

APC MINUTES**JANUARY 23, 2018**

Members present: John Reece, Dan Vinson, Bryn Albertson, Aaron Stephens, Bob McCoy, Amy Alka, Paula Keister, Adrian Moulton, Gary Girton, Missy Williams

Members absent: Andy Fahl, Jim Hufford, Don Calhoun

Legal Representation: Jason Welch

Staff Present: Randy Abel, Executive Director, Debra Johnting, Recording Secretary

Others present: Ed Thornburg, Doug Flatter, Linda Hunt, Doris Wynn, Bill and Kathie Monroe, Rob & Lisa Morford, Jeff Straley, Brett Miller, Danny Tinsman, Curt Publow, Isaiah Ashley, Karen Wilkins, Connie Yost, Ed Thornburg, Kevin Cochran, Patricia Cox, Diana Manson, Shon Byrum

V. President McCoy: It's 7 o'clock on the wall I will call this meeting of the Area Planning Commission to order. First item on the agenda is the approval of the minutes from November 21, 2017. It has been moved and seconded, all in favor say aye, motion passes. Second item is reorganization, election of officers. We have the current president is Don Calhoun, Bob McCoy is Vice President and Dan Vinson is Secretary. Does Don want to be president again?

D. Johnting: He said he would unless someone else wanted to do it.

V. President McCoy: That's fine with me I'll nominate Don. Don has been nominated and seconded, those in favor say aye. Don Calhoun will be our president for 2018. I will go for vice president again unless somebody else wants it. It has been moved and seconded for Bob McCoy to be vice president, all in favor say aye. Motion passes. For secretary I will nominate Dan if he wants to go another round. It has been moved and seconded to have Dan for secretary for 2018. Our next item is attorney for Area Planning Commission which is Jason Welch currently. I looked through the contract and the only difference is the per hour rate went from \$100 to \$150.

J. Welch: Correct, it's been \$100 for the first five years when I didn't have as much experience but \$150 is what I normally charge for all my other clients.

V. President McCoy: Is there any discussion or does anybody have any questions?

J. Welch: I have to submit the Conflict of Interest disclosure like I have before also, because I am also the Farmland Attorney. So, there is a conflict of interest disclosure form with that also that would have to be signed prior to submitting the contract.

V. President McCoy: I'll move we retain Jason for 2018.

D. Vinson: I'll second that.

V. President McCoy: All in favor say aye. Motion carries. We're going to move the agenda a little bit, APC2018-2-Z we're going to go ahead and run that first. Actually the one that's first is going to have

the most discussion. This one is for 600 Land LLC. Is there anybody here to represent them? If you want to step forward sir, and state your name and address for the record.

D. Tinsman: Danny Tinsman, 7256 W 600 S, Modoc.

V. President McCoy: And would you explain to the board what you plan on doing there?

D. Tinsman: Well, we're putting in equipment that will take the methane that we now collect and would convert it into a Bio CNG to run in our trucks. Without getting real complicated it's skid mounted equipment. I wasn't even sure that we even needed a zoning change but we talked to Randy and he felt like we should, so it's two small pieces, I think you have a map of them. We'll be able to take a natural occurring byproduct of what you've already thrown away and power my truck to come get what you're going to throw away.

V. President McCoy: It's going to be a change from AG Intensive to M-2 Industrial?

D. Tinsman: Yes.

V. President McCoy: Anybody have any questions? Is there anybody in the audience that is for or against this change? With that being said I will take a motion for a favorable recommendation. It has been moved and seconded to take a roll call vote, Debra.

D. Johnting: Amy Alka, yes, Adrian Moulton, yes, Aaron Stephens, yes, Paula Keister, yes, John Reece, yes, Bob McCoy, yes, Gary Girton, yes, Dan Vinson, yes, Bryn Albertson, yes, Missy Williams, yes. Favorable recommendation.

V. President McCoy: It will go before the board of County Commissioners February 5th at 9am.

D. Tinsman: Thank you.

V. President McCoy: Thank you. Next on the agenda is APC2018-1-Z, SMD Winchester LLC. Please state your name and address for the record.

