Public Hearing
&
Council Meeting Minutes
June 8th, 2015

The Common Council of the City of Kokomo, Indiana met Monday June 8th, 2015 at 6:00 P.M. in the City Hall Council Chambers for the purpose of Public Hearing on Ordinances #6783, #6786, #6787, #6788, and #6789.

Present: Wyant, Cameron, Haworth, Kennedy, Hayes, Summers, Sanders, Miklik

Absent: Young

President Hayes states, the first Ordinance that we would like to address is Ordinance #6783 located at 1509 South Indiana Street Kokomo, Indiana. President Hayes called for any comments from the audience, hearing none.

The next Ordinance is #6786 is located at West 600 Block bounded by Morgan Street, Butler Street, Morrison Street, and Davis Road. President Hayes called for any comments.

Mary Swisher 619 West Morgan Street Kokomo, Ind. states, I just want to know what you are doing.

President Hayes states, we are required by Law to have a Public Hearing on each of these Vacations. I am going thru them singular so you can or anyone in this room can come forward and speak for it or against it.

Mary Swisher asks, are they going to close the alley?

Councilman Kennedy states, you are going to get the property. It will be split by the property owners.
Cont. Public Hearings.
The next Ordinance is #6787, and Ordinance #6788. We are going to do them together because they are both the same address. One is on 2400 Block on North Diamond Street; the other one is Street address adjacent to 2412 North & 2416 North Ohio Avenue. President Hayes called for any comments from the audience.

Robert Heckler 2412 North Ohio Kokomo, Indiana states, this property that your vacating today, will that alley be mine; and what about the East end?

President Hayes states, some of it will be if it is adjacent to your property.

Councilman Wyant states, I already talked to you; you own all that property there; so this will be all your property. The East end is Diamond you will own 25 feet.

Richard Russell Attorney at Law I am representing Virginia Chasteen. I am here on Ordinance #6788. I talked to the City Engineer today about this property; and he said he did not think it would affect the 931 cut. My client’s major concern is if it is going to affect her cut; and I need to know that.

Councilman Wyant asks, are you talking about the exits off of 31?

Richard Russell states, yes.

Councilman Wyant states, we do not have anything to do with the exit entrance off of 31.

Richard Russell asks my question is whether or not if this closing of the street affects that in the future?
Cont. Public Hearings.
Councilman Wyant states, they are going to increase their property by 25 feet and 469 feet.

President Hayes states, we would have to contact the State, and get an answer. I am not going to promise you how long that will take for them to respond. Councilman Wyant are you in favor of pulling this one for further review from the State?

Councilman Wyant states, you are getting 469.93 feet of property plus 25 feet wide 469 feet long. I think your clients have this property up for sale. If somebody buys this they are going to develop it.

President Hayes states, there is a building on part of this; so the vacation in my opinion would be to their favor.

Councilman Miklik states, no matter what we do here in a zoning ordinance we have no control whether they get control of that or they don’t. We have no say by any State Highway or any curb cuts. That would be Indot. They can take ownership of the property; but it does not matter whether we say there is a vacated land or no vacated land we don’t control any curb cuts. The only thing we are vacating is an alley.

Councilman Kennedy states, this was a request by the City. We are not under any timing to get this finished. My recommendation would be on Ordinance #6788 that we hold off until the next meeting; and Mr. Russell can do some investigation.

Councilman Miklik states, the thing that you need to be aware of is we do not control 931 the City does not own 931 and any decision on curb cuts has to come from the Department of Transportation. You need to talk to the Department of Transportation.
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Cont. Public Hearings.
The person you really might want to check with is Kokomo Howard County Coordinating Council.

President Hayes states, during the regular meeting; if the Council approves we will pull this, and we can table it which would give you some-time to talk to Indot. We will try to have Mr. Stranahan here for our next meeting which would be on June 29th, 2015.

The last Ordinance is #6789 located at 318 East Monroe Street Kokomo, Indiana. President Hayes called for any comments from the audience, hearing none there is no further business to come before this Council at this Public Meeting so this meeting is adjourned.

COUNCIL MEETING MINUTES
June 8th, 2015

The Common Council of the City of Kokomo, Indiana met Monday June 8th, 2015 at 6:00 P.M. in the City Hall Council Chambers.

The meeting was called to order by President Hayes.

Invocation was offered by Councilwoman Sanders. A special Prayer for Councilman Kennedy, and Councilwoman Young.

