COUNCIL MEETING MINUTES
MONDAY OCTOBER 19TH, 2020

The Common Council of the City of Kokomo, Indiana met Monday October 19th, 2020 at 6:00p.m. in the City Hall Council Chambers.

The meeting was called to order by President Rudolph.

President Rudolph states, those who wish to stand may, or you can remain seated.

Councilwoman Sanders introduced Pastor Drew Mathews of Grace Baptist Church to give invocation.

Pledge was led by Councilman Collins.

Present: Rudolph, Grecu, Acord, Collins, R. Stewart, Sanders, McKibben, Miklik

Absent: T. Stewart

The minutes of the Council Meeting held September 28th, 2020 were declared approved as presented.

Communications:

John Roberts of Kokomo, Indiana states, he is a representative of the Kokomo Howard County Animal Ordinance Committee. A committee made up of concerned citizens. He is here to work with the city council and County to try and adopt a new animal ordinance. He has put together a sample book for all the Council members.

Councilman Rudolph states, the Council will be forming a committee and that Councilman Grecu will head up that committee. To review the animal ordinance.

Carol Holder of Kokomo states, there are several dogs that run loose in the neighborhood and feel the laws are very weak on dogs.

Deb Smith of Kokomo states, she understands the issue with the animals, and feels the need to do something now. She is a big supporter of animals.

President Rudolph states, Councilman Grecu has been in touch with the County and will be working with them to come up with an Ordinance that works for all.

Committee Reports: Councilwoman McKibben states, the Kokomo Redevelopment Commission met October 9th, 2020. Two items of discussion utilizing TIF Funds. They were a bid from E&B Paving for the project in front of City Hall for 216,710.58 and TIF Funds for a project at Inventrek located in Kokomo, IN. in the amount of 172,710.

ORDINANCE #6971 Case P10-Z-20 is the petition of Fortune Companies, INC requesting the Kokomo Plan Commission petition and recommend to the Kokomo Common Council for a change in zone classification from C1 (small to medium general commercial) to IS (institutional uses) for property
described as D C Metsker’s 2nd addn. lots 15 & 16, containing 0.24 acres, more or less, City of Kokomo, enter Township, Howard County, Indiana, at 317 W. Jefferson St. Kokomo IN. 46901

Ordinance #6971 was read by the Clerk by title only. Councilwoman Sanders moved for passage on Ordinance #6971 on first reading; seconded by Councilman Grecu. Councilwoman Sanders states the petitioner Fortune Companies, INC. are requesting change in zone classification from C1 (small to medium general commercial) to IS (institutional uses) for property located at 317 W. Jefferson St. Kokomo, IN. 46901

James Wittek states this will be 8 bed drug and rehab facility. To service the local community. It will employ/provide 17-20 new job opportunities to start. The proposed name of the Facility is First City Recovery Center.

Paul Wyman Kokomo states he is the President of the board of Turning Point, he feels we are making a statement as a community, we are rising up to the challenge of the drug issues in our community. And this is another positive step forward with a facility like this.

Vote for passage on first reading follows:

Aye: All
Nay: None

The vote was 8-0 for passage on first reading

ORDINANCE #6972  Case p12-Z-20 is the petition of Brian & Faye Haworth, requesting the Kokomo City Plan Commission petition and recommend to the Kokomo Common Council for a change in zone classification from R4(urban residential) to NC (neighborhood commercial) for property describe as Hamlin Highland lots 433 & 434 containing 0.344 acres, more or less, City of Kokomo, Center Township, Howard County, Indiana, at 1729 & 1735 S. Market St. Kokomo IN. 46902

Ordinance #6972 was read by the Clerk by title only. Councilwoman Sanders moved for passage on Ordinance #6972 on first reading: seconded by Councilman Miklik. Councilwoman Sanders states the petitioner Brian & Faye Haworth are requesting a change in zone classification from R4 (urban residential) to NC (neighborhood commercial) for property located at 1729 & 1735 S Market St. Kokomo IN. 46902

Faye Haworth Kokomo, states this is to make a parking lot for the convenience and safety of their customers.

Fred Schafer Kokomo, stated the residents of the neighborhood of Hoffer and Market St. want to make it known that they oppose the expansion of the business of Dan’s Bakery. He presented the Council a letter and a list of signatures. Some key points of the letter follow.
The traffic the accompanies the increase of business, the late night crowd, the younger crowd who have no respect of the surrounding properties, the level of noise late at night.

Penny Martin of Kokomo, stated they have nothing against the Haworth’s or the Bakery, they’re great. She just feels they may have out grown their location. She wants the Council to know they oppose this Ordinance.