B. Miller: Good evening, Brett Miller, MLS Engineering, 221 Tower Drive, Monroe, Indiana, 46772. I am the agent representing Roger Muselman, the proposed buyer of this property. I think I'm going to just start off and read a little bit that was given to everybody as I start explaining what we're trying to do here. So, Roger Muselman is requesting to rezone the property from R-1 to PDRS to build a complex of apartments as shown on the diagram that you have in front of you. I gave you a color coded diagram that I will go over with you in just a second. He is the owner of the Crossings at Sunny Ridge and the new storage buildings on Middle School Road. So, he's been in town here for some time and has history. This particular complex will contain 28 units in a total of 4 different buildings. They will be conventionally rented with no ties to income, meaning conventional, no government subsidies. The rent's going to be \$750 per month. So, it's obviously a big deal to the community and you guys that that's kind of a standard in his other park and what he is looking to do here. They will be managed by Winchester resident Diane Manson, who also manages The Crossings. The benefit of having a manager who is also a Winchester resident and well known in the community is huge. I will kind of

walk through the plan of what is proposed on the highlighted sheet and we'll just kind of start there. So, what you have in front of you'll see the four rectangles. Those are the four different buildings that we're proposing over time. Phase I would be building number one, the eight units that butts up to 5th street. Then, the plan is that building one would get constructed this spring. And typically what Roger does in all his apartment complexes and his storage units is that as soon as eighth unit is filled he starts the next building. The way this is set up in this complex, once building one would be filled, the dirt work, all the utilities, the pond, all that other infrastructure would all be completed with Phase II. So, the bulldozers, all the big equipment, all the major work would be done after building one is constructed. What that does is, basically everything is site ready, he can, as soon as they're full he can go in there and start the building of the next one. With not a lot of dirt moving or anything like that. So, that would be all the roads, the water lines. So, on your diagram that you have there is the green lines are the sanitary sewer, that's going to be serviced in each building, the orange lines are the different storm sewer pipes to make sure everything is draining on site. Nothing's going on to the street, on to the neighbors or anything like that. At the northeast or the top right of your page you'll see a blue circle kind of, that's basically a detention holding pond. So all the water on site will drain through these different storm pipes, go into this pond, the pond will hold the water and release it into the county drain. So, keeping everything on site and making sure we are not making anything that's in the area different than it is today. The pink dash is the actual paved streets that will be installed. Different than the Crossings, these apartments have a one-car attached garage. That kind of shows up on the different sheets. So, each apartment has in essence two parking spots. One in the garage, and one in the driveway. So, we made the driveways long enough they are not hanging the tail ends of the vehicles into the driving lanes. You can get a full sized truck in the driveway and still walk around without hindering the driveways. We are not showing sidewalks on the plan, the reason for that is there are no other sidewalks out there in the area, so, that's the reason none is shown. We had given these plans to these different agencies as part of the approval process so they could see and double check what we are proposing. That consists of Board of Works, Fire Chief, Mayor, Police Chief, Randolph Central Community Schools, Sanitary Department, Street Department, Waste Water Treatment, HWC Engineering representing the city. Area Planning Commission, Randolph County Building Commission, Randolph County Surveyor, I&M Power, Ohio Valley Gas, Indiana and American Water. So each one of those got a full set of design plans for the entire project. We have received an approval letter from each one of those stating that they are ok with what we have approved and they have no objection. From the Mayor, and the school and everybody. So, basically they are checking our work to make sure we are not, we are designing to the standards set by the city and the county. And I guess as far as, I know there was a letter that was given yesterday, from Mr. Hilgenberg, I believe that everyone here has gotten a copy of that too. I kind of answered his question about the sidewalk and I guess the reasoning behind why we are not showing those. He did make a mention about having less than two parking spots and that's, he probably didn't realize there was actually an attached garage, which is not common for apartments, that's kind of why they're a \$750 monthly rent. It's a little up there but you're getting a little more and he was upset that he couldn't get hold of the owner. The owner has multiple companies and the one that will own this one doesn't have an actual phone number. Unfortunately I didn't get a phone call either even though our name is on all the plans or I could have

tried to address some of his concerns ahead of time. But, that is what it is and I'm here to address questions from the audience and you guys and I will do the best I can to answer those.

A. Moulton: I think one of his concerns was 5th Street, I have to be honest I have not had a chance to drive down it but I have looked at it. That's a very narrow street.

B. Miller: 5th Street is not a wide street, obviously. I guess in my opinion, the street department signed off on our plans that they don't have any issues with it so I am going to have to rely on them for that.

R. Abel: The right of way is 30 feet on 5th Street, 35 on Residence.

V. President McCoy: A lot of people hear when you say "pond" and you've got it written on our copy "dry pond" which retention, detention, big difference between the two. It's not standing water?

B. Miller: You are correct.

V. President McCoy: I just wanted to make that clear so everybody knew we weren't going to have another pond with no fence around it. It looks like this is going to have a little bit of brick with vinyl maybe?

B. Miller: Yes, that's right.

V. President McCoy: Any other questions?

D. Vinson: Are there intentions of putting sidewalks here on 5th Street?

B. Miller: Yes, originally I think we were going back and forth and that kind of just....

D. Vinson: It says here that there would be sidewalks. I don't know what the city's intentions are as far as improvements on 5th Street.

