



**Plan Commission - Meeting Minutes**

**Wednesday, August 9, 2023 | G.A.R. Room of the Miami County Courthouse**

Plan Commission President, Brad Fruth, calls the Plan Commission meeting to order at 6:29 pm.

Roll call of board members – Corey Roser

- **Tim Alwine** – *Absent*
- **Randy Hileman** – *Present*
- **Jeanette Merritt** – *Absent*
- **Lynette Smith** – *Present*
- **Jamie Hopper** - *Present*
- **Courtney Schmidt** – *Present*
- **Gregg Wilkinson** – *Present*
- **Fred Musselman** – *Present*
- **Scarlett Graves** – *Present*
- **Brad Fruth** – *Present*

Brad Fruth calls for approval of July’s meeting minutes

- Randy Hileman motions, Scarlett Graves 2<sup>nd</sup>, all “aye”
  - July meeting minutes approved

Brad Fruth calls for monthly staff report, expense report, and committee reports (none)

- Corey Roser presents all reports

Brad Fruth calls for Old Business:

1.) **Chickens in Residential Zoned Areas**

- a. Brad Fruth asks the board to look at the draft of the ordinance that Steve Downs created.
- b. Steve Downs stated the Plan Commission will have to have a public hearing regarding this potential ordinance, and from there the Plan Commission can petition to present this to the Board of Commissioners.
  - Scarlett Graves motions to hold a public hearing for September’s meeting, Lynette Smith 2<sup>nd</sup> ---> Roll call vote
    - Randy Hileman – Yes
    - Lynette Smith – Yes
    - Jamie Hopper – No
    - Gregg Wilkinson – Yes
    - Fred Musselman – Yes
    - Scarlett Graves – Yes
    - Brad Fruth – No
  - There will be a public hearing surrounding this potential ordinance at September’s meeting



2.) **USB Case #07-22 – Firma Investments, Inc. – 1801 N Lancer St, Peru**

- a. Corey Roser explained that an Unsafe Building Order had to be reissued due to inconsistencies with mailing and what the Unsafe Building Order stated.
- b. Corey Roser verified mailing and publication. It is also posted on the county website.
- c. The building was ruled unsafe and the order affirmed.
- d. Fred Musselman motions to issue a \$5,000 civil penalty due to lack of progress and communication, Scarlett Graves 2<sup>nd</sup> ---> all “aye”
- e. Motion to issue a \$5,000 civil penalty is passed as well as a Continuous Enforcement Order adopted

3.) **USB Case #06-22 – The Estate of Harvey Neil Smith, Kimberly Minks as Personal Representative – 220 E Commerce St, Macy**

- a. Corey Roser explains that the building had been left this way for a few months at this point and all of the mail sent to Kimberly Minks has been returned and she has not contacted the office at all.
- b. The building has to have a new Unsafe Building Order issued. It is going from being rehabbed to being demolished.
  - The building was ruled unsafe and the order affirmed.
- c. Fred Musselman asked if we haven’t heard from the person responsible for taking care of this property, how do we know if we will receive payment?
  - Scarlett Graves stated we won’t know if we don’t even try to impose a civil penalty.
- d. Scarlett Graves motions to impose a \$5,000 penalty, Randy Hileman 2<sup>nd</sup> ---> Roll call vote
  - Randy Hileman – Yes
  - Lynette Smith – Yes
  - Jamie Hopper – Yes
  - Gregg Wilkinson – Yes
  - Fred Musselman – No
  - Scarlett Graves – Yes
  - Brad Fruth – Yes
- e. Motion to issue a \$5,000 civil penalty is passed as well as a Continuous Enforcement Order adopted

4.) **USB Case #12-22 – Claude & Carolyn Meyers – 10483 S Poplar St, Miami**

- a. Corey Roser stated this Unsafe Building Order had to be reissued due to notifying the proper people. He had tracked down what he believes is all of the next of kin for Claude and Carolyn Meyers.
- b. Scarlett mentioned when she drove by the there were dumpsters on the property
- c. Corey Roser noted that the cars were removed when the office staff went out there on August 4<sup>th</sup>.
- d. The building was ruled unsafe and order affirmed.



