

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
MINUTES OF A PUBLIC HEARING**

DATE.....September 16, 2020
TIME.....6:00 P.M.
PLACE..... County Office Bldg.
20 N. 3rd Street
Lafayette, IN 47901

MEMBERS PRESENT

Roland Winger
Jake Gray
Vicki Pearl
Larry Leverenz
Diana Luper
Michelle Dennis
Tracy Brown
Tom Murtaugh
Gary Schroeder
Jackson Bogan
Kathy Parker
Lisa Dullum
Perry Brown
Dr. Carl Griffin
Greg Jones
Jerry Reynolds
Carla Snodgrass

MEMBERS ABSENT

STAFF PRESENT

Sallie Fahey
Ryan O’Gara
John Burns
Larry Aukerman
Don Lamb
Chyna Lynch
Zach Williams, Atty.

The Area Plan Commission of Tippecanoe County Public Hearing was held virtually on the 16th day of September 2020 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

President Jackson Bogan called the meeting to order. He thanked everyone involved in making this meeting possible. He asked that everyone mute their microphones until they wished to speak or vote.

Attorney, Zach Williams, called the roll to establish members present.

I. BRIEFING SESSION

Sallie Fahey said all cases are ready to be heard this evening.

II. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the August 19, 2020 meeting. Greg Jones seconded and the motion carried by unanimous voice vote.

III. NEW BUSINESS

None.

IV. PUBLIC HEARING

Jackson Bogan read the meeting procedures.

Gary Schroeder moved that there be incorporated into the public hearing portion of each application to be heard this evening and to become part of the evidence at such hearing, the Unified Zoning Ordinance, the

Unified Subdivision Ordinance, the Comprehensive Plan, the By-laws of the Area Plan Commission, the application and all documents filed therewith, the staff report and recommendation on the applications to be heard this evening and responses from the checkpoint agencies

Greg Jones seconded, and the motion carried by voice vote.

A. Subdivisions

S-4935 DAUGHERTY COMMERCE CENTER MINOR SUBDIVISION, A REPLAT OF LOT 14 (minor-sketch):

Petitioner is seeking primary approval to replat one lot and unplatted land into one lot plus one outlot all on 9.10 acres, located between Concord Road and Daugherty Drive, Lafayette, Wea 10 (NW) 22-4.

Gary Schroeder move to hear and vote on **S-4935 DAUGHERTY COMMERCE CENTER MINOR SUBDIVISION, A REPLAT OF LOT 14 (minor-sketch)**. Greg Jones seconded.

Don Lamb presented the zoning map, plat, and aerial photos. He said this is a subdivision that has been developing since 1998. Lot 14 was recorded this past January and covers about 5 acres. The purpose of this replat is to add the adjoining land to the west to make the property 9 acres. It is currently under development for a self-storage warehouse business. The site is located at the northwest corner of Veteran's Memorial Parkway and Concord Road and is zoned GB. There is I3 zoning to the north and R1B zoning to the west. Access will come from a private drive that borders on the south and will be shared with existing development to the south. There will be No Vehicular Access platted along the Concord Road right-of-way. Part of the development will include platting of an outlot along the north side that is intended for stormwater detention storage. The site is served by city utilities and all the zoning setbacks have been shown correctly. There will be a need for a Type C bufferyard along the residential zoning to the west. This would be handled in the building phase by the Lafayette City Engineer's Office. Staff recommended conditional primary approval contingent on the following conditions:

1. Except for the approved entrance, a "No Vehicular Access" statement shall be platted along the Concord Road right-of-way line.
2. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
3. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
4. All required building setbacks shall be platted.
5. The street addresses and County Auditor's Key Number shall be shown.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

6. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.
7. The purpose, ownership and maintenance of Outlot A shall be specified.

Jackson Bogan asked if the petitioner or their representative wanted to make a presentation and if there were any documents to share through GoToMeeting.

Daniel Teder, 250 Main Street, Lafayette, IN 47901, representative for petitioner, said he agreed with the conditions by staff and requested bonding. He respectfully requested approval.

Tom Murtaugh asked if bonding was necessary.