B. Miller: On our narrative? What I have ran across in other communities that have had this same situation where there's no sidewalks and then possibly proposing, is something in the minutes that the owner would be willing to pay at that time if the rest of the street would get sidewalks. That he would pay at that time, and put that in the minutes. We've done that before in other communities as an option.

B. Albertson: There are sidewalks on the other side of the street. On North East Street there are sidewalks that butts up to 5th Street. There are sidewalks on that street. And then on Residence that also runs into 5th Street going south there are sidewalks on that street as well. It stops with 5th Street north, so I can kind of see where they would put them in because there are some on East Street.

R. Abel: On 5th there are no sidewalks. And east on Martin Street there are no sidewalks. On that crossing bridge, there are no sidewalks on that street. And that's kind of where the sidewalk stops at 5th and Martin on the east side of Main.

V. President McCoy: I looked at this and initially when I saw it, I first thought, wow, this is something big for Winchester, getting housing. And you consider \$750 affordable, or on the high end, I mean it's with a garage....

B. Miller: I guess it's in the eyes of the beholder I guess if that's affordable. I mean it's probably a little above a normal rent. I don't know all the rents, how Winchester is but that would be.

V. President McCoy: And this kind of falls in to what the county and the city have been talking about in the Comprehensive Plan as far as housing being a need and that's one reason why that caught my eye. I kind of wonder at \$750 like you said, you build, and as you fill you continue to build.

B. Miller: It is a different product than what he has, and so to go in and build all of them at once, he does have the means if he wanted to build them all at once he could. He's making a business decision not to.

V. President McCoy: So, he would start at Building I, that would actually be the first building?

B. Miller: Building I would definitely be the first one. And I would anticipate probably two or three. If he rents them both right away. The infrastructure and the expense of putting the street and all the utilities in is going to be there so, he can pull the trigger on both of them or just one of them but....

V. President McCoy: Does anybody else have any questions? Is there anybody out there that wants to come up in support of this? I'll go with support first. Can you come forward? And the Area Planning Board is only a recommending body so we'll make a recommendation to the City of Winchester and then ultimately it is their decision. Please state your name.

D. Manson: Diane Manson, 417 S East Street, Winchester, Indiana. I manage Sunny Ridge and the Crossings for Roger Muselman. The new apartments would be like The Crossings out here. The Crossings right now are \$675. I've got a waiting list for people now at \$675. \$750 is not going to be an issue. I thought it would for Winchester too. If everybody just looks at The Crossings, looks at Sunny Ridge, and looks at all the other properties that Roger has that I take care of you can see there's not any problems....

V. President McCoy: He's made an investment in our community.

D. Manson: Yes. I've got people from Michigan, I've got people from Ohio, they're coming here to work, where are they going to live. I am from Winchester, I was born and raised in Winchester. And to me it's a wonderful thing to see these people say, I've got a beautiful place to live. That's all I need to say.

R. Abel: Is there going to be landscaping, like the other buildings?

D. Manson: Oh yes. We'll have bushes, trees.

R. Abel: Is there something in the lease agreement that you sign out there that prohibits people from leaving trash in their yard. I notice how clean the yards are.

D. Manson: I insist on that, and they are proud of them. Those are nice apartments, these are nice apartments, they're going to take care of them. It's right across from the park, they're going to be able to go over and sit when they want to, or walk around the park. It's peaceful and quiet back there.

V. President McCoy: Anybody have any questions for her? Ok, thank you. Mayor?

S. Byrum: Shon Byrum, Mayor, 802 Beeson Drive, Winchester. I come before this board to make a clarification that the letter that myself and my department heads wrote was strictly based on plans and not on trying to exert any kind of affirmation. We understand how the process works that this is a recommending board and then the City Council will make this determination. So, I just want to make that very clear that we looked at it based on if these plans address certain criteria of the city. Thank you.

