

MINUTES  
WALTON PLAN COMMISSION  
Monday April 3, 2023

President Brian Ayers called the meeting to order at 6:00 PM in the Walton Town Hall.

ROLL CALL:

Members present: Brian Ayers, Vincent Beeson, Mac Martin, Karen Lank, Melanie Kelly and Ron Eurit

Member absent: Christina Fischer, Chandler Eurit

Staff present: Jamey Harper, Ashley Rowe and Arin Shaver

Public in attendance: See sign in sheet

ACTION ON MINUTES:

Minutes of March 6, 2023 were presented. Mr. Martin motioned to approve as presented.

Mr. Beeson seconded the motion and all were in favor.

PUBLIC HEARING: None

REPORTS: None

OLD BUSINESS: Unsafe

503 N Davis St, Jackson

Mrs. Shaver stated I don't know what the Board wanted to do about the porch. We had Mr. Koppe look at the porch, the steps and the porch do need some work structurally. Mr. Koppe stated he wouldn't say it's completely unsafe as of yet, but there are some problems that need to be repaired on it. We left the last meeting up to the Board to see what specifically needed to be removed from the porch. Mrs. Shaver asked the Board if any of them had a chance to drive by the property and look at it? Mr. Beeson stated he did drive by the property and he thought it does look cleaner but he did notice the structure of the porch. Ms. Lank stated that the tire and bed frame have been removed. Mr. Ayers asked the audience if anyone was here to represent this property? Michael Jackson, 3261 Somers Dr, Kokomo stated he was here. Mr. Beeson asked Mr. Jackson if he knew about the structure damage? Mr. Jackson stated that they did drive by the property there are a couple tires there but they are behind stuff. Mr. Jackson stated their trash cans were tipped over and their trash is all over there yard. Mrs. Jackson stated there is siding off the house also, we know it we just can't do anything about it. Mr. Ayers stated with the storm he wonders if that's why the siding is off. Mr. Jackson stated the siding has been off for 8 years. Miss Kelly stated there was still a truck on the sidewalk when she drove by the property. Ms. Lank stated there is still a lot of stuff on the porch. Mr. Beeson asked Mr. Jackson if he rents it to her? Mr. Jackson stated she got it in the divorce, she is consistently 2 months behind on the payments. Mr. Jackson stated Mrs. Hellman finally made the February payment today. Mr. Ayers stated with the truck parking on the sidewalk that would be Mr. Heflin's department. As far as the porch yeah there is a couple of boards that need to be replaced. Mr. Jackson stated the insurance company actually dropped them because of the condition of the house and porch. They can't even insure the house because of the condition of the house. The only insurance they have is Hazard insurance and that's through the bank, that just covers the banks lose if something were to happen to the house. Ms. Lank stated the steps are a big deal, she was going to mention it if there was no discussion about it. Miss Kelly stated last month she was asked to look into what they need to do for the carport, turning it into a closed garage. According to the Zoning book they would need to pay \$25 for the permit and \$10 for the application fee. Mr. Beeson it sounds like they don't have the money to do anything let alone keep up with the payments. Mr. Jackson stated they have paid a retainer fee for a lawyer to try to get them evicted from the house. Mrs. Jackson stated if we can get them evicted and fix it up and sell it then we won't have to worry about any of these issues. Mr. Beeson stated regardless your name is still on there and anything that happens with this property involves you. Mrs. Shaver stated if we were to put any liens on this property it would go towards the property taxes and so it would be whoever is paying the property taxes. So, if she is paying those then it

wouldn't affect Mr. Jackson. Mrs. Shaver stated if the Board wants to send her a letter saying we want the porch secured, stuff fixed and that we want specific things off the porch. She thinks in some cases people need the actual "we need everything but the grill and your chairs on the porch" sometimes that is helpful in these types of cases. And actually, specifying what needs fixed on the porch, the steps or foundation and the siding on the house. If we were to do that we would give 60-days because we have added the structural part of it. If the Board doesn't feel like she's made enough improvement since the last meeting the Board can assess a fine. Mr. Beeson asked if the Planning Dept. could send the picture we have with the letter showing her what needs to be fixed? Mrs. Shaver stated yes, and we can write in the letter what specifically needs done to secure that porch and the steps. If there are specific things what's actually on the porch that needs to be removed or do we want to say chairs and your grill is fine but everything else needs to be removed. Mrs. Shaver stated she feels that the Board needs to be more specific as to what needs to be removed off the porch. Mrs. Shaver stated we can have Mr. Koppe talk about the porch itself, she just wants the Board to let us know what they want removed from the porch. Sometimes it helps people more if you are more specific, some people might think they cleaned a few things up and that should be good enough but it's not. Miss Kelly stated that there is a tarp in the backyard on the ground, where they used that to cover the car in the backyard it's all tore apart in the backyard also. Ms. Lank stated the last meeting Mrs. Hellman made it sound like everything was taken care of, as of this morning the tire was still on the porch, so Ms. Lank stated she doesn't feel like she is taking this seriously. Mrs. Shaver stated she recommends that we give them 60-days to fix the issues and clean up the porch, which would be the June 5<sup>th</sup> meeting, reinspect on May 31<sup>st</sup>. If this is not completed by the next meeting date that the Board would assess a \$1,000 fine.

Mr. Beeson motioned to give Mrs. Hellman 60-days to fix the issues and clean up the porch, which it would be the June 5<sup>th</sup> meeting, re-inspect on May 31<sup>st</sup>. If not completed by the next meeting date the Board will assess a \$1,000 fine. Ms. Lank seconded the motion and all were in favor.