Don Lamb said there is no need for bonding because this is a minor replat.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O’Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. The motion was approved 17 yes to 0 no.

Yes-Votes

Jackson Bogan
 Larry Leverenz
 Carl Griffin
 Roland Winger
 Vicki Pearl
 Lisa Dullum
 Diana Luper
 Gary Schroeder
 Michelle Dennis
 Kathy Parker
 Jerry Reynolds
 Tom Murtaugh
 Carla Snodgrass
 Greg Jones
 Perry Brown
 Jake Gray
 Tracy Brown

No-Votes

B. Rezoning Activities

Z-2800 JOSHUA SHIVES (A to GB):

Petitioner is requesting rezoning of Lot 2 of Oliver Subdivision, located at the northwest corner of SR 25 W & CR 500 W, specifically 5000 SR 25 W, Wayne 22 (SE) 22-5. With Commitment.
CONTINUED FROM THE AUGUST APC MEETING AT PETITIONER’S REQUEST IN ORDER TO ADD A COMMITMENT. FIRST CONTINUANCE.

Gary Schroeder moved to hear and approve Z-2800 JOSHUA SHIVES (A to GB). Greg Jones seconded.

John Burns presented the zoning map and aerial photos. He said petitioner is seeking to rezone from A to GB. The site is known as Lot 2 in the Oliver Subdivision and is just one acre. It is located on the north side of SR 25 at the intersection of 500W. This petition was heard last month but was continued to add a commitment. The commitment would prohibit adult related businesses and gasoline service stations. The proposed use for this property is to sell ATVs, UTVs and Jeeps. The aerial shows a structure that was once used as a veterinarian clinic which was permitted by right in the A zone. There is a single-family home to the west of this site. The veterinarian clinic is for sale and petitioner needs GB zoning to accomplish his use. Staff is unable to support this for a few reasons. This area is not served by sewer and water so commercial zoning would not be supported by staff. The development pattern of GB zoning allows a lot coverage of 60% and only requires 10% of greenspace. Staff feels this is different from the rural setting that this site has. There is no noise ordinance in the county and to introduce commercial zoning to this location would be incompatible with the adjacent residences. Staff recommended denial.

Jackson Bogan asked if the petitioner or their representative wanted to make a presentation and if there were any documents to share through GoToMeeting.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said he was here last month but, continued the case to file the commitment. Staff summed up the plan for the property that is on the way to Badlands Off-Road Park.

Carl Griffin asked what interaction Mr. Shives has had with the property owners to the west of the site.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said he spoke with them once before the August meeting. They were concerned about future uses if this business were to leave. He said he questions the fact that any house out there would ever have known that ATVs could not be sold at this location.

Carl Griffin asked staff if any letters had been submitted for this case.

Ryan O’Gara said there are no letters for this case.

Patricia Grubb, 5012 SR 25 W, West Point, IN, 47992 said she owns the home that is adjacent to the site. She said she is against this rezone for several reasons and does not want to look at a lot full of recreational vehicles. This site is out in the county and would be a definite eyesore. She asked what will go in this location next should this business fail. She said this would devalue her home if she decided to sell.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said he can’t rebut on what the future use would be. This site was a business before and most people likely did not know that ATVs could not be sold here. The building has been sitting empty for years. He said he is trying to repurpose it and make use of it. Other people were interested in this building but did not follow through because they were not able to use it for what they wanted.

Tom Murtaugh asked if Mr. Shives had any further conversation with any of the neighbors on the other side of CR 500.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said he spoke with them and they did not care at all. That neighbor seemed excited about the proposal because they have off-road vehicles.

Tom Murtaugh asked if Mr. Shives had spoken to the other neighbors to the west of Ms. Grubb.

Joshua Shives, 1910 W 450 S, Lafayette, IN, 47909, petitioner, said he had not spoken with those neighbors.

Roland Winger asked if staff could comment on the intensity of uses under A zoning compared to the surviving uses after the commitment for GB. Not regarding the sewer and water issue.

Sallie Fahey said one of the biggest differences is that in GB zoning, it is suitable for having product stored outside like an automobile car lot. The building is not big enough that all the off-road vehicles will be housed inside. All the business uses that permit outside storage could happen in GB. The businesses permitted by right in Agricultural zoning tend to be a bit more benign and if they are more intense, they typically require a special exception.

