

COMMISSIONERS' MEETING

November 12, 2019

The Bartholomew County Commissioners met in regular session on November 12, 2019, in the Governmental Office Building, 440 Third Street, Columbus, Indiana. Commissioners Rick Flohr, Larry Kleinhenz and Carl Lienhoop were present. Attorney J. Grant Tucker and County Auditor Pia O'Connor were also in attendance.

Chairman Flohr called the meeting to order and Commissioner Kleinhenz gave the invocation and led the Pledge of Allegiance.

The first order of business was the approval of minutes from the 11/4/19 Commissioners' Meeting. Commissioner Lienhoop made a motion to approve the minutes. Commissioner Kleinhenz seconded the motion that passed unanimously.

Next was the approval of claims. Commissioner Kleinhenz motioned to approve the claims. Commissioner Lienhoop seconded the motion which passed unanimously.

Chairman Flohr read into the minutes the New Permit Report dated 11/4/19 through 11/8/19. Twenty-five (25) permits were issued with fees collected of \$3,989 and estimated construction costs of \$2,155,659.

County Engineer Danny Hollander gave the Highway Weekly Crew Report which included the following work: worked on signs; mowed in Hawcreek Township; put down stone over pipes; side-winded stone on 550S; replaced box culverts on 525W and 950N; and wedged pipes on 525S, Moores Vineyard Road and 930S.

Hollander submitted the **Highway Monthly Crew Report** for October, 2019, which included crew work, status of bridge and road projects, and upcoming crew priorities for November.

He also submitted a **Local Roads and Bridges Matching Grant LPA** contract with INDOT (No. A249-20-LG190695; Des. No. 1902435). Funds are to pay for the minor structural overlay applications to 10 sections of roadway, shown below. Also known as the Community Crossings Matching Grant, the maximum amount of federal funds allocated to the project is 50% of eligible project costs, or \$591,796.

Road Segment	From	To	Award
W CR 930S	SR 58	CR 500W	\$96,761
N 250W	CR 100N	Lowell Road	\$91,689
E 400S	SR 7	CR 750E	\$56,995
S 100W	CR 650S	CR 800S	\$58,320
S 60E	CR 950S	CR 1100S	\$56,251
S 800W	Becksgrove Road	CR 700S	\$47,278
W 525S	Becksgrove Road	CR 875W	\$47,162
E 550N	CR 475E	CR 600E	\$47,205
W 950S	CR 150W	I65 Overpass	\$46,140
525E	CR 100S	SR 46	\$43,995
			\$591,796

Commissioner Kleinhenz made a motion to sign the CCMG agreement with INDOT. Commissioner Lienhoop seconded the motion that passed unanimously.

Next was the ratification of an expense totaling **\$2,446.38 to Diamond Mowers** for County Highway's purchase of a high-pressure pump gear set. Commissioner Kleinhenz motioned to ratify the expense. Commissioner Lienhoop seconded the motion that passed unanimously.

Next, Planning Department Director Jeff Bergman presented two ordinances for second readings. The first readings were in the 10/28/19 Commissioners Meeting. The first was an ordinance amending the Official Zoning Map of Bartholomew County to be known as the **Redwood Acquisitions Rezoning**. The revisions were validated by Indiana Plan Commission Resolution for Case No. RZ-19-02 and explained in Director Jeff Bergman's memo dated 10/22/19, the content of which is inserted here:

At its October 9, 2019 meeting, the Bartholomew County Plan Commission reviewed the above referenced application and forwarded it to the County Commissioners with a favorable recommendation by a vote of 6 in favor and 0 opposed.

Redwood Acquisitions proposes to rezone an area of 31 acres from 12 (Industrial: General) to RM (Residential: Multi-Family). The property to be rezoned is located approximately 580 feet east of the current Bear Lane dead-end. It is bordered by Mill Street on the south, 700 North on the north, and the Eastern Bartholomew Water

Corporation facility to the east. The applicants have indicated that the purpose of the rezoning is to allow the construction of a 200-unit apartment complex.

The Plan Commission's favorable recommendation includes several commitments intended to (1) ensure necessary improvements to Bear Lane and 700 North and the construction of a pedestrian path connecting nearby businesses and homes, (2) buffer the new development from the pedestrian path, (3) provide a pedestrian route within the development, and (4) ensure that any development is consistent with the applicant's description of their intended project.

