south of the Hoosier Heartland Corridor, as the Park expands based on the FLUM
- CG standards allows for expansion of industrial and agribusiness
- This rezone is achieving overall goals of the Comprehensive Plan

Mrs. Shaver asked for questions from the Board.

Mr. Odom asked if the current farming in the area is still allowed, Mrs. Shaver stated yes but any expansion of a residence would not be allowed.

Mr. Odom asked for questions from the public.

Christy Householder, Cass County Economic Director, stated that the Cass County Redevelopment Commission has purchased 1 residence in the proposed CG district and another home has been proposed to be purchased; both homes will be demolished.

Mrs. Householder explained that in 2005 this area was designated as an Industrial Park and in the future will expand in this area and to the south of the Hoosier Heartland Corridor.

Maximo Gutierrez, 2716 S. 375 W., introduced himself as the residential owner of the property that is not being rezoned on CR 375 W.

Lora Redweik, 5524 N. 600 E., expressed concern that as this area is being rezoned, citizens don't know what developments are being proposed.

Mrs. Shaver explained that this Board will be considering whether or not this rezone if it is appropriate for the area, not based off future individual developments.

Mr. Gutierrez asked if he will be allowed to create a business and build a large pole building on his property.

Mr. Odom explained that the Board had a committee meeting on this rezone and has reviewed it before this meeting.

Mrs. Shaver explained that yes the pole building will be allowed, there are no changes to the zone of his property but he should talk to the planning department about the business.

Mr. Odom asked for further discussion, there was none.

Mr. Seehase motioned to consider the FLUM amendment and the proposed Rezone together and bring them to a vote. Mr. Sailors seconded the motion and all were in favor of the amendments. The rezone was approved as presented.

#### REPORTS:

##### *1821 Grant St. – Your 1<sup>st</sup> Choice*

Mrs. Shaver explained that a lien is in the process after the demolition of this property; \$5,000 for the demolition and a \$5,000 additional fine. Mr. Shaver stated a letter was sent asking for the lien to be paid within 15 days. Mrs. Shaver asked the public if anyone was here to speak for this property, there was no one. Mrs. Shaver stated that after the 15 days, another letter is sent asking for payment within 30 days, if this is not paid, the lien will go onto the property taxes.

##### Unsafe Properties;

##### *8138 S. US 35 – Wyant:*

Mrs. Shaver explained that a \$1,000 fine was assessed by this Board, giving the owners 15 days to pay the fine. Pictures presented showed no change on the property and a possible additional fine of \$1,000 may be assessed.

Inez Wyant, 8138 S. US 35, explained that her daughter and son will be clearing the property.

The daughter explained that they will be getting a dumpster and will begin cleaning up, starting next week.

Mr. Odom restated that there are 2 issues: \$1,000 fine and the possible additional \$1,000 fine.

The daughter stated they will start in the next day or two to clean up and put things in piles so when they get the dumpster, they will throw the piles of trash away.

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

Mr. Reed motioned to put a hold on the \$1,000 fine; inspection to be on April 1, 2020 and to be reviewed at the April 7, 2020 meeting with possibly applying the fine at this time. Mr. LeDonne seconded the motion and all were in favor.

#### OLD BUSINESS:

##### *1818 Rogers St. – Harmon:*

Mr. Koppe showed pictures of the property and explained that Mr. Harmon did exactly as the Board requested, debris picked up and appliances removed.

Mr. Sailors motioned to put this property on the watch list. Mr. Reed seconded the motion and all were in favor.

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

Mr. Koppe explained that there has been no change; tarp is on roof as a temporary fix.

Mr. Koppe stated Mr. Lopez had called to say he was waiting for good weather to finish the roof but has not done anything. Mr. Koppe stated the property needs the roof to be fixed and the doors secured.

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

Mr. Sailors motioned to assess a fine of \$1,000 at this time; inspection on April 1, 2020 and to be reviewed at the April 7<sup>th</sup> meeting; a fine of \$2,000 may be added if there is no progress. Mr. Guy seconded the motion and all were in favor.

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

Mr. Koppe explained that a \$3,000 fine has been issued; roof repair is needed; the back area was taken off but the work stopped there.

Mr. Seehase motioned to assess the \$3,000 fine at this time; inspection on April 1, 2020 and be reviewed at the April 7<sup>th</sup> meeting; a possible fine of \$2,000 may be added if there is no progress. Mr. LeDonne seconded the motion and all were in favor.

*6219 S. 600 E. – Browning:*

Mr. Koppe explained that she has 60 days to get the property cleared.

