



BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN
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RICHARD E. BECK THERESE M. BROWN F. NELSON PETERS

MINUTES

Commissioners' Legislative Session
10:00 AM Friday, February 1, 2019
Council Chambers Courtroom – Citizens Square

Commissioners Present: Nelson Peters, Therese Brown and Richard Beck

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| Others Present: | Chris Cloud | Commissioners Office |
| | Bill Fishering | County Attorney |
| | Michelle Wood | DPS |
| | Joel Hoffman | |
| | Bill Hartman | Highway Dept. |

Commissioner Peters called the meeting to order at 10:05 AM. Commissioner Peters led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Consider approval of the minutes of January 25, 2019.** Commissioner Beck made a motion to approve minutes of January 25, 2019. Commissioner Brown seconded the motion. Motion carried 3-0.
- 2. Consideration of Rezoning Petition #REZ-2018-0056 to rezone 22.5 acres on the west side of the 7700 to 7900 blocks of Schwartz Road from A1/Agricultural to R1/Single Family Residential for a 150-lot residential subdivision.** Michelle Wood, DPS, presented this item. She stated this rezoning petition is proposed by Northeastern Development Corp. In addition to the proposed rezoning from A1 to R1 it is also to approve an overall plat which includes additional land for a 150 lot subdivision. This is the site of the Lakes at Woodfield and now it is being amended to add in ground that last year was originally proposed to be duplexes. There is a previously approved plat for 89 lots coming off of Schwartz Road. The amended plat is a total of 150 lots. Adding that area in between Woodfield and Acacia will be the complete subdivision. All lots are served off of Schwartz Road at roughly the same location that the Commissioners approved last year. Turn lanes will be put in going both north and south bound. With those improvements, Highway has determined that is adequate for the 150 lots which is also the maximum the ordinance allows the Plan Commission to approve. At one point there was a BZA petition to have 5 additional lots. The BZA was not able to act on that as they didn't have enough members to take action so it was automatically continued. Since that point the applicant withdrew that application for the 5 extra lots so the Plan Commission was able to approve 150 lots which is allowed by the subdivision control ordinance and the zoning ordinance. There is a mixture of agricultural and residential zoning in the area with commercial further to the south with all the Chapel Ridge development. This is on the north side of the I69 interchange with 37. On the west side of Schwartz it is adjacent to a lot of residential development, both platted and unplatted. But immediately to the west is platted single family that is development which has been taking place since 2003/2004 when the primaries were approved for those subdivisions. Over the last 15 years or so they have been completed with Acacia Creek IV, the last section, immediately adjacent to the site we are looking at today. Lot sizes are similar to Acacia IV. Density is no longer a consideration in our Comp Plan or our ordinance. There are no density requirements either high or low. It is considered compatible as R1 and considered the preferred development as it is platted and planned. It has full review by storm water, by traffic analysis

and by City Utilities. The Comp Plan encourages that kind of development and it is adjacent growth and it is within the conceptual development area. There was a unanimous Do Pass recommendation of the 8 members present at the business meeting. Commissioner Brown made a motion to approve Rezoning Petition #REZ-2018-0056 to rezone 22.5 acres on the west side of the 7700 to 7900 blocks of Schwartz Road from A1/Agricultural to R1/Single Family Residential for a 150-lot residential subdivision. Commissioner Beck seconded the motion. Motion carried 3-0.

3. **Consider approval of Change Orders #6-11 on the Allen County Work Release project. Net cost - \$49,319.95 (decrease).** Joel Hoffman of Construction Control presented this item. Currently, mid-July is the targeted completion date. Commissioner Brown made a motion to approve Change Orders #6-11 on the Allen County Work Release project. Net cost - \$49,319.95 (decrease). Commissioner Beck seconded the motion. Motion carried 3-0.
4. **Consider approval of agreement between the Board of Commissioners and Lassus Brothers Oil, Inc for fixed cost fuel purchases for 2019. DEFERRED**
5. **Consider approval of various documents related to the issuance of multi-family housing revenue bonds on behalf of EV FW Limited Partnership for the Evergreen Village at Fort Wayne project.** Bill Fishering, County Attorney, stated this is for the currently sized \$20,125,000 EDC bond for Evergreen project. He requested the Commissioners approval of the various documents and then the issuing of the final offering statement which will happen on February 6th when the bonds are actually sold, and to authorize the 3 Commissioners or the President to execute any additional closing documents that may be necessary for that closing.