Several members of the public spoke during the Plan Commission's public hearing on this request. Those neighbors expressed concerns about the lack of sidewalks in Taylorsville, specifically on Mill Street. They also inquired as to the impact of any new development on drainage in the area.

-End of Insert-

Copy of the ordinance is inserted here:

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF BARTHOLOMEW COUNTY, INDIANA, REZONING THE SUBJECT PROPERTY
FROM "I2c" (INDUSTRIAL: GENERAL WITH COMMITMENTS)
TO "RMc" (RESIDENTIAL: MULTI-FAMILY WITH COMMITMENTS)**

**To be known as the: Redwood Acquisitions Rezoning
Plan Commission Case No.: RZ-19-02**

WHEREAS, this rezoning was requested by Redwood Acquisitions, LLC and includes the consent of all owners of the subject property; and

WHEREAS, the Bartholomew County Plan Commission did on October 9, 2019 hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Board of Commissioners; and

WHEREAS, the Board of Commissioners has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Bartholomew County, Indiana, as follows:

SECTION 1: Official Zoning Map

The zoning classification of the following described real estate shall be changed from "I2c" (Industrial: General with Commitments) to "RMc" (Residential: Multi-Family with Commitments):

Parent Tract 2A of the Oxford North Development Rep/at recorded in Plat Book "S", Page 378, in the Office of the Recorder of Bartholomew County, Indiana.

SECTION 2: Condition(s)

The approval of this ordinance is with the condition that the City of Columbus - Bartholomew County Planning Department be provided with written confirmation of Driftwood Utilities' ability to adequately provide sewer service to the subject property. This condition shall be satisfied prior to this ordinance becoming effective.

SECTION 3: Commitment(s)

The use and development of the subject property shall be subject to the commitments listed below. All commitments resulting from previous zoning map amendment ordinances shall be void and no longer applicable.

- 1. The public improvements to Bear Lane, 700 North and the pedestrian path within the Mill Street right-of-way shall be completed in accordance with the Oxford North Development Major Subdivision Preliminary Plat (Plan Commission Case MAP-18-02). These improvements shall also include the extension of the Mill Street pedestrian path along the north side of the Bear Lane street extension from the subject property to the Bear Lane/Hubler Drive intersection. The path extension shall also be a minimum of 5 feet in width. All improvements shall be completed as components of the development of the subdivision final plat phase of which the subject property is a part.*
- 2. The development of the subject property shall include a Buffer Yard Type B, as specified by the Zoning Ordinance applicable on October 9, 2019, along the south and west property lines where the subject property is adjacent to the Mill Street right-of-way and pedestrian path. Buffer installation shall be complete prior to occupancy of any development of the subject property.*
- 3. The development of the subject property shall include a minimum 5-foot wide pedestrian path on at least one side of all internal private streets. The path may either be (1) a component of the streets, but visually distinguishable and in addition to the minimum required width of the vehicle travel lanes, or (2) separated from the streets. The path system created internal to the development shall provide a physical connection to the Mill Street pedestrian path. The path system shall be complete prior to occupancy of any development of the subject property.*
- 4. The development of the subject property shall be consistent with the exhibits provided by the applicant as a component of the rezoning request, in the following regards: (1) there shall be a maximum of 200 dwelling units; (2) the maximum building height shall not exceed 1 story; (3) all dwelling units shall include 2 bedrooms, 2 bath rooms, a 2 car garage, and adequate space for the parking of 2 cars in the driveway for each garage; (4) no parking shall be permitted on the internal streets; (5) a minimum of 29 parking spaces, in addition to those in the driveways for each individual garage, shall be provided for visitors to the property; and (6) a minimum of 4 acres of usable (dry) open space shall be provided and include a picnic*

shelter or other similar structure for resident use and enjoyment.

SECTION 4: Repealer

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 5: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected

SECTION 6: Effective Date

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law and subject to the condition listed above.

-End of Insert-

Chairman Flohr opened the meeting for public comment. There being no comments, He then closed the meeting. Commissioner Lienhoop moved to approve the ordinance on second reading. Commissioner Kleinhenz seconded the motion that passed unanimously.