B. Tarter: 414 E South Street, Winchester. I appreciate everyone's time here tonight. I am not here to speak as much about the project as I am here to speak about SMD Winchester and Roger which is the company investing in the project we are talking about here tonight. I've gotten to know Roger over the last year in a few real estate transactions that he has participated in in the area. Roger's from Berne, Indiana and he first invested in Winchester in 2004 when he purchased Sunny Ridge Apartments. In 2006 he constructed the Crossings at Sunny Ridge. That altogether was about a 2.5 million dollar investment into Winchester and Randolph County and he's paid close to \$400,000 in Randolph County Property tax over the last 14 years. Most recently as most of you recall, Roger did purchase a vacant piece of ground across from the Winchester Street Department. He went through all the steps necessary to construct the Winchester Self Storage. All those plans were approved through this board and within 30 days of the board approving the storage units that Roger built they were completed. Within 30 days. Also some local contractors did that work as well. Roger wants to continue to develop and invest in Winchester, the project that we're talking about today would be close to a 2 million dollar investment, again into Winchester and Randolph County. Each apartment constructed would cost approximately \$70,000 dollars, with the estimated rent being close to \$750 per month, again without government assistance. Our company currently manages the Summers Pointe condos across from the Wal-mart. Those are full and we need more senior housing, and we need more quality senior housing. I think that's back to Diane's point earlier that she has a waiting list. Real quick there was a question whether \$750 was affordable. The condos out at Summers Pointe rent anywhere from \$800 to \$900. Again, those are full so do I think \$750 is affordable, I do. But, also, compare that to an average home in Winchester that rents anywhere from \$450 to \$550. I think these are going to be nice apartments and nice condos for the area. Thank you.

V. President McCoy: Anybody else for? Anybody against? Please state your name and address.

J. Straley: Jeff Straley, 805 N Residence Street, Winchester.

B. Monroe: Bill Monroe, 645 N Residence Street, Winchester.

V. President McCoy: And you're right across the street on 5th Street? Correct?

B. Monroe: Yes, I've been there for 37 years.

J. Straley: I've been in my house for 33 years. And he talked about, he's read the letter from Jerald, Jerald Hilgenberg owns the house to the south of me. He's opposed to it, he gave a lot of good reasons here. I will just say for me personally, we've lived there 33 years, it's like living in the country.

You've got the park on the one side, you've got the big field on the back side, I mean there's not a road til Main Street because there was that East Street was supposed to go through there but they never finished it. So, it's like living in the country, so to put something like this right there is going to change the whole dynamic of our neighborhood. What concerns me the most there could be 56 new cars there. If every place had two cars. That's 56 new cars and 5th street is like the size of an alley. It's not big, it's not a good street. It needs redone, widened, before some big project like this comes in. That's one of the things that concerns me. I believe it's going to decrease our property value, because anybody that wants a country setting in town you know, that's not going to be there no more. It's going to be, this will change everything with all that many people can that little land handle that. Another concern of mine is was if you, as Bill knows and I know we've been on Residence Street all this time people think it's the highway, so for me even on their side, it's not safe for kids. People fly down that street, so I don't feel that's safe, even on that side. I know right across from the park, you've got kids, what are they going to want to do, they're going to want to go to the park. And that would concern me, the way people drive on that street. There are some things like he said, Jerald was concerned about the infrastructure. You know the sewers, the water, all that stuff. Being able to handle that much new traffic there. So, I know I oppose it, I know most of my neighbors do. I know Ken Phillips opposes it, I just talked to him on the phone tonight. He lives in the house that sits way back off the street there, but it's right next to the lot in question here. So I know he's against it. So, like I say, I know Jerald, he told me that he sent a letter to you guys as well, I suppose you've read it, all of his concerns. Which I thought were really good concerns. But really this comes down to—there's not enough room for something of this magnitude right down there in our little corner.

B. Monroe: One of the things that's happened since Mayor Byrum has been our Mayor, he's put an emphasis on the use of the park. In my 37 years of living there, I've seen more foot traffic coming up 5th and Martin and Residence Street, of parents pushing strollers, people biking, because they can go down and bike across the walk bridge that's on the north end of the park. And it's absolutely stunning. Personally I have been taking pictures for a couple years of just Winchester Park, because it's become an amazing life that hasn't been there for 37 years of living on the corner of 5th and Residence. And so with no sidewalks, with potentially, now you have to understand that every household in America has 1.9 cars so potentially 56 vehicles are going to enter on to 5th Street, which is a glorified alley. I measured it today with a tape measure and it's 18 feet. It cannot be widened south. My shop sits right on, actually if you measure the 6 feet that the city claims they have they are about 6 inches inside my shop, sidewalks are not going to go south. They are going to have to go north. If I'm right, I think 28" is the smallest sidewalk that you can have. And I think they recommend 32" from my time on the city council which has been a few years but I think that's what they recommend. The field has always been a field and you can ask, well, you bought a house there 37 years ago, and yes I did, but I always figured if anything ever happened there it would be...houses. You know, four or five houses out there. It would not affect our property value. When this took place, when we got wind of this, my wife and I had our house appraised. Here's the funny thing about that appraisal, the guy said, our house was appraised a lot higher than what we thought it was worth. He said, Mr. Monroe, look out your front door. So that tells me right there one of the reasons he appraised our home higher is the view of the park and the field beside us. Back to 5th Street, my wife and I entertain a lot, Jeff can account for that, and a few other people can, and if you park one car on 5th Street, two cars cannot navigate 5th Street

