

**MINUTES OF THE REGULAR MEETING OF THE
MICHIGAN CITY PLAN COMMISSION
FEBRUARY 26, 2008**

The Michigan City Plan Commission met in a regular meeting in the Common Council Chambers, City Hall Building, 100 East Michigan Boulevard, Michigan City, Indiana, on Tuesday, February 26, 2008, at 7:00 p.m. local time; the date, hour and place duly established for the holding of said meeting.

CALL TO ORDER

Chairman Hook called the meeting to order at 7:03 p.m.

ROLL CALL

Plan Director John Pugh called the roll with the following noted present: John Carr, G. Wallace Hook, Tom Milcarek, George Mock, Nolah Nasser, Tim Smith and Al Whitlow. Patricia Boy and Bill Phelps were absent. (7 present, 2 absent) Staff in attendance: Plan Director John Pugh, Attorney Jennifer Evans and Secretary Debbie Wilson.

APPROVAL OF MINUTES

The Chair entertained a motion for approval of the minutes of January 22, 2008.

A motion to approve the minutes was made by Mr. Milcarek – seconded by Mr. Mock. The minutes were approved 6-1 with Mr. Hook abstaining as he was not present at the January meeting.

POLICY OF CONDUCT AND PROCEDURES

With no objections, Chairman Hook dispensed with the reading of the Policy of Conduct and Procedures but asked that it be included as part of the record.

The Policy of Conduct and Procedures for the Michigan City Plan Commission states that the Commission is composed of nine persons. By statute, five must vote affirmatively to approve a petition. Thus, whenever less than a full board is present, the petitioner may wish to continue his/her hearing. Anyone wishing to speak on a petition or to the board in general at the end of the meeting may do so by approaching the speaker's roster and giving his/her name and address. Comments should be addressed to the Plan Commission, not to a petitioner or remonstrator or others in the audience. The Plan Commission vote is based on the evidence presented.

PETITION(S)

The Chair called for reading of the first petition.

Mr. Pugh read **Petition for Vacation of plat by Pottawattomie Country Club (represented by Attorney O. Jerrold Winski).**

Chairman Hook recused himself and stepped down from the Chair as he is a member of the Pottawattomie Country Club.

Vice-Chairwoman Nasser took the Chair and conducted the hearing.

Surveyor Steven Thate, 3301 Franklin Street, came forward representing the Petitioner. He provided counsel with proof of publication and notice to adjoining property owners. He explained that Attorney Winski asked him to fill in for him.

Mr. Thate stated that they are requesting vacation of a two lot subdivision that was done about a year ago on Springland Avenue so a different configuration can be done on a lot.

Chairwoman Nasser asked if there were any questions or comments from the Commission.

There being none, Chairwoman Nasser opened the hearing for public comments.

There being none, Chairwoman Nasser closed the public portion of the hearing and called for Department Reports.

Mr. Pugh read:

**REPORT ON THE PETITION OF
POTTAWATTOMIE COUNTRY CLUB - VACATION**

WATER DEPARTMENT: R. E. Russell, Superintendent, had no objections.

SANITATION DEPARTMENT: Al Walus, General Manager, had no objections.

PLANNING DEPARTMENT: The Planning Department recommends approval in accordance with the provisions of the Michigan City Subdivision Ordinance.

Chairwoman Nasser asked if Mr. Thate had any summation.

Mr. Thate replied that he did not.

The Chair entertained a motion.

Mr. Smith recused himself as he is also a member of the Club.

A motion to approve the Petition for Vacation was made by Mr. Carr – seconded by Mr. Milcarek, with the vote as follows:

AYES

NAYS

ABSTENTIONS

***John Carr
Tom Milcarek
George Mock
Nolah Nasser
Al Whitlow***

None

***G. Wallace Hook
Tim Smith***

With a vote of 5 ayes, 0 nays, and 2 abstentions, the motion CARRIED.

The Chair called for reading of the next petition.

Mr. Pugh read **Petition 901-08 for Minor Subdivision Replat #1 by Pottawattomie Country Club (represented by Attorney O. Jerrold Winski).**

Surveyor Steven Thate, 3301 Franklin Street, came forward representing the Petitioner. He provided counsel with proof of publication and notice to adjoining property owners.

Mr. Thate explained that this is a reconfigured lot along with a conservation easement between the Pottawattomie Country Club and the lots that Mark Rowley owns (he is purchasing lot 1). Lot 1 does not have frontage on a street. Mr. Rowley owns the adjacent land and is buying this to make his parcel larger. The conservation easement is a buffer between the golf course and his land.

Chairwoman Nasser asked if there were any questions or comments from the Commission.

Mr. Carr asked what is intended with the conservation easement and if it will have its own terms and conditions as to what is allowable, or if it is just a greenbelt with trees.

Mr. Thate stated that he believes it is just a greenbelt.

There were no other comments from the Commission.

Chairwoman Nasser opened the hearing for public comments.

There being none, Chairwoman Nasser closed the public portion of the hearing and called for Department Reports.

Mr. Pugh read:

**REPORT ON THE PETITION OF
POTTAWATTOMIE COUNTRY CLUB 901-08**

WATER DEPARTMENT: R. E. Russell, Superintendent, had no objections.

SANITATION DEPARTMENT: Al Walus, General Manager, had no objections.

PLANNING DEPARTMENT: The Planning Department recommends approval in accordance with the provisions of the Michigan City Subdivision Ordinance.

Chairwoman Nasser asked if Mr. Thate had any summation.

Mr. Thate replied that he did not.

The Chair entertained a motion.

A motion to approve Petition 901-08 for Replat was made by Mr. Milcarek – seconded by Mr. Carr, with the vote as follows:

AYES

NAYS

ABSTENTIONS

***John Carr
Tom Milcarek
George Mock
Nolah Nasser
Al Whitlow***

None

***G. Wallace Hook
Tim Smith***

With a vote of 5 ayes, 0 nays, and 2 abstentions, the motion CARRIED.

With the petitions being heard, Chairwoman Nasser stepped down and Chairman Hook resumed the Chair.

OLD BUSINESS

For the record, Mr. Pugh advised that he distributed to Commission members, copies of the County-wide Development Plan for the Cities of Michigan City and LaPorte and LaPorte County. He explained that this has been a two-year process and is now complete. He asked that Commission members review it and noted that it will be advertised for public hearing at the Commission’s March 25th meeting. At that time he

would hope for the Commission's approval for forwarding onto the Council. He noted the website www.duncanplan.com/laporte

NEW BUSINESS

None

PUBLIC COMMENT

None

ADJOURNMENT

With no other business, Chairman Hook declared the meeting adjourned at 7:13 p.m.

/s/ George Mock, Secretary