

**MINUTES**  
**COLUMBIA CITY PLAN COMMISSION**  
**REGULAR MEETING**  
**JUNE 6, 2022**  
**7:00 P.M.**

**WHITLEY COUNTY GOVERNMENT CENTER**  
**MEETING ROOM A/B, LOWER LEVEL**

**MEMBERS PRESENT**

Walt Crowder  
Doug Graft  
Chip Hill  
Jon Kissinger  
Don Langeloh  
Dennis Warnick  
Dan Weigold  
Larry Weiss  
Patrick Zickgraf

**MEMBERS ABSENT**

**STAFF**

Nathan Bilger

**ATTORNEY**

Dawn Boyd

(E)lectronic participant

**AUDIENCE MEMBERS**

The Guest List, attached, was signed by one visitors. There were no attendees on the webcast.

**CALL TO ORDER/ROLL CALL**

President Weiss called the meeting to order at 7:00 P.M. Mr. Bilger read the roll call with members present and absent listed above.

**CONSIDERATION OF PREVIOUS MEETING MINUTES**

The April 2022 regular meeting minutes were not yet prepared for review.

**ADMINISTRATION OF THE OATH TO WITNESSES**

Being no public hearing items, no oath was presented.

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

There was no new business.

**OTHER BUSINESS**

**1. Review draft Rules of Procedure**

Mr. Weiss introduced the proposed Rules of Procedure item, noting that he and Mr. Zickgraf had met with staff already to go over the major points. He then asked Mr. Bilger to present

the proposed changes. Mr. Bilger outlined each of the sections on the draft Rules of Procedure.

Mr. Bilger noted major items in Article I included the statement that the Planning Department was designed as the Secretary, conflict of interest definitions and procedures, and rules regarding compensation for each member. Mr. Weiss asked if a member with a conflict could participate in the discussion but not vote. Mr. Bilger responded that if the member had a conflict of interest as defined by the state code, they should recuse themselves entirely. He added that if the member did not have a conflict of interest but just wished to abstain from voting due to some other reason, like being a neighbor to the applicant, that would be a gray area. Mr. Bilger clarified that the compensation amount was set by the City Council but it was included in the Rules for convenient reference.

He continued with outlining Article II, highlighting the types of meetings, the definition of quorum, the standard order of business at meetings, electronic participation rules, member absence notification procedures, and maximum meeting length. He stated that the proposed rules for electronic participation by members matched that set by the state code adopted earlier in the year. Electronic participation by applicants would not be allowed unless waived by the President for cause. The public could participate electronically if technology permitted. He stated that no new public hearings would be opened after 9:30 p.m., any hearing in progress would end by 10, and the meeting would end by 10:30 p.m.

Mr. Bilger highlighted items in Article III, including rules regarding applications, fees, docketing and calendar preparation, definition of interested parties, and types of notices. He stated that, as previously discussed, interested parties would be changed from immediately adjacent property owners to property owners within 2 property ownerships deep or 660', whichever is satisfied first. He explained this was a common rule around the state, but it could be modified if the Commission desired. He stated that notices would be by newspaper, as required by the state. There was a short discussion about what would happen if the newspaper was discontinued. Mr. Bilger stated that mailed notices would change from certified mail to certificate of mailing, with certified mail still being optional, and an on-site notice sign would be required. Mr. Zickgraf asked if the signs would be reusable. Mr. Bilger stated that deposits for reusable signs would be very difficult so they would be single use coroplast signs for the time being. Mr. Langeloh asked how the sign placements would be verified; Mr. Bilger replied that the department did spot checks in the county, so the same process would be used for the City.

Items discussed in Article IV included order of presentations at hearings, time limits, rules on official actions and voting, abstentions, continuances, and ex parte contact. He stated that after three failed motions to take an official action, the item could be continued by a simple majority. After discussion, this was changed to be an automatic continuance. Mr. Bilger then discussed the importance of declaring a reason for abstaining from any votes in order to avoid future claims of being arbitrary and capricious in similar cases. He stated that new notices would be required for any continuances over 90 days. He clarified that the Plan Commission could have meetings with a petitioner prior to a hearing, but they should be coordinated through the Department in order to promote the same information being provided to all members. Mr. Graft asked if site visits had to go through the department. Mr. Bilger stated that individual visits would not usually, but invitations from petitioner should.

Mr. Bilger explained the purpose of the Executive Committee that was stated in Article V, and he asked the Commission to make a determination of the number of members to be appointed to the Committee. There was a discussion about the number of members, their approval authority, and meeting times. Mr. Warnick suggested that it would be easiest to just have the entire Commission serve as the Executive Committee. Mr. Weiss added that would simplify some of the issues raised and would be basically the same as what was done now. Mr. Bilger stated that the Rules would state that the Executive Committee would be the Plan Commission, and make according changes.

The rules for the Technical Review Committee were stated in Article VI, and Mr. Bilger explained the purpose and makeup. He asked the Commission the number of Commission members to be appointed to the TRC. There was consensus that there would be three members on the TRC, appointed annually. Mr. Graft asked about the topics of the TRC and authority. Mr. Bilger replied that typically they would review subdivision development plans, and approval would be required prior to release for construction. A regular meeting date and time was discussed, but no specific meeting schedule was set.

Mr. Bilger finished with a summary of Article VII, which gave provisions for temporarily suspending the Rules of Procedure, making amendments, and severability if there were challenges.

Having no discussion on the content of the Rules, Mr. Bilger asked for an effective date. The Commission and Ms. Boyd discussed appropriate timing. Mr. Weiss suggested 30 days, and Mr. Bilger stated that could work, since any filings for July were already made.

Mr. Warnick made a motion to adopt the Rules of Procedure, with the revisions noted during the discussion, effective 30 days from the date of the meeting. Mr. Kissinger seconded. Motion passed, 9-0.

## **2. Miscellaneous items**

Mr. Weiss asked about the landscape plan distributed to the members for the dental clinic on Connexion Way. Mr. Bilger stated that it was for the Commission's information based on the request at the Development Plan review to see it updated, and it was his opinion that the landscaping went from too little to quite a lot.

Mr. Bilger stated that the City's Parking and Code Committees requested that the Plan Commission work on updating the parking requirements in the Zoning Code, so that would be worked on over the next few months.

## **ADJOURNMENT**

There being no further business, Mr. Weiss declared the meeting adjourned at 7:57 p.m.

## **GUEST LIST**

1. Tom Maher..... 365 W Gates Road, Columbia City

## **GUEST LIST (WEBCAST)**

2. No electronic attendees