coming and going, it's impossible. So we're going to dump roughly 56 cars potentially at the minimum out on 5th Street every day which in my eyes is just nuts. In the 37 years we've lived there we've quit parking in front of the house. Because we've had two cars totaled. I call the front of our house the Dukes of Hazzard Road. Because anybody who ever saw Dukes of Hazzard sees that hill, and they try to get airborne coming and going. And it's just a fact of life. We've noticed it forever. That's just the way it is. We have accepted the fact, we just made sure our kids looked both ways before they crossed the street. Now I want to talk about the gentleman who is proposing this. And Diane. We have dealt with Diane. You cannot deal with a better person that's running an entity in Winchester. We had a gentleman who was my mom's significant other who we ended up putting out there. Her treatment of the people out there is first class. The apartments out there are first class. The whole facility is first class. And I would love to come here and say that's what we need. It is what we need but we don't need it there. They should be on the edge of town like his other facilities are. There's plenty of area out there in front of Walmart besides Summers Pointe. And actually, if you look that up, my name's on that. Because I was on the City Council when that was brought to us and I approved it. I don't know that I would have approved it if it was going to be downtown. And that's a success. We claim we have use for this, but can anybody tell me what the population of Winchester is, it's no longer 5,000 people. Winchester is getting smaller by the day, and I don't know how this will increase things. Actually we're having more and more properties that are being left and not being used, so it's kind of pay Peter and we're going to rob Paul over here. Instead of saying let's fix things up and make things usable. Back to the apartments out behind the bowling alley, the first time that my wife and I saw those, when we were taking Ray out there to live in them, we both looked at each other and a light bulb went off in our heads. We could live out here when we retire. But that's out there, not in a neighborhood where you know, it's, we were sold because of what it is. We know all the neighbors, all of us. We know each other. You can't tell us that it is not going to affect us negatively. This gentleman has a vested interest in this, Brody has a vested interest in this. And I understand that, but none of them are going to live there. And we do. And I think just about everybody in this room's goal is to die there. You know, and be happy that I lived there I hope it's longer than 38 years, but I had a lot of facts in here to deal with. One of my concerns is, if this would pass, it sounds to me like we are going to be in a construction zone for a few years. That's not fair to any of us. I don't know much more to say but I found no one in our neighborhood that thinks this is a good idea.

J. Straley: Why don't you address the lighting like you was talking to me about the other day?

B. Monroe: I'm a star-gazer, and I built this really nice big patio so I can watch the stars. For you people that don't watch the stars, light pollution is the worst thing in the world for watching stars. Now, this is going to take away personally my favorite hobby. Because these apartments are going to be lit up and you know I am personally, I kid you not, it may be a joke to everyone else, but this is a part of my life, is watching stars. Now for me to do this now, I am going to have to get in a car, and drive out of town. Something simple, we're all going to find out is there's a lot of things that we have taken for granted that will go away. So...

J. Straley: That's what I say, it changes the whole dynamic of the place we live. The place we've called home for all these years.

V. President McCoy: And you've been down there just as long as he has.

J. Straley: Pretty much, that's what I said. Nothing against them, nothing against what they want to do, it's great. We're all for it, just not in that little square. We're just not for it there. Like Bill said, there's land in other places. Mainstreet Church was going to build their church on that one land right, and now they moved into that old funeral home so there's all that land like he was talking about. I mean that's right there across from Walmart, it'd be a good place. That'd be a good place, especially if it was older people, I know, it was mentioned by somebody that it was 55 and older, it didn't say that in our letter we got. It said no age, no income based.

B. Monroe: Can I ask a question, are they single bedrooms apartments or double?

B. Miller: Double.

J. Straley: So, again, nothing against them, nothing against what they're trying to do, it just don't fit in that little square there.

B. Monroe: I may be crazy, I do not lock my house half the time, still to this day. And I don't lock my shop.

[Unknown]: You will now.

B. Monroe: That's a major concern now, to me. Now, is my first purchase going to be a security system? We also know, and once again this guy runs a class operation. And, you know Kathie and I were so relieved when we met Diane with the situation we were under. But you know, the change that it's just going to make instantly, and I will have to put in a security system. We can't say there's going to be bad people, we can't say there's going to be good people. But society being what it is there's going to be bad and good. We also know that it's not Heather Park, but you can look at the police records and the other places in Winchester, we about need to put policemen on just to live there in those places. The one out behind McDonalds has become a headache to our police officers. The Heather Park has been a headache for years and years and years. But there's no guarantee that we can't end up with these kinds of issues where we don't have them now in our neighborhood. Whatsoever. And you know it comes down to the fact that we're tax payers too, and we've been paying them a long time. And this, if you could prove to me without a shadow of a doubt that my house's value wouldn't go down and I wouldn't be forced to start living a different life than what I have lived for 37 years there I would be for it.