Faye Haworth stated, the main purpose for this would be to create parking so that the customer does not have to park on the street. To make the area safer.

The vote for passage on the first reading follows:

Aye: 6
Nay: 2

The vote was 6-2 for passage on the first reading.

Resolution #2751

Whereas, it has been determined that it is now necessary to Transfer funds.

Resolution #2751 was read by the Clerk by title only. Councilman Miklik moved for passage on the resolution #2751; seconded by Councilwoman Sanders. Councilman Miklik states. This is the moving of money within the general fund. Councilman Mikilik moves for adoption of Resolution #2751 seconded by Councilman Grecu.

The vote for passage follows:

Aye: All
Nay: None

The vote is 8-0 for passage.
AGENDA
KOKOMO COMMON COUNCIL
CITY OF KOKOMO, INDIANA

PUBLIC INFORMATIONAL MEETING AT 5:30 P.M. IN THE LOUKS CONFERENCE ROOM LOCATED ON THE FIRST FLOOR. COUNCIL MEETING IMMEDIATELY FOLLOWING AT 6:00 P.M. IN THE COUNCIL CHAMBERS CITY HALL 100 S UNION ST.

CALL TO ORDER:

INVOCATION:

PLEDGE:

ROLL CALL:

APPROVAL OF MINUTES: Council Meeting minutes held October 19, 2020

COMMUNICATIONS:

COMMITTEE REPORTS:

ORDINANCE #6971 Case P10-Z-20 is the petition of Fortune Companies, INC requesting the Kokomo Plan Commission petition and recommend to the Kokomo Common Council for a change in zone classification from C1 (small to medium general commercial) to IS (institutional uses) for property described as D C Metsker’s 2nd addn. lots 15 & 16, containing 0.24 acres, more or less, City of Kokomo, enter Township, Howard County, Indiana, at 317 W. Jefferson St. Kokomo IN. 46901

(sanders) 2nd reading

ORDINANCE #6972 Case p12-Z-20 is the petition of Brian & Faye Haworth, requesting the Kokomo City Plan Commission petition and recommend to the Kokomo Common Council for a change in zone classification from R4(urban residential) to NC (neighborhood commercial) for property describe as Hamlin Highland lots 433 & 434 containing 0.344 acres, more or less, City of Kokomo, Center Township, Howard County, Indiana, at 1729 & 1735 S. Market St. Kokomo IN. 46902
October 14, 2020

TO THE MEMBERS OF THE
HONORABLE KOKOMO COMMON COUNCIL

Re: P10-Z-20
   C1 (Small to Medium Scale General Commercial) to IS (Institutional Uses)
   317 West Jefferson St.

Ordinance No. 6971
Dear Honorable Members:

Please be advised the Kokomo City Plan Commission, at their public hearing held Tuesday, October 13, 2020 considered and voted unanimously to forward a favorable recommendation of the above captioned case to the Kokomo Common Council.

Case P10-Z-20 is the petition of Fortune Companies, INC requesting the Kokomo City Plan Commission petition and recommend to the Kokomo Common Council for a change in zone classification from C1 (Small to Medium General Commercial) to IS (Institutional Uses) for property described as D C Metsker's 2nd Addn Lots 15 & 16, containing 0.24 acres, more or less, City of Kokomo, Center Township, Howard County, Indiana, at 317 West Jefferson St., Kokomo, IN 46901.

The Commission believes that said amendment promotes the health, safety, and general welfare of the community and would not adversely affect the values of the surrounding properties.

Respectfully Submitted,

Michael Besser, President
Kokomo City Plan Commission
Certification
Ordinance No.: 6971
Case: P10 - Z - 20

STATE OF INDIANA  )
CITY OF KOKOMO  ) SS:
COUNTY OF HOWARD  )

Greg Sheline, being first duly sworn upon his oath, according to law, disposes and says:

1) That he is duly elected, qualified, and acting Secretary of the Kokomo City Plan Commission, and,

2) That the above and foregoing is a true and exact copy of an amendment to the Kokomo City Ordinance No. 6279, as amended, and the same was considered by the Kokomo City Plan Commission at a public hearing held in the Neal Council Chamber in Kokomo City Hall at 5:00 p.m. on the 13th day of October, 2020, after due notice of such public hearing being published in the Kokomo Tribune Newspaper at least ten (10) days prior to the date of the public hearing.

3) By a resolution adopted by the majority of its members at said public hearing, the Kokomo City Plan Commission gave a favorable recommendation to the passage of said amendatory ordinance by the Common Council of the City of Kokomo, Indiana.

DATED this __14__ day of __October__, 2020.

Greg Sheline, Secretary
Kokomo City Plan Commission

Subscribed and sworn to before me this __14__th day of __October__, 2020.