- e. No motion is required to forgo a civil penalty.
- f. A Continuous Enforcement Order was adopted also.

5.) **USB Case #16-23 – Dale Shepherd – 205 W Commerce St, Macy**

- a. Corey Roser mentioned that Dale Shepherd has not made any contact with the office since July’s meeting. There is an adjoining neighbor interested in buying the property and demolishing the structures to have more yard. Corey Roser stated that the neighbor then called back and stated that Dale Shepherd had changed his mind and isn’t sure if he wants to sell it now. There has been no progress made to the structure.
- b. The building was ruled unsafe and the order affirmed.
- c. Scarlett Graves motions to assess the maximum penalty of \$5,000, Lynette Smith 2<sup>nd</sup> ---> all “aye
- d. Motion to issue a \$5,000 civil penalty is passed as well as a Continuous Enforcement Order adopted

Brad Fruth calls for New Business:

1. Agriculture Permits:

1) **AGP#258-23 – Tanner & Katelyn Christner – 973 E 500 N, Peru**

- a. Megan Mongosa presents the staff report for this permit
  - Tanner and Katelyn are requesting an agriculture permit to build an animal composting facility.
    - The USDA has reviewed the plans and has provided numbers and building size recommendations based on the mortality rate of the swine they raise.
  - Lynette Smith and Scarlett Graves had questions regarding how easy it would be for dogs or the public to access what is inside the structure.
    - Tanner stated there would be a gate that he and his other worker would be opening and closing.
    - Scarlett Graves motions to approve Ag Permit, Randy Hileman 2<sup>nd</sup> ---> all “aye”
  - AGP#258-23 is approved.

2) **AGP#259-23 – James & Jenny Harris – 3449 S 400 W, Peru**

- a. Megan Mongosa presents the staff report for this permit
  - James and Jenny would like to build a 4,288 sq. ft. pole building to store his tractors and other small farm equipment as well as use it as a small workshop
    - Brad Fruth asked if there were any bathrooms or living quarters – Megan responded with no.
    - Fred Musselman motions to approve Ag Permit, Jamie Hopper 2<sup>nd</sup> ---> all “aye”
  - AGP#259-23 is approved.

3) **ADU #01-23 – Loretta Phillips c/o Linda Arthur – 4425 N Mexico Rd, Mexico**

- a. Corey Roser presented the staff report



- b. Linda Arthur has already converted her mother’s garage into an apartment for her daughter and granddaughter to live in. This originally came in as an electric permit and then the Mexico Sewer District had informed us that they had attached a bathroom into the sewer line.
  - c. If the ADU is approved, two variances and the correct building permits will be required to bring the property owner into compliance.
    - Fred Musselman motions to approve the ADU, Scarlett Graves 2<sup>nd</sup> ---> all “aye”
  - d. ADU #01-23 was approved.
- 4) **ADU #02-23 – Kenneth & Lisa Bowland – 9517 S 700 E, Amboy**
- a. Megan Mongosa presented the staff report
  - b. Kenneth and Lisa would like to convert the existing detached-garage into a residential dwelling. The farmhouse on the property will be too expensive to rehab. They will tear part of it down and remodel what is left of the farmhouse into a storage shed.
    - Fred Musselman motions to approve the ADU, Scarlett Graves 2<sup>nd</sup> ---> all “aye”
  - c. ADU #02-23 was approved.
- 5) Fee Schedule update, approval and recommendation to BOC and County Council
- a. Corey Roser presented the changes in a draft handed out to board members
    - Scarlett Graves motions to approve changes to fee schedule, Randy Hileman 2<sup>nd</sup> ---> all “aye”
  - b. Changes to fee schedule will be presented to BOC and County Council

Brad Fruth calls for public comment

- No public comment

Randy Hileman motions to adjourn meeting, Scarlett 2<sup>nd</sup> ---> all “aye”

- Meeting adjourned at 7:18 pm

  
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 Representative of Miami County Plan Commission

  
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 Title

  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Printed Name