

Porter Plan Commission
Special Meeting Minutes
January 28, 2004

A. The meeting was called to order at 7:33 p.m.

B. Roll Call

Present: Mr. Bell, Mr. Eriksson, Mr. Liebert, Mr. Childress, and Mrs. Snyder.

Absent: Mr. Timm and Mr. Babcock.

Quorum was established. Also present were Mr. Mandon and Mr. Lyp.

C. Special Meeting Business

The Plan Commission is meeting in Special session at the request of Duneland Group Engineering, Inc. to consider amending the final plat for Munson Place subdivision. The amendment is to add the addresses to each lot on the final plat. Mr. Kremke is present representing the requesting party.

Commission Discussion:

Mr. Mandon noted that the financial security dollar amount for the subdivision infrastructure is being discussed to determine if the improvements are specific to the subdivision or regional in nature; discussions are ongoing and should be resolved in a couple of days (per Town Engineer Tim Haas).

Mr. Childress noted that the [original] final plat is already signed by [former Commission President] Eugene Chemma.

Mr. Mandon stated they should not be released until we receive the letter of credit.

Mr. Bell requested of [Town Council President] Jennifer Granat, in attendance at the meeting, that the Town Engineer be requested to attend Plan Commission meetings from now on. Mr. Bell gave the floor to John Kremke.

Mr. Kremke:

1. Originally the plat was approved without any addresses on it.
2. The plat has been amended and brought before you to be approved with the addresses on it and recorded.
3. Our client understands that until the amount of the letter of credit has been decided the plat cannot be released but they intend to get that done as soon as possible.
4. There is a sense of urgency here.

Mr. Bell believes the Commission recommends to the Town Council the amount of a letter of credit. Mr. Mandon believes the Commission sets the dollar amount. Mr. Lyp stated that according to our Subdivision Control ordinance the Plan Commission recommends the amount consistent with the engineer's recommendation.

Further discussion about the letter of credit dollar amount among Commission members, staff, and Mr. Kremke. There are two amounts: [a] \$1,284,356 if using individual detention and [b] \$817,095 if using regional detention. Both Mr. Kremke and Mr. Lyp believe Lake Erie Land Company will accept the higher amount in order to get started.

Mr. Mandon recommends that the Commission approve the amended final plat but not release it or let it be recorded until the letter of credit is received in the amount recommended by the Town Engineer.

Motion to approve final plat with addresses but not distribute the mylars until the bond has been set, the amount to be determined by Tim Haas, Town Engineer made by Mr. Childress; second by Mr. Eriksson. Motion carried 5 – 0.

Mr. Mandon recommended that the Plan Commission fee of \$500 for a Special meeting be waived because the mylars have been in the Town Hall since December. Mr. Eriksson thinks it should be charged.

Motion to charge the fee for the Special meeting made by Mr. Eriksson; second by Mr. Liebert.

Discussion: How many votes are required to pass the motion? Answer: A majority of the entire Commission, four out of seven.

Mr. Kremke stated he was called by a town official prior to the January 21, 2004 meeting and informed his presence wasn't required. Speaking for himself, not on behalf of his client, he believes charging the fee would be unfair. Motion carried 4 – 1 with Mr. Bell voting no.

D. Adjourn

Motion to adjourn by Mr. Childress; second by Mr. Liebert. Motion carried 5 – 0.

Meeting adjourned at 8:00 p.m.

Lorain Bell
President

Lisa M. Liebert
Secretary