Pledge:

Present: Wyant, Cameron, Haworth, Kennedy, Hayes, Summers, Sanders, Miklik

Absent: Young
The minutes of the May 18th Council Meeting Minutes were declared approved as presented.

COMMUNICATIONS: President Hayes states, a little change in the Agenda tonight; covering for Councilwoman Young will be Councilman Miklik and he will handling Ordinances #6797, #6798, and #6799. We would like to thank Councilman for filling in for Councilwoman Young.

Councilman Summers states, I am proud to be a member of this Community. Over the last Friday evening with so many major events going on and seeing so many of our citizens coming down and taking part in all of that. I spoke to a lot of our citizens and they were so proud to be part of our community.

Councilwoman Sanders states, I echo what Councilman Summers said. I had a great time.

There were no committee reports given at this regular meeting.

ORDINANCE 6783: AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED IN THE CITY OF KOKOMO, INDIANA

Second reading

Ordinance 6783 was read by the Clerk by title only. Councilman Haworth moved for passage on ordinance #6783 on second reading. Seconded by Councilman Wyant.

Councilman Haworth states, the alley in question was laid out in Marott’s Park Addition in 1907. The alley in question was not installed or used as originally planned and is grass covered. A proposed Vacation of alley right of way; 15 foot wide by 127.5 foot in length.
Cont. Ordinance #6783.
The addresses affected are 703 & 705 West Deffenbaugh and 1509 South Indiana, adjacent to the North of the right-of-way, will each acquire a 7.5 by 42.5 foot portion of the alley when vacated; 1511 South Indiana adjacent to the South of the right-of-way will acquire a 127.5 by 7.5 foot portion (the South half) of the alley when vacated. The alley, once vacated, cannot be built upon because a Sanitary sewer exists in the right of way and an easement will be reserved for the maintenance of the sewer. The alley, once vacated, becomes the exclusive property of the adjacent owners subject to the easement and can be fenced or used in any way a residential property is used. Portable type “garden” or tool sheds can be placed on the vacated ground as they can be moved in the case of a needed sewer repair so long as there is no permanent foundation poured in the vacated right-of-way area.
Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on second reading.

ORDINANCE 6786:
AN ORDINANCE VACATING RIGHT-OF-WAYS LOCATED IN THE CITY OF KOKOMO, INDIANA
Second reading
Ordinance 6786 was read by the Clerk by title only. Councilman Wyant moved for passage on ordinance #6786 on second reading. Seconded by Councilwoman Sanders.
Councilman Wyant states, whereas the City of Kokomo petitions this body to vacate a portion of certain right of ways located in the City of Kokomo.
Cont. Ordinance #6786.
They are as follows: One alley on east side of 608 West Butler Street goes North of Butler 120 feet; the second alley goes North off Butler between 612 and 616 West Butler 120 feet, and the third alley goes East from North Morrison to Davis Road 198 Feet.
Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on second reading.

ORDINANCE 6787: AN ORDINANCE VACATING RIGHT-OF-WAYS LOCATED IN THE CITY OF KOKOMO, INDIANA

Ordinance 6787 was read by the Clerk by title only. Councilman Wyant moved for passage on ordinance #6787 on second reading. Seconded by Councilman Kennedy.
Councilman Wyant states, whereas the City of Kokomo has petitioned this body to vacate portions of a contained right away located in the City of Kokomo. This alley goes North of Gano for 331.70 feet and East of 2412 North Ohio and located in the 1200 block of East Gano; there are no utilities on this property.
Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on second reading.
ORDINANCE 6788: AN ORDINANCE VACATING RIGHT-OF-WAYS LOCATED IN THE CITY OF KOKOMO, INDIANA

Second reading
Ordinance 6788 was read by the clerk by title only. Councilman Wyant made the motion to table ordinance #6788 due to the fact that we had some concerns about this particular ordinance; seconded by Councilwoman Sanders.

President Hayes states, motion has been made, and seconded that we pull ordinance #6788 until the next Council Meeting on June 29th, 2015.
All those in favor to table Ordinance #6788.
Aye: All
Nay: None
The vote was 8 to 0 to table.