Larry Leverenz asked staff to explain the 60% building coverage and the 10% vegetative coverage requirement and how it is different in this case than in an urban setting.

John Burns said with the current A zoning, the building coverage would be limited to 20% of the lot. A 20% roof-structure coverage is much less than the 60% that would typically be seen in an urban setting. If this property were zoned GB, it would allow a development that would be inconsistent with the surrounding properties because most are larger lot residential or farm fields. This would lend itself to an urban type of development and GB zoning also requires the property owner to pave. Because only 10% of the lot has to be green space, that sometimes results in needing some type of storm water detention on site and can drastically change the character of land after it is developed with commercial zoning.

Larry Leverenz asked how that effects the sewer system.

John Burns said it would be a balance between the Health Department's requirements and the County Surveyor or Drainage Board requirements. What that would look like for this development is hard to say.

Sallie Fahey said the other part to this is they would not be permitted to pave over the septic area or the reserve septic area should the first field fail. They may have to do some type of on-site product storage. Any part of the property used for storing or showing a product has to be paved.

John Burns said that is a state requirement as well as a local zoning ordinance requirement to obtain a license to sell vehicles.

Vicki Pearl said the lot is less than one acre and with the bufferyard, the petitioner is not left with much area to be covered.

John Burns said that is correct, the bufferyard would be 20 feet in width along the western property line and would take up some of the usable space. It may help some with the greenspace requirements but that would be the only type of bufferyard required by the ordinance.

Sallie Fahey said her comment was partly directed to the fact that there won't be able to be any product on display in unpaved areas. So how much of it can be paved and how much has to be left unpaved for purposes of the septic system and storm drainage may leave a very small area where products can be shown. The product cannot lop over into the unpaved areas.

Vicki Pearl asked if nothing changed about this property, product would only be allowed on the paved areas and not on the gravel driveway.

Sallie Fahey said yes, that is correct. Right now, assuming it is paved that would be the only area where product could be displayed for sale.

Jerry Reynolds said people could come and go from this site 24 hours day. He asked if people coming back from the Bad Lands at 11 o'clock after a day of recreation could stay later for whatever needed to be done.

Sallie Fahey said that is correct. The hours of operation will not be regulated.

Ryan O'Gara said petitioner has indicated that the lot is paved.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O'Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call to allow the commitment. The commitment was approved 15 yes to 2 no.

Yes-Votes

Jackson Bogan
Larry Leverenz
Carl Griffin
Roland Winger
Vicki Pearl
Lisa Dillum
Diana Luper
Gary Schroeder

No-Votes

Greg Jones
Jake Gray

Michelle Dennis
 Kathy Parker
 Jerry Reynolds
 Tom Murtaugh
 Carla Snodgrass
 Perry Brown
 Tracy Brown

Zach Williams conducted a vote by roll call. The motion was denied 4 yes to 13 no.

Yes-Votes

Vicki Pearl
 Diana Luper
 Gary Schroeder
 Perry Brown

No-Votes

Jackson Bogan
 Larry Leverenz
 Carl Griffin
 Roland Winger
 Lisa Dillum
 Michelle Dennis
 Kathy Parker
 Jerry Reynolds
 Tom Murtaugh
 Carla Snodgrass
 Greg Jones
 Jake Gray
 Tracy Brown

Z-2802 JOSÉ E. GAETA (GB to I3):

Petitioner is requesting rezoning of 1.19 acres for an “auto salvage operation” located south of Union and east of Sagamore Parkway, at 3445 Union Street in Lafayette, Fairfield 22 (SE) 23-4.

Gary Schroeder moved to hear and approve **Z-2802 JOSÉ E. GAETA (GB to I3)**. Greg Jones seconded.

