

**ROME CITY PLAN COMMISSION**  
**Regular Meeting**  
**February 15, 2024**

The Rome City Plan Commission held their regular meeting on February 15, 2023, at 6:30 p.m. in the Rome City Town Hall. The meeting was called to order by Plan Commission Chair Kelly Morris at 6:30 p.m.

Members Present:

Leigh A. Pranger-Secretary	Barb Tatman
Kelly Morris	Kirk Klein
Joe Bertels	Brent Leiter

Members Absent:

Stephen Cole

Rollcall determined a quorum was present.

Interested Parties in attendance: Town Attorney Dustin Glick, Kevin and Amanda Killen, Aaron Carl-T-E Inc. representing the Killen's, Mark Geise, Doug Gilbert, Sara Jo Lauer, Christine & Hannah Hartman, David Bunde, David Harges, Regina Rivas, Jeannie Edholm.

Member Tatman made a motion to waive the reading of the minutes and approve them as presented. Second by Member Klein. All in favor-aye. Motion Carried. The minutes were posted on the bulletin board for everyone to read.

**OLD BUSINESS**

Nothing for the agenda.

**NEW BUSINESS**

a) Election of officers-Current Chair Kelly Morris, Vice-Chair Kirk Klein. Member Tatman made a motion to retain the same slate of officer for 2024. Those being Kelly Morris-Chair, Kirk Klein-Vice-Chair and Leigh Pranger Secretary. Second by Member Bertels. All in favor-aye. Motion Carried.

b) Vacation #2024-03

Kevin Killen, 8075 South Marion Road 35, La Fontaine, IN 46940 and 1590 North Shore Drive, Rome City has petitioned the Rome City Plan Commission to vacate apportion of the unimproved road at the back of Lots 16 and 17 in Brady's Addition. Further described as: Killen Investments, LLC, 1590 North Shore Drive, Rome City, IN 46784 are requesting to vacate .077 +- Acres of an Unimproved Road (42.13' x 84.03') on the and the north of Lots 16 & 17 in Brady's Addition, within the annexed territory of the Town of Rome City, the property is located on the north side of North Shore Drive. More fully described as: Part of the Northeast Quarter of Section 15, Township 35 North, Range 10 East, Orange Civil Township, Rome City, Noble County, Indiana, also being part of an Unimproved Road, (40-foot right-of-way) located North of Lots 16 and 17 in Brady's Addition, as recorded in Plat Book 2, page 185, and more particularly described as follows:

Beginning at the Northwest corner of said Lot 17, also being the Southwest corner of said

402 Kelly Street

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(260) 854-2412

Rome City, IN 46784

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Unimproved Road; thence North 72 degrees 12 minutes 45 seconds West (being the basis of all bearing this description), on and along the North line of said Lots 17 and 16 and the South right-of-way line of said Unimproved Road, a distance of 84.32 feet to the Northeast corner of said Lot 16; thence North 00 degrees 07 minutes 54 seconds East, on and along an extension of the East line of said Lot 16, a distance of 42.04 feet to the North line of said Brady's Addition and the North right-of-way line of said Unimproved Road; thence South 72 degrees 12 minutes 45 seconds West, on and along said North line of Brady's Addition and the North rights-of-way line of said Unimproved Road, a distance of 84.03 feet to the Northwest corner of said Brady's Addition and said Unimproved Road; thence South 00 degrees 30 minutes 31 seconds West, on and along the West line of said Brady's Addition and the West right-of-way line of said Unimproved Road, a distance of 42.13 feet to the Point of Beginning, containing 0.077 acres of land, more or less, being subject to and/or together with all easements and rights-of way of record. Exhibit A, the survey for these vacated lots and Exhibit B, the new survey combining all lots into one parcel are on file in the Rome City Town Hall. The vacated land will be combined into one parcel for the purposes of drainage assessments. The petition, legal description and surveys are on file and may be examined at the Rome City Town Hall. All interested parties should attend to voice their opinion, or they may file written comments with the Town Hall prior to or at the meeting.

Chair Morris called for Mr. Killen to present his petition to the board. Mr. Aaron Carl, T-E Incorporated, representing The Killen's, stated they wish to vacate an unimproved road within the Brady's Addition plat. Mr. Carl explained the road is essentially a private road as it has never been developed by the town and it is contained within the plat the vacation is within the plat and not a public way vacation. They are asking to only vacate the section behind Lots 17 and 16 in the Brady's Addition plat. The vacation is at the west end of the plat and only affects the adjacent parties. Attorney Glick stated the road was never dedicated to the town as a roadway, therefore the vacation will be within the plat. IC 36-7-4-706 dictates the findings of fact for the board to approve the vacation. Chair Morris asked, "Why do you want to vacate this section of the plat? Mr. Killen stated the area is directly behind his lot and has been a dumping ground for years. He would like to be able to clean up the area and use the area for storage. Member Tatman asked whether they plan on quit claiming the property if the vacation is approved? Mr. Killen stated yes, they want to have ownership of the property. Mr. Killen noted to the board there is a five-foot easement showing on the west end of the plat adjacent to Lot 17 in Brady's Addition and they already have ownership of the easement, so no one has access to the west end of the roadway in question. Member Bertels, if we vacate this section of the road, are we setting a precedent? What purpose will it serve? Attorney Glick stated this will open the door to other vacation requests if the other owners along the road want to spend the money to have the road sections surveyed to become part of their lots. He noted the road is not a public way, not owned by the town and basically a road to nowhere. Whatever the intention of the placement of the road has been lost because no subdivision was ever developed on the north side of the proposed road and the south lots have road access through North Shore Drive. The purpose of vacating would be to get the road on the tax rolls and have someone responsible for maintaining the property. Which is currently not happening. There being no further questions from the board. Chair Morris called for interested parties on Vacation #2024-03. Chair Morris asked that the speakers identify themselves and state their address. Regina Rivas, owner of the

property to the north of the proposed vacation. Ms. Rivas informed the board when she first purchased her property, she wanted to clean up the area where the road went through as it was full of trash from people dumping over the years. She stated she wanted to purchase or vacate the road several years back and was denied. She wanted to know why she couldn't vacate the road. Attorney Glick informed Ms. Rivas, you do not own property within the Brady's Addition plat, so you are not able to vacate the roadway. Mrs. Amanda Killen, petitioner, informed the board by vacating this section of road it will be put on the tax rolls. Mr. Mark Geise, owner within the plat, asked how many people present are owners in the plat? He stated he is interested in vacating the section behind his house. Secretary Pranger informed the board they can only vacate this end section; any future vacations need to be adjacent to this vacation or all of the road will need to be vacated. There being no further questions or concerns Chair Morris called for a motion. Member Tatman made a motion to approve, per the findings of fact, Vacation #2024-03 within the plat behind Lots 16 and 17 in Brady's Addition. Second by Member Leiter. All in Favor-aye. Motion Carried.


**MISCELLANEOUS BUSINESS**

1. Working with Region IIIA to find grant money for updating the comp plan and the UDO. Last updated in 2011.
2. Secretary Pranger to hand out copies of the short-term rental restrictions to the members.

Next Meeting: March 21, 2024, at 6:30 p.m.

There being no further business, Member Tatman made a motion to adjourn the Plan Commission meeting at 7:05 p.m. Second by Member Klein. All in favor-aye. Motion Carried.

  
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Kelly Morris, Chairman

Attest:   
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Leigh A. Pranger, Secretary