#### 505 North St & 503 May St - Madrigal

Mrs. Shaver stated that Ralph did say that Mr. Madrigal is making progress on both properties, cleaning up the house and property. Mrs. Shaver recommends we extend it out since he is making progress. Mr. Beeson stated that the refrigerator is gone. Mr. Beeson asked why the chimney is wrapped up at the 503 May St property? Mr. Madrigal stated the concrete on it started to crack so he wrapped it up so it wouldn't crack anymore and start leaking. Mr. Beeson asked if this property is livable? Mr. Madrigal stated it is but he wanted to fix things up before he rents it back out. Mr. Madrigal stated he has one room to finish and the kitchen cabinets to paint. Mrs. Shaver stated as long as you are seeing movement on these properties you can do the 60-days, which would be the June 5<sup>th</sup> meeting, re-inspect on May 31<sup>st</sup>. You can vote on these two properties together, and just review at that time.

Mr. Beeson motioned to give Mr. Madrigal 60-days to keep making progress on his property at 505 North St and 503 May St, which would be the June 5<sup>th</sup> meeting, re-inspect on May 31<sup>st</sup>. Ms. Lank seconded the motion and all were in favor.

#### NEW BUSINESS: Unsafe Properties

##### 208 Church St – Indrye, LLC

Mr. Koppe stated exterior wise it's not unsafe per say we haven't been able to get into the house. We have let the Health Dept know about the concerns that were voiced at the last meeting. We are not sure if anything has happened in that matter, but we did inform them about the issue. Mrs. Shaver asked the Board is we can try to push this to the Health Dept. or Child Protective Services. But the living conditions are more of a health issue, or we can go to the court and have them give us a warrant to be able to go inside the house. Is that something that the Board is wanting us to do. The other two departments are able to go in without going to court and filing for a warrant like that, it just depends on how far the Board wants to take it. Mrs. Rowe stated that she spoke to Mr. Musselman and he stated he was going to go out to the property this week. Mrs. Shaver stated we can sit back and wait to see what Mr. Musselman finds out or we can vote to move it on another 30-days, we can also

work with Mr. Musselman in condemning it if he see's that it needs to be done. Mrs. Shaver stated that is what her recommendation is, holding off and seeing what Mr. Musselman finds out. Ms. Lank asked on the notice of hearing it stated that the Planning Department would like to look at the inside of the house by April 3<sup>rd</sup>, did they try to contact the Planning Department? Mrs. Shaver stated no, they did not reach out to us. Ms. Lank stated that we should be tough with them since they didn't even care to contact the Planning Department like we asked. Miss Kelly stated that Indrye, LLC called and asked when the meeting was, so she told him the date and time of the meeting. Mr. Ayers stated at the beginning when all of this came up for this property Mike Robinson and Rick Lee went through the house and they were making progress on the inside and outside of the property. Since then they have been brought back before and they had done some work on the outside, but now the outside is needing some work again. Mrs. Shaver stated with us not being able to see inside, if Mr. Musselman see's something inside that warrants us to go inside we could go to court and that would make it a little easier to get inside. But if Mr. Musselman can condemn the house based off information from the last meeting, to have that information is going to be beneficial for us. Mr. Ayers asked so do we put it off for 30-days? Mrs. Shaver stated you could do another 30-days with a possible \$1,000 fine, just to get the owner to write a letter to us. We just need something that says yes, we will let you in or yes, we are working on these items here is our plan for the future. Sometimes if we do a possible fine it gets people to move more on things. Mrs. Shaver stated she feels if we do another 30-days basically we are just waiting on Mr. Musselman to give us information he has found on this property. Ms. Lank stated she feels it would be a waste of time to do another 30-days. Mr. Beeson stated if you try to go to court that would take some time as well. Mr. Ayers asked Mrs. Shaver what she suggests on this property if the Board wants to wait on Mr. Musselman? Mrs. Shaver stated to do a 30-day extension, then it would still be on our docket so if at the next meeting we want to give a fine or if we want to say we are getting bids to demo it's already in the process. If we give the 30-days then we will know from Mr. Musselman if he is going to do any condemnation on his end or if we need to move forward into court for our end. Mrs. Shaver stated if we do the 30-days that will be the May 1<sup>st</sup> meeting, reinspect April 26<sup>th</sup> with a possible \$1,000 fine. Ms. Lank stated maybe we could put that no one responded with a plan, because no one let us in to check the inside of the property prior to this meeting and bring up the fine. Mr. Beeson stated that in the letter we need to state that someone needs to be at the next meeting to represent this property.

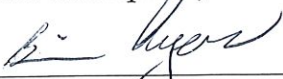
Miss Kelly motioned to extend this property 30-days, which would be the May 1<sup>st</sup> meeting, re-inspect on April 26<sup>th</sup> with a possible \$1,000 fine. Mr. Beeson seconded the motion and all were in favor

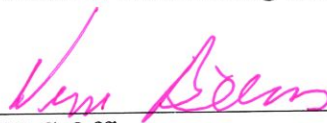
FLOOR WAS OPEN TO THE PUBLIC: None

PUBLIC IN ATTENDANCE: See sign in sheet

ADJOURNMENT:

There was no further business to be brought before the Board. The meeting was adjourned at 6:39 PM April 3, 2023.

  
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WPC Officer

  
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WPC Officer

  
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Ashley Rowe Recording Secretary