J. Straley: It affects Bill more than anybody, cause he's right there, 5th Street, and there's him. I'm a couple houses down this way it'll be at my back so to speak, or at my side.

V. President McCoy: Anybody got any questions for these guys? Anybody else want to speak?

J. Straley: Thank you.

R. Morford: Hi, Robert Morford, I live at 706 North Main. I am at the corner of Main and 5th. So, this, I own the lot on the corner of 5th and Main so this pretty much runs my whole 280 feet behind my

house. This is my back yard. I just purchased the property in July because me and the wife lived on the Greenville Avenue and our former mayor did the Greenville Avenue project which was a major disaster and we finally spent enough money to unload our house and move to the north side of town where it was a lot quieter and a lot more efficient but now we found out that 6 or 7 months after we purchase the home they want to build a housing complex in our back yard. I guess I should have bought it when I bought the house, but nobody said there was going to be a housing project in my back yard. My main concern is that I have 5 grandkids that spend a lot of time over at my house and like they said there's 56 cars [inaudible]. Say, the kids or grandkids come over to visit the elderly, if it's just the elderly that live there and you're looking at maybe 100 different new cars coming up and down the streets every day right by my house. What's to stop somebody from one of my 5 year old grandkids accidentally running out in the road and getting hit? The younger kids this generation nowadays go up and down 5th street like it's a race track too. There's nothing new when I take my dogs out I have to keep them on a leash and I own a little over an acre. I should be able to enjoy my dogs, they don't get out of my yard, but I shouldn't have to worry about that issue. The sidewalk issue, I went through it with the Greenville Avenue project. You know, the mayor said, oh, you're going to love it when it's done. It was a disaster. Everybody out there said if they had known now what they had known then 90% of us would never had signed the contract with the city to let them do it. The city backwashed on us on half the promises they made, and I got news for you if they want to put sidewalks on the north side of 5th Street, which is going to take quite a bit of my property again, there will be no signing any more we'll have a major battle on it because I've already been screwed over once on a project like that. Uhh, what other issues do I have? Like I said, we bought this house, I've got twenty years I work out here at Anchor, I've been there twenty years, and I've got twenty more years to work. I've pain, I mean I haven't paid \$400,000 in taxes, but in the two billion dollars I've made in my lifetime I've paid a lot of taxes to this county and this state and this city and I've lived here 98% of my life so I'm not a guy that comes in to invest in this place I've been investing in this thing my life, my grandkids going to be invested in it in their life. My daughters all live here. So, you know, I'm definitely against it, my wife is completely against it and like Bill said, every neighbor I have talked to is completely against this.

I. Ashley: My name is Isaiah Ashley. I live at 638 Residence Street, which is right across from Bill Monroe. The first thing I would like to bring up, at least according to the paperwork that I have you claimed, this gentleman to my right claimed that building number one had eight units, my paper has six. No one mentioned that, so is it eight or six. Ok, then why do I have something different. Ok, so how often are these plans going to change? Considering that I just got this a week and a half ago? And we went from six, we added two more apartments, so what's to stop revisions from now until the possibility of this being built? That's one concern I have. The other concern is, I bought my property two years ago in January and had I know that this was going to ever happen I never ever would have considered buying that property, and I just don't understand it. The other thing is, as the lady that works for the gentleman trying to install, trying to put this property in, I have a hard time believing that people from Michigan and Ohio call Winchester, Indiana, to come here to retire or to buy property or move to these apartments, why would you do that? There's nothing here. As far as you know, these apartments, \$750 is a lot of money for this town. At least for people who don't own their own houses. It just doesn't make sense, I just don't see this going through with how they think it's going to go through. The other thing that concerns me? Is this going ever going to be a HUD Property where it's

government subsidized at some point? Because I think everybody in Winchester knows how that works out. I don't know; it's just a bad deal.

V. President McCoy: Anybody else would like to speak?

B. Monroe: Can you ask for a show of hands right here of the people who are going to be affected by this?

V. President McCoy: Sure, thank you. Can we have a show of hands of those affected by this?

B. Monroe: Bob, there are people who are not here who do oppose it. Some of them have to work tonight and some said they would be here. Some of those guys were a little younger, and I thought, yeah, when I was your age I wouldn't go either.

