

Special Council Meeting – August 6, 2019

Mayor, David B. Eaton called the special called council meeting to order at 6:30 p.m. with the following council members present: Shane Suttor, Troy Ethington, Pam Carter, Jon Swindler, Mike Zoeller and Frank Page.

City Employees Present: Officer Colebank and Carla Wainscott.

City Attorney: Steven Gregory

All present pledged allegiance to the flag.

Minutes/ July 18, 2019

Councilmember Swindler moved to approve the minutes of the regular called meeting of July 18, 2019, as read by the council members prior to the meeting. Seconded by Councilmember Page.

All voted “aye” and motion carried.

Ordinance 2019-08-15(C)/An Ordinance of the City of Shelbyville Relating to a Zone Change – 1st Reading, Steven Gregory, City Attorney

Steven Gregory, City Attorney, stated before he read the ordinance relating to a zone change, he wanted to go over a few details with the council. As Mr. Gregory has advised, there are two options; approve the planning commission’s decision or disapprove their decision. And another possibility was to hold our own meeting concerning the zone change. At the previous meeting, Council made a motion to go by the record of the Triple S Planning & Zoning. At that time, the applicant had the opportunity to make a statement towards the record. Council agreed to draft an ordinance which would disapprove the recommendation of the Zoning Commission.

Steven Gregory, City Attorney, read an “Ordinance of the City of Shelbyville Relating to a Zone Change.” In summary, this ordinance adopts the “Findings of Fact” but disapproves the recommendation made by the Triple S Planning and Zoning Commission at its meeting of May 21, 2019, pertaining to an application submitted by JACAT, LLC.

Councilmember Page moved to approve the ordinance for a first reading. Seconded by Councilmember Swindler.

There will be an actual vote on this Ordinance at the regular council meeting on August 15, 2019.

Public Comments

Tom Hardesty, Town and Country Subdivision, informed council that there have been several complaints regarding Fourth of July fireworks. Mr. Hardesty would like council to reconsider provisions to fireworks.

Delores Odenweller, Brentwood Subdivision, asked when the zone change occurred? Mayor Eaton indicated that the zone change was back in April of 2019. Mrs. Odenweller also asked if there was a notice? Ryan Libke of Planning and Zoning stated that yard signs, which is state law, was placed in several locations along Smithfield Road, (Sanford Lane, LaGrange Road, Sentinel-News). She indicated concerned about traffic along Smithfield Road.

June Meadows, Town and Country Subdivision, asked when and who did a traffic study? Ryan Libke, Planning and Zoning, stated that Diane Zimmerman, an engineer consultant for the planning commission, had conducted the study. Ms. Zimmerman had a traffic count done during the peak hours in the morning, afternoon and evening. Ms. Zimmerman indicated that this is a Level C. Ms. Meadows also wanted to know who were the 3 councilmembers who voted on this?

Mayor Eaton stated the comprehensive plan is what council voted on. In terms of the amount of cars that can drive through, the traffic study shows that it can handle that amount. Council must vote on the facts, and the facts indicate that traffic would not be an indicator.

Councilmember Zoeller asked what the vote count was from Ryan Libke, Planning and Zoning. The vote was 4-1, denying the request. The original was denied.

Dena Doyle, Sanford Lane, wanted to know where the entrance/exit would be located and how much property was bought? The entrance/exit will be located on Sanford Lane. They bought 5.22 acres.

Mr. Cliff Ashbourne, JACAT, LLC, is asking council to make a decision that is on record and would like it to be approved.

Councilmember Zoeller moved to adjourn at 6:54 p.m. Seconded by Councilmember Suttor.

All voted "aye" and motion to adjourn carried.

David B. Eaton, Mayor

ATTEST:

Carla A. Wainscott, City Clerk