John Burns presented the zoning map and aerial photos. He said petitioner is requesting a rezone from GB to I3. Petitioner also owns the two properties due north that border along Union Street. These properties both repair and sell cars. The I3 is being requested so an auto salvage license could be obtained. This area is a solid commercial corridor along Sagamore Parkway with a few exceptions. The I1 zoning to the west was rezoned in 2008 to accommodate Sunbelt Rentals. There is also I3 zoning on the other side of the railroad corridor. Staff is able to support this industrial rezone for a few reasons. It is adjacent to industrial zoning on both the east and southwest sides as well as the railroad corridor. There is sewer and water serving this site. There would be a small Type A bufferyard that would be 20 feet in width that would have to border where the site abuts the GB zoning to the west. This area of the community was platted as an area to spur industrial development in our town over 100 years ago. The effects are still being felt and this is still a focus of commercial and industrial use. Staff recommended approval.

Jackson Bogan asked if the petitioner or their representative want to make a presentation and if there are any documents to share through GoToMeeting.

Jose Gaeta, 3445 Union Street, Lafayette, IN 47905, petitioner, said the plan is not to have a salvage yard. This is only a requirement by the state for a rebuilder’s license but it falls under the same category as a salvage yard. He said they by no means intend to have a salvage yard within city limits. There will be some dismantled vehicles for parts but not a salvage yard. There are a couple letters from the public that seem to be confused with the location of the site. This is not attached to the street in any way and is not visible from Union Street. Again, this is not going to be a salvage yard. The state requires this license which falls

under the same category as a salvage yard to rebuild vehicles, which is already being done at the body shop on site.

Jackson Bogan asked if the site is back behind and does not abut Union Street.

Jose Gaeta, 3445 Union Street, Lafayette, IN 47905, petitioner, said that is correct.

Jake Gray asked if there is a plan in place to prevent environmental issues like excess oil leaking into the ground.

Jose Gaeta, 3445 Union Street, Lafayette, IN 47905, petitioner, said they are already a fully functioning facility so there is already a plan in place. All the lubricants and chemicals from the vehicles are recycled. Everything that needs to be done is already happening. This rezone is a legality for the state to license us as a salvage restorer. Every step is being taken to prevent contaminating the soil. This is taken seriously and yearly inspections are done.

Ryan O’Gara read two letters in opposition from the following:

Kaleb Reeves, 3715 Rawlings Drive, Lafayette, IN 47905; and Valerie Bogan, 609 Anchor Drive, Lafayette, IN 47905.

Jose Gaeta, 3445 Union Street, Lafayette, IN 47905, petitioner, said both letters referred to the wrong address. They may have not read the sign properly because they are thinking of Union Street. It was clear that the site is not where the sign was located and was 200 feet back. Because of this confusion, the letters can likely be ignored. Again, this site will not be a salvage yard by any means.

Daniel Teder, 250 Main Street, Lafayette, IN 47901, said he has a variance petition with the City of Lafayette for the corner and the signs are on both Union and Sagamore Parkway which may have caused the confusion.

Jackson Bogan asked if that is for the Newton building.

Daniel Teder, 250 Main Street, Lafayette, IN 47901, said yes, it is for the Newton building.

Roland Winger asked if staff can confirm that the sign was placed properly in relation to the site.

John Burns said the sign was properly placed.

Sallie Fahey said typically when a property does not have frontage on a public road, if the petitioner can put it on the public road, like Mr. Gaeta did, staff will write at the bottom of the sign ‘property is located 200 feet to the south’.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O’Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. The motion was approved 17 yes to 0 no.

Yes-Votes

Jackson Bogan
Larry Leverenz
Carl Griffin
Roland Winger
Vicki Pearl

No-Votes

Lisa Dullum
 Diana Luper
 Gary Schroeder
 Michelle Dennis
 Kathy Parker
 Jerry Reynolds
 Tom Murtaugh
 Carla Snodgrass
 Greg Jones
 Perry Brown
 Jake Gray
 Tracy Brown

Z-2803 CASON & EARL, LLC (I3, NB & GB to NB):

Petitioner is requesting rezoning of 1.54 acres located at the southwest corner of Cason Street and North Earl Avenue, specifically 310 N. Earl Avenue in Lafayette, Fairfield 22 (SW) 23-4.

Gary Schroeder moved to hear and approve Z-2803 CASON & EARL, LLC (I3, NB & GB to NB). Greg Jones seconded.