D. Vinson: So you're all basically from the same neighborhood?

B. Monroe: Yes, absolutely. I never went out of the confines of Main Street and Residence Street.

[Unidentified] I think with 28 apartments you almost have to see the plans with sidewalks. You can't have that many people living there without sidewalks.

V. President McCoy: And what is your name?

K. Cochran: Kevin Cochran.

B. Miller: Some of these concerns, obviously, I understand what everybody is saying. I am here representing the client who is wanting to build these so, I hope everybody understands that. I have heard mixed things on the sidewalks, I don't know if that's something that this board ends up saying yay or nay to.

J. Welch: You can propose an amendment, if they put a stipulation that you have to have a sidewalk. That's an option too.

B. Miller: Unless you are dead set on wanting sidewalks out there today—I would have to take that to the owner. I'd be more in favor of something in the minutes that they would be constructed if everybody in the neighborhood gets sidewalks. I apologize to the one gentleman who had the 26 or 28 units but the plans are done now and I think that was a very early drawing. I also want to apologize to the Mayor I didn't mean, I don't know if I spoke out and said too much there.

D. Johnting: I have some clarification on that just really quick. This is my first PDRS and some of you as well. And I didn't spend much time explaining The Checkpoint Agencies or what they [SMD Winchester LLC] have had to do. It's not an endorsement, it's an endorsement of "I can provide my service to that area whoever I happen to be." It's on page 66 of the Unified Zoning Ordinance, everyone that they needed to contacted has been contacted, the Drainage Board, the Mayor, the Board of Works, on and on, and none of the letters that came in were an endorsement, just an acknowledgement of "I have seen the plans, and I don't have an issue with them [the plans] and I can provide my service."

V. President McCoy: Exactly, I mean, if there was an issue with sewage that was going to be a million dollar solution they would have said something.

B. Miller: I just want to make sure, I am not trying to speak for anyone. I am not an appraiser, so I am not qualified to speak to the property values, so that's up to you guys unless it would come down to the owner needing to hire someone to do an evaluation on that. We've heard from Diane and there is a need. It's pretty black and white if there's a waiting list there is a need. So, even if we feel \$750 is maybe too high, or whatever if there is a waiting list for pretty much the same thing in my opinion there is a need for something in town. The street width, I guess that's something that we'd have to work with the street department. Obviously we wish we would have had that taken care of ahead of time if the street department had an issue with it. We gave them the plans and that's something we'd have to work with them on what they would propose. And I guess the final thing I'll say is obviously I understand everybody's feelings in the audience like I had mentioned, we do a lot of residential apartments and nine out of ten I don't care if we think it's in a good spot no one wants it in their back yard. Unfortunately. So, we can move it to another part of town, most likely they are going to come out too and say the same things.

V. President McCoy: No matter the outcome, and it goes before City Council, you know we'd like Roger to continue to invest in our community. And you know we'll continue to look, if this one fails we'll continue to look for a place for something like this, there is a need.

D. Vinson: And I think someone who came in to town looking for a place to build residences probably saw a piece of property like this as you say, right across from the park, quiet neighborhood, this would be a perfect place to build something like that. Where, the people already living there don't. When I look at this and think if I was going to build apartments somewhere, that'd be a perfect place to do it. I mean, across from the park, access to Main Street, the north end of town.

D. Manson: Just what he's saying, that's the reason he picked that area. That's what he told me is why he picked that area because it's near the park.

D. Vinson: And then when you look at them, that's exactly what they're saying, we don't want to lose our nice little neighborhood.

J. Straley: It comes down to the traffic. With that many cars, you've got to widen that road, put sidewalks in or whatever, it's got to come out of their lot. There's nowhere to go but that way.

V. President McCoy: That's for the discussion with the city, like I said, no matter the outcome here, that's worth a discussion with the city.

R. Morford: Like I said, I already went through this once with the city, on the Greenville Avenue project. They said they were going to improve our property, I lived there four and a half years and I'm like Bill, that area's kind of like a retirement area, my neighbor's retired, neighbor across the street was retired. Most of them have moved now, since then. But I never locked my doors during the day, I never locked my garage doors out there ever. And after the sidewalks got put in I had six thefts within six months. And that's just from the traffic from walking back and forth to Walmart and stuff like that, I

had my chain saws, I can name you all the items that got stolen. Ever get them recovered? No, did I file a report? What's the use? \$150-200 chain saws, they're never going to find that, they probably got brokered in Muncie. I never had an issue until somebody wanted to build and "upgrade" my neighborhood. And that's why we moved to this place, we're like you know my wife said you better find a bigger house, a house for my grandkids find a house because I had twenty years to pay for it before we retire because it's going to be your last one. It took us seven months after we bought this house still paying double payments to get rid of the other house. But we had to move on this because this is what we wanted. You look at my back yard I got a two story barn, and just past my barn it looks like I live in the county. But I live in town by great neighbors. You know, most of them like Bill I've known, Bill's known me ever since I was in diapers. You know, everybody there is really nice and now you're going to put 28 units with 50 some new people that I have no idea who they are. And, I grew up there all my life.