Dianne Trobaugh
Notary Public
Howard County

My commission expires: __January 27, 2028__.
AN ORDINANCE AMENDING ORDINANCE NO. 6279, AS AMENDED, NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, that Ordinance No. 6279, as amended, with all subsequent amendments be and is hereby amended as follows:

SECTION I. The following described tract of land shall be changed from C1 (Small to Medium Scale General Commercial) to IS (Institutional Uses) for property described: D C Metsker’s 2nd Addn Lots 15 & 16, containing .24 acres, more or less, Center Township, Howard County, Indiana, at 317 West Jefferson St.

SECTION II. The above changes shall be duly entered on the filed copies of the zone map, which is a part of Kokomo Zoning Ordinance No. 6279.

SECTION III. This Ordinance shall be in full force and effect from and after its passage, signature by the Mayor, and publication as provided by law.

PASSED by the Kokomo Common Council this _____ day of ________________, 2020.

Attest:

________________________________________
Lynn Rudolph, Sr., President,
Kokomo Common Council

Diane Howard, City Clerk

PRESENTED by me to the Mayor this _____ day of ________________, 2020.

________________________________________
Diane Howard, City Clerk

APPROVED by me this _____ day of ________________, 2020.

________________________________________
Tyler Moore, Mayor
City of Kokomo, Indiana

Diane Howard, City Clerk

This instrument was prepared by Jessica Golden, City Plan Commission Secretary.
Matt Johnson on behalf of Bowyer Group Partnership LLP, is requesting a change in zone classification for the property listed above to be used as a “Medical Office and Drug/Alcohol Treatment”.

The adjoining property uses and zoning(s) are:
North: C1 (Small to Medium Scale General Commercial)
South: R4 (Urban Residential) & C1 (Small to Medium Scale General Commercial)
East: C1 (Small to Medium Scale General Commercial) & R4 (Urban Residential)
West: C1 (Small to Medium Scale General Commercial)

According to the City of Kokomo Zoning Ordinance, “IS” (Institutional Use) is considered an “appropriate adjacent district” within the area specified.

According to the City of Kokomo Comprehensive Plan “Future Land Use Map”, this property is located in an area proposed for “High Density Residential” which is single family and multifamily housing of varying types over 6 dwelling units per acre. Typical high-density housing would be: townhomes, apartments, condominiums and cluster housing.
Land Use Goals:
1. Encourage orderly and responsible development to promote health, safety and quality of life of residents in the City of Kokomo, while maintaining Kokomo as a leading community for affordable housing.

Relevant Land Use Objectives are:
1. Encourage adequate land for residential, commercial, industrial, institutional and recreational uses.
2. Designate specific districts in the community suitable for residential, commercial, industrial, institutional and recreational uses.

The goal of the City of Kokomo Comprehensive Plan Transportation Map, is to enhance connections throughout the city for improved safety, function and efficiency for all modes of transportation including vehicular, bicycle and pedestrian networks.

According to the Transportation Map, “West Jefferson St. “is defined as a “Major Collector,” which is a street designed to facilitate the collection of traffic from local streets. In addition, it provides circulation within neighborhood areas and convenient ways to reach arterial streets. The traffic count for this area of West Jefferson is roughly 8,313 cars (between Phillips and Washington).

The requested zoning change is compatible with the existing adjoining districts; therefore, the staff desires the Plan Commission forward a favorable recommendation to the Kokomo Common Council.
October 14, 2020

TO THE MEMBERS OF THE
HONORABLE KOKOMO COMMON COUNCIL

Re: P12-Z-20

R4 (Urban Residential) to NC (Neighborhood Commercial)
1735 South Market St.

Ordinance No. 6972
Dear Honorable Members:

Please be advised the Kokomo City Plan Commission, at their public hearing held Tuesday, October 13, 2020 considered and voted unanimously to forward a favorable recommendation of the above captioned case to the Kokomo Common Council.

Case P12-Z-20 is the petition of Brian & Faye Haworth, requesting the Kokomo City Plan Commission petition and recommend to the Kokomo Common Council for a change in zone classification from R4 (Urban Residential) to NC (Neighborhood Commercial) for property described as Hamlin Highland Lots 433 & 434 containing 0.344 acres, more or less, City of Kokomo, Center Township, Howard County, Indiana, at 1729 & 1735 S. Market St. Kokomo, IN 46902.

The Commission believes that said amendment promotes the health, safety, and general welfare of the community and would not adversely affect the values of the surrounding properties.

