

## MINUTES OF THE TOWN COUNCIL MEETING OF FEBRUARY 22, 2010

Members present were William Suffel, Jeff Hartman, Lucinda Hillmer, Gary Raikes, and Eileen Fisher plus Town Attorney Kimberly Blanchet and Town Manager Barbara Lawrence. The meeting was called to order by Mr. Suffel at 7:00PM.

Ms. Kim Einstein and members of Cub Scout Pack 504 Color Guard led the Pledge of Allegiance.

Memorandum of the January 25, 2010 Executive Session were approved.

Minutes of the February 8, 2010 regular Council Meeting were amended as follows: Mr. Hartman was deleted from being present as he was already listed as being absent.

Memorandum of the February 8, 2010 Regular Council Meeting was amended as follows: Mr. Ron Fisher, Mr. Bennett Grove, and Mr. William Jones were absent.

A Proclamation recognizing the youth of Speedway and honoring "Youth Appreciation Week" was read aloud.

Hearing for Re-Zoning Petition 2009-ZON-084 at 5701 Crawfordsville Road – Request for rezoning of .0458 acres from the D-5 (W-5) Districts, to the C-4 (W-5) Classification to Provide for Community – Regional Commercial Uses.

Mr. David Gilman, representing the Petitioner Karen Woolery, presented the petition to the Council agreeing to the Stipulations for the C-3 Zoning as outlined by the staff of the Department of Metropolitan Development. They are as follows:

1. The abandoned pole sign shall be removed within 30 days of approval.
2. A flora permit shall be obtained from the City of Indianapolis that provides for tree and shrub planting within the existing islands in the right-of-way, with said landscaping being implemented by December 31, 2010.
3. A site plan shall be submitted for Administrator's Approval prior to the issuance of an Improvement Location Permit for any redevelopment involving demolition of the existing building, which addresses the following items:
  - a. The site shall be developed as an integrated center, with respect to signage, parking and access. A 30-foot wide, non-barrier, reciprocal access easement shall be provided to the west property line.
  - b. One of the two existing curb cuts along Crawfordsville Road shall be removed with the redevelopment. Future development of the site shall be restricted to a maximum of one vehicular access point from Crawfordsville Road.
  - c. All parking and maneuvering areas shall be repaved and striped in accordance with the Off- Street Parking Regulations of the Commercial Zoning Ordinance.
  - d. The plan shall indicate the provision of a front landscape yard, developed in compliance with the standards of the Commercial

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Zoning Ordinance. The landscape plan shall be implemented within three years of the final approval of this petition, and thereafter.

Mr. Doug Law, as a representative of the petitioner, made himself available for questions from the council.

Remonstrators:

Mrs. Sandy Chaplin of 5868 Speedway Drive spoke concerning the trash and debris and that the property is generally unkempt. She asks that the property either be kept up or that the Council considers denying this petition.

DMD Staff member Ryan Hunt reviewed the staff's report which was outlined above. Staff did recommend approval of Petition 2009-ZON-084.

After lengthy discussion Councilor Hillmer motioned to approve the rezoning to C-3 rather than the C-4 classification with the following stipulations outlined by petitioner's representative Mr. David Gilman:

To allow C-3 rezoning subject to the commitments as outlined in the staff report except as modified herein:

1. Repair existing curbing where necessary
2. Replace or resurface asphalt where necessary
3. Restripe parking area
4. Landscape existing grass islands
5. Paint the existing building where needed to make the building compatible in color and materials to make it more uniform.
6. Landscape would also include the rear of the building. (Between existing building and Speedway Drive neighborhood).
7. The petitioner commits to comply with the "Site Plan/Variance Exhibit" as submitted at the February 22, 2010 Speedway Town Council meeting/Zoning Hearing which includes the "trash enclosure detail".

All of the above listed commitments are to be accomplished by September 1, 2010.

Second by Councilor Raikes, motion approved 5-0.

Nominations were opened for two appointments to the Cable TV Advisory Commission by the Town Council. Councilor Fisher nominated Mr. Anthony Rice and Councilor Hillmer nominated Mr. David Lindsey. There were no other nominations presented. Councilor Raikes moved to close the nominations, second by Councilor Fisher; approved 5-0. Mr. Anthony Rice and Mr. David Lindsey were both appointed to the Cable Access Advisory Board with their terms expiring on March 1, 2013.

ORDINANCE NO. 1164 – An Ordinance to Amend Chapter 9.40 and Chapter 10.12 of the Speedway Municipal Code Concerning Parking of Certain Vehicles on Residential Property in the Town of Speedway was presented was first reading.

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Council President Suffel asked for Public Comments concerning this proposed ordinance.

The following individuals spoke in reference to proposed Ordinance No. 1164:

Ms. Martha Lamey, 5746 West 30<sup>th</sup> Street was inquiring as to whether crushed stone was considered a hard surface or not. The Council responded that by the current definition it is not under Section 1.(2)(B) refers to a non porous surface and crushed stone is a porous surface.

Ms. Dottie Long Tobias, 2717 N. Vinewood inquired on back and side property setbacks. She was advised that if she had her original property maps to refer to those, or to contact the County Assessor's office for the property setbacks.

Ms. Shirley Kay- Suhre, 1638 DeSoto Lane asked that the trailers just be hidden from site by neighbors and visitors to the community.

Council President Suffel then asked for and received concurrence from the council to postpone first reading to the March 8, 2010 Council Meeting.

Clerk-Treasurer Sharon Zishka presented the following claim vouchers for Council Approval:

General Fund Vouchers 607, 623 through 625, 628, 631 through 673, and 701 through 717

Parks and Recreation Fund Vouchers 679 through 685 and 731

Parks Bond Fund Vouchers 626 and 627

Motor Vehicle Highway and Local Road and Street Funds Vouchers 608, 674 through 678, and 718 through 730

Cumulative Capital Development Fund Vouchers 686, 687, and 733

Water Works Fund Vouchers 609, 688, 689, 734 through 749, and 771

Waste Water/Storm Water Fund Vouchers 610 and 750 through 770

Councilor Hartman moved to approve the claims signed as of February 22, 2010, second by Councilor Raikes; approved 5-0.

The meeting adjourned at 8:25PM.

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William Suffel, Council President

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Sharon L. Zishka, Clerk-Treasurer