

**RUSHVILLE CITY COMMON COUNCIL
TUESDAY, DECEMBER 18, 2001
6:00 P.M.**

The Rushville City Common Council met on the above date and time at 270 West 15th Street, Rushville, Indiana. Mayor Bridges called the meeting to order at 6:00 p.m. with Bill Goins, Darrin McGowan, Brian Sheehan, John Byrne and Mike Pavey answering roll Call. Also present were Jan Voiles, *Rushville Republican*, Scott Murray, WKWH and City Attorney Paul Barada, Jr.

MINUTES***

Minutes of the December 4, 2001 meeting were presented for approval. McGowan made a motion to approve the minutes as presented. Sheehan seconded the motion. Motion carried.

MAYOR'S REPORT***

Mayor Bridges reported that he and Clerk Treasurer, Ann Copley will be attending a mandatory meeting tomorrow December 19, 2001 in Indianapolis with the IHFA.

Mayor Bridges invited the council members to an ECDC meeting on Thursday, December 20, 2001 from 6-7 p.m. At 7 pm a developer will give a presentation on what developers look for before locating.

Mayor had an opportunity to meet with Mike Edmondson from Senator Bayh's office to discuss some problems small communities are facing are today. One citizen showed up to voice his concerns.

Under Board of Public Works and Safety Mayor Bridges reported he had regretfully accepted the resignation of Joseph Jarman. Joe is moving from the city and the Mayor wished him God's speed.

CLERK TREASURER'S REPORT***

Reported all finals bills for the year 2001 needs to be turned into the Clerk's office by tomorrow December 19, 2001.

DEPARTMENT HEAD REPORTS***

POLICE - Chief of Police Tony Fudge reported the police cars have been ordered from Renner Ford in Columbus and they should arrive soon.

FIRE – Fire Chief Kent Clark reported the fire truck will be here after the first of the year.

STREET - Commissioner Danny Bennett presented a quote from J.R. Wortman for a heating system for the remaining street department building. Pavey made a motion to accept the quote from J.R. Wortman in the amount of \$ 4,695.00. McGowan seconded. Motion carried.

PARKS – Parks Director Danny Mathews thanked the council and Mayor for their support this past year which helped make his various park projects a success.

ANIMAL – Jack Hill also thanked the council and Mayor for their past support.

Councilman Darrin McGowan reported that he and Animal Warden Jack Hill will meet with Sheila Berry and Dr. Phillips on Friday, December 28, 2001 at 4:00 p.m. at City Hall to discuss humane society issues.

CITIZENS CONCERNS – None

UNFINISHED BUSINESS

Bill Todd asked the Mayor permission to put Mr. James Lohman on the agenda for this evening in reference to the Lohman's property located at 631 North Sexton Street. Mr. Lohman had lost 50% of one of his three apartments located at this address due to a fire. When the Lohman's applied for a permit to renovate their dwelling they were denied due to the grandfather clause which calls for only a 2 apartment dwelling not 3 like they had before the fire. They then applied for a Special Exception. Mr. Todd contacted the Mayor to see what the city's feelings were toward the special exception since the city has a representative on the Board of Zoning Appeals. Mr. Todd expressed that he felt that maybe Mr. Lohman was not well represented at the last meeting and wanted the council to hear his concerns. He told the council that the Lohman's have 2 good size apartments and one efficiency apartment which conform with the city's apartment ordinance. Mr. Todd wanted to make sure the city did know that it was over 150 square footage that is required.

Holly Lohman spoke on behalf of herself and husband James Lohman, owners of the property located at 631 North Sexton Street. She explained the damages and what the cost would be to keep the apartments as they were before the fire. They notified the six neighbors explaining they could protest the apartments going back to a 3 apartment dwelling. None objected according to Mrs. Lohman

because the 3 units had been there as long or longer than the neighbors. She presented 4 facts:

- 1) fact 3 units in building for over 25 years.
- 2) Previous exception had been in effect since new zoning ordinance
- 3) None of the neighbors protested the 3 unit dwelling
- 4) Off street parking to tenants and need for inexpensive housing

Mrs. Lohman asked the council to keep the previous exception request in effect and allow them to keep the 3 unit apartments at 631 North Sexton Street.

Mayor Bridges reported he had taken photos of the parking facility and the zoning requires 1.6 off street parking per apartment which means the Lohman's would need 5.

He also spoke with two neighbors who said they had no objection to the 2 apartments but did not want 3 units because of the lack of parking.

Mrs. Lohman said they were not aware of neighbors complaining about the parking. Bill Todd told the council no one showed up at the BZA meeting remonstrating against the 631 North Jackson Street property which was tabled for 30 days. Mrs. Lohman thanked the council for their time.

After much discussion City Attorney Paul Barada informed the council they have no authority to grant a special exception. Only to grant a favorable or unfavorable recommendation to the BZA.

Councilman Sheehan made a motion to give an unfavorable recommendation to the Board of Zoning Appeals based on the grandfather clause which is no longer in effect at 631 North Sexton Street. Pavey seconded. John Byrne voiced his opposition to motion because of just the grandfather clause. He felt the lack of parking needed to be added to the motion. Byrne moved to ammend the motion to conform to the parking issue. Sheehan seconded. Vote 4-1. Goins opposed. Motion carried.

Heater quote for the Fire Department truck bay was next on agenda. Chief Clark told the council he needed to get the proper invoice in order to carry over money for this project. Pavey made a motion for Chief Clark to get the proper invoice in the amount of \$3,800.00 for a heater system for the truck bay area. McGowan seconded. Motion carried.

Mike Mohler representing City Utilities presented the 2002 Budget and Salary Ordinance. Byrne made a motion to approve Ordinance # 2001-13 (an Ordinance adopting the Resolution of the Utility Board for their Salaries and Wage Schedule for 2002. Pavey seconded. Motion carried.

NEW BUSINESS - Resolution # 2001-27 Adding funds back to the appropriation was presented. McGowan made a motion to approve Resolution 2001-27. Sheehan seconded motion carried.

Next transfer Resolution # 2001-28 was presented for approval. This resolution is a simple transfer in the Mayor's department. McGowan made a motion to approve Resolution # 2001-28 in the amount of \$43.31. Sheehan seconded. Motion carried.

Next to address the council was R. Joseph Rathz, Johnson County Planning and Zoning. He presented a comprehensive plan concerning issues that cities in the near future are facing. Smaller surrounding counties are being saturated with growth from bigger cities and the need to develop zoning areas are increasing.. This planning commission would enforce a 2 mile buffer zone within the city. The City could control its growth and be more accountable for its zoning. This type of commission could protect the values of property. Mayor Bridges thanked Mr. Rathz for coming down and talking to the council.

CLAIMS APPROVAL – Byrne made a motion to approve the claims as presented. Sheehan seconded. Motion carried.

Bill Todd announced to the Council that there will be a blood draw at the Courthouse on December 27, 2001 from 4 – 8 pm in the assembly room.

There being no further business to come before the Council, Goins made a motion to adjourn. Byrne seconded. Motion carried. The meeting adjourned at 7:40 p.m.

ROBERT M. BRIDGES
MAYOR

WILLIAM R. GOINS, MEMBER

JOHN M. BYRNE, MEMBER

DARRIN L. McGOWAN, MEMBER

MICHAEL P. PAVEY, MEMBER

BRIAN J. SHEEHAN, MEMBER

ATTEST:

MARCIA E. FISH,
DEPUTY CLERK TREASURER