ORDINANCE 6789: AN ORDINANCE VACATING RIGHT-OF-WAYS LOCATED IN THE CITY OF KOKOMO, INDIANA

Second reading
Ordinance 6789 was read by the Clerk by title only. Councilman Cameron moved for passage on ordinance #6789 on second reading. Seconded by Councilman Summers.
Councilman Cameron states, this deals with an alley that has not been used for many years in fact there is a building setting on the alley; so the City request to have this vacated.
Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on second reading.
ORDINANCE 6797:  Rezoning: R5 TO OC  
Location:  321 East Walnut Street  
Petitioner: Bold Builders LLC  
First reading  
Ordinance 6797 was read by the Clerk by title only. Councilman Miklik moved for suspension of the rules and pass ordinance #6797 on first and second reading. Seconded by Councilman Summers.  
Vote for suspension of the rules:  
Aye: All  
Nay: None  
The vote was 8 to 0 for suspension of the rules.  
Councilman Miklik moved for passage on ordinance #6797 on second reading. Seconded by Councilwoman Sanders.  
Councilman Miklik states, this ordinance is at 321 East Walnut Street. The petitioner is Bold Builders LLC. The Plan Commission petition and recommend to the Kokomo Common Council for a change in zone classification from R5 to OC (Office Commercial) for property described as Lot 44 in David Foster’s Eastern Addition.  
Vote for passage follows:  
Aye: All  
Nay: None  
The vote was 8 to 0 for passage on first and second reading.

ORDINANCE 6798:  Rezoning: IS to M2  
Location:  1425 South Plate Street  
Petitioner: Bona Vista  
First reading  
Ordinance 6798 was read by the Clerk by title only. Councilman Miklik moved for suspension of the rules and pass ordinance #6798 on first and second reading. Seconded by Councilwoman Sanders.  
Vote for suspension of the rules:  
Aye: All  
Nay: None
Cont. Ordinance #6798. The vote was 8 to 0 for suspension of the rules.
Councilman Miklik moved for passage on ordinance #6798 on second reading. Seconded by Councilman Wyant.
Councilman Miklik states, this property is located at 1425 South Plate Street. The Plan Commission has approved and recommend that we change the zoning from IS (institutional) to M2 (General Multifamily Residential).

Jill Dunn, Bona Vista Programs 1220 East Laguna states, I just want to thank you for your support, and we will try and do some more housing in the near future.

Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on first and second reading.

ORDINANCE 6799: Rezoning: C2 to IS
Location: 122 Creekside Drive
Petitioner: Temple of Faith Church
First reading

Ordinance 6799 was read by the Clerk by title only. Councilman Miklik moved for suspension of the rules and pass ordinance #6799 on first and second reading. Seconded by Councilwoman Sanders.
Vote for suspension of the rules:
Aye: All
Nay: None
The vote was 8 to 0 for suspension of the rules.
Councilman Miklik moved for passage on ordinance #6799 on second reading. Seconded by Councilman Summers.
Cont. Ordinance #6799.
Councilman Miklik states, This property is located at 122 Creekside Drive, and it is petitioned to change the zoning from C2( Medium to Large Scale General Commercial) with WH-OL (Wellhead Overlay) to IS (Institutional Usages) for properties described as Lots 2 & 3 in Sycamore Plaza Subdivision.
Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on first and second reading.

ORDINANCE 6800: AN ORDINANCE ESTABLISHING COUNCILMANIC DISTRICTS WITHIN THE CITY OF KOKOMO, INDIANA, AND DEFINING THE BOUNDARIES THEREOF (AS AMENDED)
First reading

Ordinance 6800 was read by the Clerk by title only. Councilman Kennedy moved for suspension of the rules and pass ordinance #6800 on first and second reading. Seconded by Councilman Haworth.
Vote for suspension of the rules:
Aye: All
Nay: None
The vote was 8 to 0 for suspension of the rules.
Councilman Kennedy moved for passage on ordinance #6800 on second reading. Seconded by Councilman Summers.
Councilman Kennedy states, we have worked on re-establishing District Lines and Precinct Lines for the past year; by Statue the State of Indiana has to approve the work that we did.
Cont. Ordinance #6800. They have reviewed and approved and made some changes to Precinct Names which were used during the last election; so by virtue of those changes this Council needs to pass an ordinance that will establish those Precincts with the Six Districts that we have in the City of Kokomo. I urge for passage. Vote for passage follows:
Aye: All
Nay: None
The vote was 8 to 0 for passage on first and second reading.

President Hayes states this marks the end of this Council Meeting; and our next Council Meeting will be June 29th, 2015 with an Informational Meeting at 5:30 P.M. in the Louks Room; Council Meeting at 6:00 P.M. in the Council Chambers.

Adjourned at 6:35 P.M.  

__________________________________________
PRESIDING OFFICER

ATTEST:

__________________________________________
CITY CLERK