V. President McCoy: I totally understand your concern. This is hard, and...

B. Monroe: It will no longer be the quaint little neighborhood and so, that's gone.

V. President McCoy: Anybody with anything new to add?

I. Ashley: Another concern, this will not add any new jobs, it will not bring anyone any money besides the person that's doing this.

V. President McCoy: Maybe construction wise it will add some jobs.

I. Ashley: That's just temporary, though.

V. President McCoy: What it will do is add assessed value to the city. Which will bring down property taxes in reality for the future. Because I don't see him asking for big abatements, or anything like that. That's the thought process on that. Correct Mayor?

S. Byrum: That's correct.

K. Wilkins: Karen Wilkins, 638 North Residence Street, there are other properties that are available in that end of town. They may not be up for sale, but I am sure that they can be sold. You've got the old, behind the Phi Delt's where they tore down a factory, you've got across the street from the Pub where they tore down a factory, and they would be perfect places for a bigger apartment complex. And it's close to the park, and you're not going to have people driving down Residence Street, speeding down there. You're not going to increase the traffic on a street that cannot be widened, because if you build in either direction you're going to run into a house. If you put sidewalks in on Residence Street you're going to run in to a house or take away from the park. So, that is not a good location. It's a good location for houses, but it's not a good location to add 50 some people over the next three years. But you've got the empty lots that are just sitting there doing nothing that are perfect for it.

V. President McCoy: Any more discussion from the board? Then I will entertain a motion to take a roll call vote for a favorable recommendation. It has been moved and seconded to take a roll call vote on a favorable recommendation.

D. Johnting: Bob McCoy, no, Gary Girton, yes, Dan Vinson, yes, Amy Alka, yes, Adrian Moulton, yes, Aaron Stephens, yes, Paula Keister, no, John Reece, no, Bryn Albertson, no, Missy Williams, no. 5 to 5. Motion does not pass.

V. President McCoy: It still goes to the City Council on Monday February 5, 2018.

D. Radford: So it just goes before the council with no recommendation?

M. Williams: I'd love to see this project go, located somewhere differently. I'd like to see the city do a back road from Summers Pointe, make a back road back by Baker Elementary, that would be a perfect location back there.

V. President McCoy: Thank you. Do we have any old business?

D. Johnting: I have some, I need Missy's vote on the landfill.

M. Williams: Yes.

D. Johnting: And I promise it won't happen again.

V. President McCoy: We have new business. Amendment 2018-1-A. Randy, would you like to bring us up to speed on that?

R. Abel: Yes, basically we have a Flood Plain Ordinance that was adopted by the County in 2013, and it was never incorporated into the Unified Zoning Ordinance. So, the portion of the Ordinance that we had in Article VIII, so what we're going to do is delete that, and incorporate the County Ordinance in this. Basically, that was adopted to meet state requirements. So, then we have on the second amendment, the fees are already there we're just putting them into the fee schedule.

V. President McCoy: Anybody got any questions? Was there another fee before?

R. Abel: No, the fees were there before, we're just putting them in the fee table.

V. President McCoy: Anybody have any questions? Hearing none, can I make a motion or no? I wasn't sure being acting president. I will make a motion that we pass 2018-1-A the amendment to the Unified Zoning Ordinance.

D. Vinson: Second.

V. President McCoy: All in favor say aye. We need a roll call vote on that? Please.

D. Johnting: Bob McCoy, yes, Gary Girton, yes, Dan Vinson, yes, Amy Alka, yes, Adrian Moulton, yes, Aaron Stephens, yes, Paula Keister, yes, John Reece, yes, Bryn Albertson, yes, Missy Williams, yes. Favorable recommendation.

V. President McCoy: Now, this will go back to the county?

R. Abel: It goes to the county and all the legislative bodies for approval.

V. President McCoy: Reports of officers, committees and staff? You have, do we need to discuss the small animals?

R. Abel: Yes, after the meeting is over.

V. President McCoy: I will make a motion for adjournment. All in favor say aye, the meeting is closed.

President, Don Calhoun

Vice President, Bob McCoy

Secretary, Dan Vinson

Recording Secretary, Debra Johnting