Bergman then presented the second ordinance amending the Official Zoning Map of Bartholomew County to be known as the **HPB Auto Sales Rezoning**, also originally read in the 10/28/19 Commissioners Meeting. These revisions are also validated by Indiana Plan Commission Resolution for Case No. RZ-19-03 and explained in Director Jeff Bergman's memo dated 10/22/19, the content of which is inserted here:

At its October 9, 2019 meeting, the Bartholomew County Plan Commission reviewed the above referenced application and forwarded it to the County Commissioners with a favorable recommendation by a vote of 6 in favor and 0 opposed.

HPB Auto Sales proposes that the zoning of property at 11340 North Heflen Park Road be changed from I1 (Industrial: Light) to CR (Commercial: Regional). The property is located at the southwest corner of Heflen Park Road and Willoughby Drive. The applicants have indicated their intent to operate an auto sales business on the property (primarily commercial grade pick-up trucks and other similar construction and service related vehicles).

A representative of a neighboring trucking business spoke at the Plan Commission's public hearing on this request. He asked that the truck sales business not have direct access to Willoughby Drive until the Hartman Drive extension is complete, so as to not create potential

conflicts on Willoughby with his company's trucks. He explained that these trucks would instead use the Hartman Drive extension when complete. In response, the applicants noted that they do not intend any new entrance to the property from Willoughby Drive.

-End of Insert-

Copy of the ordinance is inserted here:

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF BARTHOLOMEW COUNTY, INDIANA, REZONING THE SUBJECT PROPERTY
FROM "11" (INDUSTRIAL: LIGHT)
TO "CR" (COMMERCIAL: REGIONAL)**

**To be known as the: HPB Auto Sales Rezoning
Plan Commission Case No.: RZ-19-03**

WHEREAS, this rezoning was requested by HPB Auto Sales, LLC and includes the consent of all owners of the subject property; and

WHEREAS, the Bartholomew County Plan Commission did on October 9, 2019 hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Board of Commissioners; and

WHEREAS, the Board of Commissioners has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Bartholomew County, Indiana, as follows:

SECTION 1: Official Zoning Map

The zoning classification of the following described real estate shall be changed from "11" (Industrial: Light) to "CR" (Commercial: Regional):

Block "C" of the Willoughby Trucking Final Plat recorded in Plat Book "O ", Page 73, in the Office of the Recorder of Bartholomew County, Indiana.

SECTION 2: Condition(s)

The approval of this ordinance is with the condition that the City of Columbus - Bartholomew County Planning Department be provided with written confirmation of both Driftwood Utilities' and Eastern Bartholomew Water Corporation's respective ability to adequately provide sewer and water service to the subject property. This condition shall be satisfied prior to this ordinance becoming effective.

SECTION 3: Commitment(s)

No commitments are attached to this rezoning.

SECTION 4: Repealer

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 5: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 6: Effective Date

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law and subject to the condition listed above.

-End of Insert-

Chairman Flohr opened the meeting for public comment. There being no comment he then closed the meeting. Chairman Flohr moved to approve the ordinance on second reading. Commissioner Lienhoop seconded the motion that passed unanimously.

Next, Commissioner Kleinhenz read the **Notice to Bidders for Year-End Bids** on materials and equipment for the County Highway. The notice will run in the November 15th and 22nd editions of *The Republic*. Bids will be received in the Commissioners' Office until 10:00 a.m., December 2nd, to be opened and read during their meeting that morning. The following items are to be bid.

1. Crushed Stone, as specified.
2. Sand and Gravel, as specified.
3. Corrugated aluminum or galvanized steel aluminized, or polymer coated steel culvert pipe in round or arch shall conform to AASHTO-M-196 and current Indiana Department of Transportation specifications.
4. Two (2) 2019-2020 New 2500 Crew Cab White Pickup Trucks, per specifications.
5. One (1) 2019-2020 New 5500 Regular Cab White Gooseneck Body Truck, per specifications.
6. One (1) 2019-2020 New 5500 Crew Cab White Gooseneck Body Truck, per specifications.

Commissioner Kleinhenz motioned to approve the notice to bidders. Commissioner Lienhoop seconded the motion that passed unanimously.

The last item was consideration of a **petition for voluntary annexation** of roadway and road right-of-way in the to the Town of Hope, the content of which is inserted here.