Respectfully Submitted,

Michael Besser, President
Kokomo City Plan Commission
Certification
Ordinance No.: 6972
Case:P12 - Z - 20

STATE OF INDIANA )
CITY OF KOKOMO ) SS:
COUNTY OF HOWARD )

Greg Sheline, being first duly sworn upon his oath, according to law, disposes and says:

1) That he is duly elected, qualified, and acting Secretary of the Kokomo City Plan Commission, and,

2) That the above and foregoing is a true and exact copy of an amendment to the Kokomo City Ordinance No. 6279, as amended, and the same was considered by the Kokomo City Plan Commission at a public hearing held in the Neal Council Chamber in Kokomo City Hall at 5:00 p.m. on the 13th day of October, 2020, after due notice of such public hearing being published in the Kokomo Tribune Newspaper at least ten (10) days prior to the date of the public hearing.

3) By a resolution adopted by the majority of its members at said public hearing, the Kokomo City Plan Commission gave a favorable recommendation to the passage of said amendatory ordinance by the Common Council of the City of Kokomo, Indiana.

DATED this ___14____ day of ______October____, 2020.

Greg Sheline, Secretary
Kokomo City Plan Commission

Subscribed and sworn to before me this 14th day of October____, 2020.

Dianne Trobaugh
Notary Public
A resident of Howard County

My commission expires:

January 27, 2028.

This instrument was prepared by Jessica Calderon, Secretary, City Plan Commission. I affirm that the above is a true and correct copy of the original as filed with the Kokomo City Plan Commission.

Dianne Trobaugh
Notary Public
A resident of Howard County
My commission expires:

January 27, 2028.
AN ORDINANCE AMENDING ORDINANCE NO. 6279, AS AMENDED, NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, that Ordinance No. 6279, as amended, with all subsequent amendments be and is hereby amended as follows:

SECTION I. The following described tract of land shall be changed from **R4 (Medium Density Urban Residential)** to **NC (Neighborhood Commercial)** for property described: Hamlin Highland lots 433 & 434, containing .344 acres, more or less, Center Township, Howard County, Indiana, at 1729 & 1735 S. Market St.

SECTION II. The above changes shall be duly entered on the filed copies of the zone map, which is a part of Kokomo Zoning Ordinance No. 6279.

SECTION III. This Ordinance shall be in full force and effect from and after its passage, signature by the Mayor, and publication as provided by law.

PASSED by the Kokomo Common Council this _____ day of ______________, 2020.

Attest:

__________________________________________
Lynn Rudolph, Sr., President,
Kokomo Common Council

Diane Howard, City Clerk

PRESENTED by me to the Mayor this _____ day of ______________, 2020.

__________________________________________
Diane Howard, City Clerk

APPROVED by me this _____ day of ______________, 2020.

Attest:

__________________________________________
Tyler Moore, Mayor
City of Kokomo, Indiana

Diane Howard, City Clerk

This instrument was prepared by Jessica Geldren, City Plan Commission Secretary.
Staff Report
Case P12-Z-20
R4 (Urban Residential) to NC (Neighborhood Commercial)
34-09-01-436-018.000-002
1735 South Market Street

Brian and Faye Haworth are requesting a change in zone classification for the property listed above, to be used as “parking for Dan’s Variety Bakery”.

The adjoining property uses and zoning(s) are:

North: R4 (Urban Residential)
South: R4 (Urban Residential)
East: R4 (Urban Residential)
West: C1 (Small to Medium Scale General Commercial) and R4 (Urban Residential)

According to the City of Kokomo Zoning Ordinance, “NC” (Neighborhood Commercial) is considered an “appropriate adjacent district” within the area specified.

According to the City of Kokomo Comprehensive Plan “Future Land Use Map”, this property is located in an area proposed for “Medium Density Residential” which is single-family housing of varying types between 3 to 6 dwellings per unit per acre. Typical medium density housing would be: single family detached, duplexes, triplexes, condominiums, townhomes and cluster housing.
Land Use Goals:
1. Encourage orderly and responsible development to promote health, safety and quality of life of residents in the City of Kokomo, while maintaining Kokomo as a leading community for affordable housing.

Relevant Land Use Objectives are:
1. Encourage adequate land for residential, commercial, industrial, institutional and recreational uses.
2. Designate specific districts in the community suitable for residential, commercial, industrial, institutional and recreational uses.

According to the Transportation Map, “South Market” is defined as a “Local Street”, which is a street designated primarily to provide access to abutting properties and discourage through traffic. The traffic count for this area of South Market is 713 (the closest INDOT count is at East Wheeler Street).

The requested zoning change is compatible with the existing adjoining districts. Therefore, the staff desires the Plan Commission forward a favorable recommendation to the Kokomo Common Council.

Kokomo City Plan Commission
Staff Report prepared by Rhonda Hill 9/28/2020, reviewed by Greg Sheline