Ryan O’Gara presented the zoning map and aerial photos. He said this area has a collection of zoning districts. There is GB to the east of the site and NB to the south. There is a mixture of residential densities to the southwest. The site is mostly zoned I3 with NB and GB on the southern boundary. The site is currently unimproved. There were structures on the site that were removed four years ago. There are a host of uses surrounding the site that are consistent with the zones in the area. The site has frontage on Cason Street which is an urban local street and Earl Avenue which is an urban secondary street. The site is served by public utilities. This petition is to establish a relocated office building from downtown. Given that most of this area has been commercially or industrially zoned, staff can support this change. This is a decrease of intensity so removing the I3 zone takes away a host of uses. Staff recommended approval.

Jackson Bogan asked if the petitioner or their representative wanted to make a presentation and if there were any documents to share through GoToMeeting.

Daniel Teder, 250 Main Street, Lafayette, IN 47901, representative for petitioner, said the petitioner’s office building is located on N. 7th Street in Lafayette and is being taken by the city for the proposed police station. The petitioner needs a new site for their office and plans to build a one-story, 9,000 square foot building. Petitioner also owns the land to the west which will remain I3 at this time. As staff indicated, the site is surrounded by NB, GB, and I3 and is bordered by Earl Avenue and Cason Street. This office will be used for developing real estate for the several properties petitioner owns as well as a real estate office. The City of Lafayette supports this request. He said they concur with staff’s recommendation and respectfully requested a favorable recommendation.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O’Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. The motion was approved 17 yes to 0 no.

Yes-Votes

Jackson Bogan
 Larry Leverenz
 Carl Griffin
 Roland Winger
 Vicki Pearl
 Lisa Dullum

No-Votes

Diana Luper
 Gary Schroeder
 Michelle Dennis
 Kathy Parker
 Jerry Reynolds
 Tom Murtaugh
 Carla Snodgrass
 Greg Jones
 Perry Brown
 Jake Gray
 Tracy Brown

Z-2804 MEZZANINE 7, LLC (R3W to R4W):

Petitioner is requesting rezoning of the southeast corner of W. Wood Street and Pierce Street, more specifically, 202 W. Pierce Street in West Lafayette, Wabash 19 (SE) 23-4.

Gary Schroeder moved to hear and approve Z-2804 MEZZANINE 7, LLC (R3W to R4W). Greg Jones seconded.

Ryan O’Gara presented the zoning map and aerial photos. He said this area has R3W, Planned Developments and Central Business West Lafayette zoning. Petitioner plans to raze the existing building to build a three-story apartment building to house 12 studio units. The current house was constructed in 1938 and has since been converted into student apartments. Based on the size of the units they are interested in, the Type D unit per the zoning ordinance would fit which has a parking requirement of 1.1 spaces per unit or 14 spaces total. Public utilities are available to serve the site. This is within the West Lafayette Downtown Plan study area and the proposed building fits in with the plan which supports residential and mixed-use densities. Staff recommended approval.

Jackson Bogan asked if the petitioner or their representative wanted to make a presentation and if there were any documents to share through GoToMeeting.

Daniel Teder, 250 Main Street, Lafayette, IN 47901, representative for petitioner, said petitioner is requesting to rezone to R4W and is proposing to raze the existing house on the site. Petitioner plans to build a three-story apartment building with 12 studio units. Under the current zoning, only 11 units can be built consisting of 344 square feet of living space. By changing the zoning to R4W, the living space in the 12 units would increase to 446 square feet. The larger one-bedroom studios make more sense and as a result there is a greater demand for those in the area for the student population. The site is surrounded by high density student housing from the recent developments that are in excess of five-stories. This proposal meets all the requirements of the West Lafayette Downtown Plan. City of West Lafayette has no objections on this matter. He said they concur with staff’s recommendation and respectfully requested favorable recommendation from the Commission.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O’Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. The motion was approved 16 yes to 0 no.