**PETITION FOR VOLUNTARY ANNEXATION OF ROADWAY
AND ROAD RIGHT-OF-WAY INTO THE TOWN OF HOPE,
INDIANA**

1. Bartholomew County owns one-half of the roadway and road right-of-way of County Road 775 East between County Road 600 North (also known and referred to as Hauser Drive) and County Road 650 North (also known and referred to as South Street) adjacent to the corporation boundaries of Hope, Indiana.

2. Bartholomew County also owns one-half of the roadway and road right-of-way of the southernmost .15 mile portion of County Road 775 East between Grand Street in the Town of Hope, Indiana and County Road 800 North, which is also adjacent to the corporate boundaries of the Town of Hope, Indiana.

3. The remaining one-half of the roadway and road right-of-way of the portions of County Road 775 East referred to in paragraphs 1 and 2 above is owned by the Town of Hope, Indiana.

4. All of the portions of County Road 775 East referred to in paragraphs 1 and 2 above are contiguous to the boundaries of the Town of Hope.

5. The Town Council has informed the Commissioners that it is interested in annexing said portions of County Road 775 East and is capable of adequately maintaining said roadway and of providing all necessary municipal services, including utilities to the area, if annexed.

6. The Town Council intends to continue to maintain and operate the territory as a roadway, if the same is annexed.

7. The Town Council has assured the Commissioners that if the annexation occurs, the residents of Bartholomew County and the residents of Hope who utilize the portion of roadway described herein will experience no difference or diminution in the condition or overall quality of the roadway.

8. The Commissioners believes it to be in the best interests of the citizens of Bartholomew County and the citizens of Hope that the portions of County Road 775 East described herein be annexed by the Hope Town Council and become a part of and wholly located within the corporate boundaries of the Town of Hope.

9. In order to promote efficiency in government and to eliminate confusion over responsibility for maintaining those portions of County Road 775 East between County Road 600 North (Hauser Drive) and County Road 650 North (South Street) and between Grand Street and County Road 800 North (consisting of .15 mile). The Town of Hope, acting by and through its Town Council, has expressed a desire and ability to take over ownership and control of the entire portion of roadway and road rights of way described herein. Accordingly, the Board of Commissioners of Bartholomew County, Indiana

("Commissioners") requests that the Town Council of The Town of Hope, Indiana ("Town Council") take such action as is necessary to annex those portions of County Road 775 East referred to in paragraphs 1 and 2 above and more particularly described in Exhibit "A" attached hereto, into the Town of Hope, Indiana.

WHEREFORE, The Board of Commissioners of Bartholomew County, Indiana respectfully requests that the Town Council of the Town of Hope, Indiana annex the following portions of County Road 775 East:

An area from County Road 600 North (Hauser Drive) to County Road 650 North (South Street) from the centerline of the roadway to the East Right of Way line; and

An area consisting of the Southernmost .15 mile +/- of County Road 775 East between Grand Street and County Road 800 North from the centerline of the roadway to the West Right of Way line.

And further requests that the Town Council expeditiously enact any and all Resolutions and Ordinances necessary to effectuate such annexation.

EXHIBIT A

- 1.) CR 775 East, between Hauser Drive (600 North) and South Street (650 North), from the center of the roadway to the east right of way limit, resulting in the entire roadway of CR 775 East between Hauser Drive (600 North) and South Street (650 North) becoming a road owned by the Town of Hope.
- 2.) The southern-most .15 miles of CR 775 East, between Grand Street and CR 800 North, from the current annexed town of Hope property on the east of CR 775 to the west right of way limit, resulting in the entire roadway of the southern-most .15 miles of CR 775 starting from Grand Street becoming a road owned by the Town of Hope.

-End of Insert-

Chairman Flohr motioned to approve the petition. Commissioner Kleinhenz seconded the motion that passed unanimously.

The next Commissioners' Meeting will be held on Monday, November 18, 2019, at 10:00 a.m. in the Commissioners' Chambers. There being no other business, the meeting was adjourned.

BARTHOLOMEW COUNTY
BOARD OF COMMISSIONERS

RICHARD A. FLOHR, CHAIRMAN

ATTEST:

LARRY S. KLEINHENZ, MEMBER

PIA O'CONNOR

CARL H. LIENHOOP, MEMBER