Lisa Browning explained that the lumber has been piled up and some vehicles have been moved under the roof: She is still planning on having it all cleaned up by July.

Mr. LeDonne motioned to hold the \$5,000 fine; inspection on April 29, 2020 and to be reviewed at the May 5, 2020 meeting. Mr. Seehase seconded the motion. Mr. Guy abstained from the vote, all other members were in favor.

*1411 US 35 N – Pollard:*

Mr. Koppe explained that the roof had a temporary fix last summer; all of that is gone now. Staff recommends that bids be obtained for a demolition. Mrs. Shaver explained that she is in the process of asking Council for more money. Mr. Shaver stated that regular and certified mail has been sent concerning the fines and demolition but no one has contacted the planning department.

Mr. Seehase motioned to assess the fine of \$5,000; to be reviewed at the April 7<sup>th</sup> meeting. Mr. Guy seconded the motion and all were in favor.

Mr. Reed motioned to request bids for demolition to be brought to the May 5<sup>th</sup> meeting. Mr. Seehase seconded the motion and all were in favor.

**NEW BUSINESS:**

Resolution # 20-04: Order Of The Cass County Plan Commission Determining That A Resolution Amending The Declaratory Resolution And Economic Development Plan Approved And Adopted By The Cass County Redevelopment Commission Conforms To The Comprehensive Plan And Approving Said Amending Resolution

Christy Householder, Economic Development Director, explained the following:

- The Clymers Agricultural Park was established in 2005 and amended in 2013
- This amendment will expand the current Tax Increment Financial (TIF) area to include the parcel in the proposed rezoned considered today
- The TIF money collected will remain in this area to be used to improve this area
- The Redevelopment Commission approved this resolution at the February 19, 2020 meeting

Mrs. Shaver located the area of the Agribusiness Park and stated that State Law requires the Plan Commission to review this Resolution and to confirm that it meets the greater goals of the area.

Mr. Odom asked for comments from the public.

Mr. Gutierrez, 2716 S. 375 W. questioned what kind of pollution the new developments will create and how the new development will affect them. Mr. Sailors stated that the website:

WSPcasscounty.com will explain these issues.

Mrs. Gutierrez asked if any business is able to locate in this area. Mrs. Shaver stated only businesses allowed in the CG district and most developments will first go before the Redevelopment Commission and they would have to meet Federal, State and Local regulations.

Lora Redweik, 5524 N. 600 E., asked if the company WSP has gotten a building permit. Mrs. Shaver stated yes, today, a permit for the foundation only was submitted. Mrs. Redweik expressed concern that the information about this company has not been explained to the public. Mrs. Redweik

questioned the emissions from the development and asked if the Commissioners have looked at the EPA report and the history of the plant that is coming to Cass County.

Mr. Sailors replied that he has been to the plant and talked to the people at this facility.

Mr. Odom asked for further comments on this resolution.

Mr. Gutierrez stated that he lives on the property that is excluded in this rezone and stated that no one has contacted him concerning this development. Mr. Gutierrez stated concern that he does not know what is going on and of the pollution that may be coming from this plant; he feels the company does not care what happens to his family.

Mr. Odom asked for further comments or questions, there were none.

Mr. Seehase motioned to bring this resolution to a vote. Mr. Reed seconded the motion and all were in favor to send a favorable recommendation to the Cass County Commissioners.

FLOOR IS OPEN TO THE PUBLIC:

Erika Gutierrez, 2716 S. 375 W., asked that if their property is not safe to live on, what will they do with the property?

Mr. Gutierrez returned and stated that the pollution is very bad for children and people with lung problems and this should be considered for all the surrounding areas.

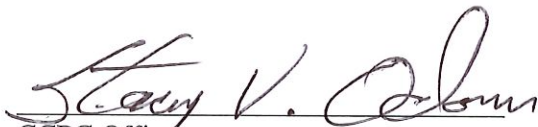
Mr. Odom explained that this Board considers the appropriate uses for each area and a separate Board will consider each individual development.

Mr. Reed asked that legitimate resource be read and reviewed.

Mrs. Redweik read from a publication from the Department of Health and Human Services, Agency for Toxic Substances & Diseases that concludes that a public health hazard is likely for children and pregnant women living within 3 miles of an American zinc re-cycling facility.

ADJOURNMENT:

There were no further questions and the meeting was adjourned at 9:37AM March 3, 2020.

  
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CCPC Officer

  
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CCPC Officer

  
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Peggy Dillon, Recording Secretary