Yes-Votes

Jackson Bogan
 Larry Leverenz
 Carl Griffin
 Roland Winger
 Vicki Pearl
 Lisa Dullum

No-Votes

Diana Luper
 Gary Schroeder
 Michelle Dennis
 Jerry Reynolds
 Tom Murtaugh
 Carla Snodgrass
 Greg Jones
 Perry Brown
 Jake Gray
 Tracy Brown

Z-2805 MIDWEST RENTALS, INC. C/O NANCY FASSNACHT (PDNR to GB): Petitioner is requesting rezoning of 5.23 acres located on the west side of Klondike Road, south of US 52, more specifically 3312 Klondike Road, Wabash 3 (SE) 23-5. (Commitment filed, then withdrawn by petitioner.)

Gary Schroeder moved to hear and approve Z-2805 MIDWEST RENTALS, INC. C/O NANCY FASSNACHT (PDNR to GB). Greg Jones seconded.

Ryan O’Gara presented the zoning map and aerial photos. He said Midwest Rentals Planned Development was approved in 2010. This site could have conducted their rental business in GB; however, this site was not on the sewer grid 10 years ago. In order to accomplish their goal at that time, the petitioner decided to do a planned development to establish an elaborate pump and haul system. It was a specific and restrictive planned development. Now, the Klondike Road project has solved the sewer problem. The need for the PD zone with the restriction is no longer needed on the site. Now that public utilities are fully available to the site, staff recommends returning the site to the former GB zone. The site is still improved with the original Henry Poor Lumber building that Midwest Rentals made use of for their purposes when they were in operation. Midwest has since consolidated all their operations over in Lafayette. Removing this site from the PD zone will allow it to be more useful than it currently is. Staff recommended approval.

Jackson Bogan asked if the petitioner or their representative wanted to make a presentation and if there were any documents to share through GoToMeeting.

Daniel Teder, 250 Main Street, Lafayette, IN 47901, representative for petitioner, said petitioner wants to rezone the site back to GB. This site is no longer being used. It was used for the cleaning, storage and rental of portable rental toilets. Midwest Rentals is now located on Old US 231 in the Elston area. They are still in the rental business but they are not doing the portable toilet rentals anymore. The petitioners plan on selling this site and for that to happen, it needs to be in the original zone. Klondike Road has been improved and water and sewer now serve the site as well as sidewalks. He respectfully requested a favorable recommendation.

Jackson Bogan said we will have a one-minute pause for citizen comment. After the minute passed, he asked Ryan O’Gara if we received any citizen comments. There were none.

Zach Williams conducted a vote by roll call. The motion was approved 16 yes to 0 no.

Yes-Votes

Jackson Bogan
 Larry Leverenz
 Carl Griffin
 Roland Winger
 Vicki Pearl
 Lisa Dillum
 Diana Luper

No-Votes

Gary Schroeder
 Michelle Dennis
 Jerry Reynolds
 Tom Murtaugh
 Carla Snodgrass
 Greg Jones
 Perry Brown
 Jake Gray
 Tracy Brown

V. ADMINISTRATIVE MATTERS

Contract with The Mercer Group, executive search firm for Executive Director position – Roland Winger

Roland Winger said Sallie has announced her intended retirement. Tonight is not the night to recognize her fully for her 20 plus years of dedicated service but tonight is the night to recognize her patience and flexibility. It was not her intent to be here much after the MPO Conference we were to be hosting this fall but given the circumstances, we were late to getting a start on finding her replacement. He said he and Jackson Bogan pulled together an Ad Hoc Committee to get a first read on this. This committee included the two mayors, Commissioner Brown, Commissioner Murtaugh, Jackson Bogan and Sallie. This is not just an Area Plan decision, this is a community decision. To welcome the best and the brightest, it was decided to conduct an executive search and employ an executive search firm. The business item that has been brought to the Commission is a result of the month-long work done by the Ad Hoc Committee. Several executive search firms were contacted and two firms sent proposals that are available to the Commission but are 15-20 pages each. One of the firms successfully completed the national search for the GLC CEO Scott Walker. The Committee has chosen the Mercer Group out of New Mexico. The prices of the two firms were nearly the same as well as expertise in executive searches. The key difference is that the Mercer Group has conducted several searches for transportation planning and community planning. There is a small community in this profession and Sallie recommended places for the position to be posted. There is also value in having experience with the network of individuals that may be interested in the position. The two-page agreement, that has been reviewed from a legal perspective, has been submitted. He asked for any questions.