Commissioner Brown made a motion to approve the various documents documents related to the issuance of multi-family housing revenue bonds on behalf of EV FW Limited Partnership for the Evergreen Village at Fort Wayne. Commissioner Beck seconded the motion. Motion carried 3-0.

Commissioner Brown made a motion to authorize the issuance of the final offering statement. Commissioner Beck seconded the motion. Motion carried 3-0.

Commissioner Brown made a motion to authorize the Vice President to execute any additional closing documents that may be necessary for the closing. Commissioner Beck seconded the motion. Motion carried 3-0.

6. **Consider approval of Change Order # 10 for Bass Rd from Hadley Rd to Clifty Parkway, INDOT Contract # R-36008, LPA Project # 04-264; in the amount of \$ 52,371.08 (increase).** Bill Hartman, Highway Director, stated that at the entrance to Shakespeare Blvd. there was a significant grade change between the trail we built on the north side of Bass Road and the signage and decorative rocks for their entrance. It made it necessary to construct a modular block wall between the trail and the sign which resulted in this increase. At present we are still over a \$1 million dollars under the engineers estimate for this project and our construction managers say we should come in under the bid with some other savings on the project even with this increase. Commissioner Beck made a motion to approve Change Order # 10 for Bass Rd from Hadley Rd to Clifty Parkway, INDOT Contract # R-36008, LPA Project # 04-264; in the amount of \$ 52,371.08 (increase). Commissioner Brown seconded the motion. Motion carried 3-0.
7. **Consider approval of Riverfront Development agreement between the Board of Commissioners and City of Fort Wayne, Department of Redevelopment for multi-level parking facility.** Chris Cloud, Chief of Staff, stated this is the agreement with the City of Fort Wayne where we convey our jail lot, the lot west of the jail on Calhoun, to the City for the HIVE development that has been announced and underway for some time. In exchange we will receive an equivalent number of parking spots in the new 4 story parking garage being built on the property we are conveying. This also addresses temporary parking for us during the construction of that parking garage which is estimated to take about 1 year to construct. Commissioner Beck made a motion to approve the Riverfront Development agreement

between the Board of Commissioners and City of Fort Wayne, Department of Redevelopment for multi-level parking facility. Commissioner Brown seconded the motion. Motion carried 3-0.

8. **Consider approval of claims for payment.** Commissioner Brown made a motion to approve the claims as submitted in the amount of \$228,200.97. Commissioner Beck seconded the motion. Motion carried 3-0.
9. **Other Business: Consider approval of the Professional Services Contract for Rural Community Liaison Services between the Board of Commissioners and Sturtz Public Management Group and NewAllen Alliance.** Chris Cloud, Chief of Staff, stated that Kristi Sturtz was instrumental in leading the Stellar Project coordination between New Allen communities. This is the third year we have done this contract. We split it with NewAllen Alliance and she basically provides her planning and organizational services to NewAllen Alliance. Particularly focused on Stellar for the next several years. The price remains unchanged. Commissioner Brown made a motion to approve the Professional Services Contract for the Rural Community Liaison. Commissioner Beck seconded the motion. Motion carried 3-0
10. **Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of February 1, 2019.** Commissioner Beck made a motion to approve the waiving of the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of February 1, 2019. Commissioner Brown seconded the motion. Motion carried 3-0.

11. Comments from the Public

Taryn Willis, 7906 Schwartz Rd., expressed her disappointment in the approval of rezoning petition #REZ-2018-0056.

John Havert? , 7713 Schwartz Rd., expressed his disappointment there is no green space included in rezoning petition #REZ-2018-0056.

Christine Renbarger?, 6931 Schwartz Rd., expressed her disappointment the Amish community weren't considered in the approval of rezoning petition #REZ-2018-0056.

Darryl Gerig, 7101 Schwartz Rd., expressed his opposition to the approval of rezoning petition #REZ-2018-0056 and the effect on surrounding property values.

12. Motion to Adjourn.

Meeting adjourned at 10:38 a.m.

Allen County does not discriminate because of disability in the admission to, or treatment or employment in, its programs or activities. The Human Resources Director has been designated to coordinate compliance with nondiscrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided therein, and Allen County's ADA policy is available from the ADA Coordinator. Suggestions on how the County can better meet the needs of persons with disabilities may be submitted to the ADA coordinator at: Human Resources Department, 200 East Berry Street, Suite 380, Fort Wayne, IN 46802, or by phone at (260) 449-7217.