Roland Winger moved to approve the agreement with The Mercer Group for the Executive Director search as presented. Gary Schroeder seconded.

Roland Winger added that both firms shared what were also essentially the same timeline. Should this be approved, the Committee will have a call with The Mercer Group tomorrow to kick things off. There will be several activities to happen soon with the goal of having successfully found, interviewed, approved and extended an offer by the end of the year or January. Budgetwise, because of COVID Sallie had an unfilled position this summer and being able to transfer funds, the plan that is in place to cover the cost of this is within the 2020 budget.

Tom Murtaugh said he served on the committee for the GLC CEO search and The Mercer Group did a great job. This is the right choice. He commended Roland and Sallie for their efforts on interviewing these companies.

Roland Winger said key stakeholders will involve stakeholders from the cities, towns, and the Budget and Personnel Committee. There will be more information shared as this process moves forward. He thanked Sallie for her patience and flexibility as well as her input over the last month and getting this lined up.

Zach Williams conducted a vote by roll call. The motion was approved 16 yes to 0 no.

Yes-Votes

Jackson Bogan
 Larry Leverenz
 Carl Griffin
 Roland Winger
 Vicki Pearl
 Lisa Dullum
 Diana Luper
 Gary Schroeder
 Michelle Dennis
 Jerry Reynolds
 Tom Murtaugh
 Carla Snodgrass
 Greg Jones
 Perry Brown
 Kathy Parker
 Tracy Brown

No-Votes**VI. APPROVAL OF THE OCTOBER 7TH EXECUTIVE COMMITTEE AGENDA**

Gary Schroeder moved that the following requests for subdivision be placed on the October 7, 2020 Area Plan Commission Executive Committee agenda at petitioner's request, placement thereon being without reference to compliance or noncompliance with the adopted subdivision ordinance:

S-4938 MOLTER TWO SUBDIVISION (minor-sketch); and

S-4939 NEWTON FARMS SUBDIVISION (minor-sketch).

Greg Jones seconded and the motion carried by unanimous voice vote.

VII. DETERMINATION OF VARIANCES

No new cases were filed this month.

VIII. DIRECTOR'S REPORT

Sallie Fahey said the only thing to add to the report is the conference that we are hosting on September 29th is in lieu of the three-day conference. We will be the host for two years. This year will be a one-day virtual conference and hopefully next year will be a normal conference. Both years will have the same theme so we are taking the one-day conference to set the stage in climate solutions using best practices in land use and transportation planning. She said she will send the Commission the link if they want to attend the conference. Staff has purchased a month of GoTo Webinar which has allowed us to set up registration. The logos and the formatting were easily transferable. This also kept a dashboard for staff and kept track of who participated.

Gary Schroeder asked if that will be recorded and available after the meeting.

Sallie Fahey said we can record it but we need to learn to extract it from GoTo Webinar before the one-month license expires. Once we do this, it will be posted.

Gary Schroeder said he was on the Budget and Personnel Committee years ago when there was a nationwide search. At that time, it was clear that Sallie was the best candidate from a nationwide search. When looking at the community's growth not only from a zoning and planning standpoint but also with

transportation planning, Sallie was clearly the right choice. The Budget and Personnel Committee has a big challenge to find someone that has that broad skill to accomplish the next 15 to 20 years. Sallie Fahey said it has truly been her pleasure every day.

IX. CITIZEN'S COMMENTS AND GRIEVANCES

Jackson Bogan said there will be a one-minute pause for citizen comment and or grievances. After the minute passed, he asked Ryan O'Gara if there had been any additional comments received. There were none.

X. ADJOURNMENT

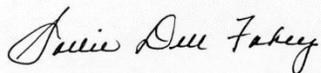
Gary Schroeder moved to adjourn.

The meeting adjourned at 7:27 pm.

Respectfully Submitted,

Chyna R. Lynch
Recording Secretary

Reviewed By,

A handwritten signature in cursive script that reads "Sallie Fahey". The signature is written in black ink on a light-colored, slightly textured background.

Sallie Fahey