

WHITELAND PLAN COMMISSION  
JULY 1, 2014

RICHARD HILL CALLED THE MEETING TO ORDER AT 7:00PM  
PLEDGE TO THE FLAG

PRESENT: ROBERT ZEHR, NORM GABEHART, RUSTY SNYDER, GARY HOWARD, BYRON TEMPLE, RICHARD HILL

ABSENT: TIM BROWN

OTHERS PRESENT: MICHELLE R. RICHARDS-CLERK/TREASURER, DENNIS CAPOZZI-TOWN  
MANAGER/BUILDING COMMISSIONER, NATHAN BILGER-PLANNING AND ZONING DIRECTOR, GREG  
STURM – TOWN ATTORNEY SUBSTITUTE

GARY HOWARD MADE THE MOTION TO APPROVE THE MINUTES FROM MAY 6, 2014. RUSTY SNYDER  
SECONDED THE MOTION AND PASSED 6-0.

DENNIS CAPOZZI REVIEWED THE BUILDING COMMISSIONERS REPORT FROM MAY AND JUNE 2014.

UNSAFE BUILDING HEARING: 8 N US 31. NATHAN BILGER GAVE A BACKGROUND OF THE PROPERTY.  
DENNIS CAPOZZI STATED A REQUEST LETTER WAS SENT TO 8 NORTH 31, LLC (OWNER). THEY DID NOT  
RESPOND TO THE LETTER. A WORKER WITH THE COMPANY MADE AN UNSOLICITED VISIT TO DENNIS  
CAPOZZI STATING WORK WILL BE DONE. AFTER A PERIOD OF NO WORK BEING DONE, DENNIS AND  
NATHAN DID AN INSPECTION OF THE BUILDING. THE BUILDING COMMISSIONER ISSUED AN ORDER  
THAT LISTED THE VIOLATIONS WITH A DEADLINE OF JULY 9<sup>TH</sup> FOR COMPLETION.

THE HEARING AUTHORITY MAY: AFFIRM THE ORDER, MODIFY THE ORDER, OR RESCIND THE ORDER. IF  
AFFIRMED OR MODIFIES, A CONTINUOUS ENFORCEMENT ORDER SHALL BE ADOPTED (PERMITS THE  
ONGOING ENFORCEMENT OF THE ORDER WITHOUT NEED FOR ADDITIONAL HEARINGS).

RICHARD HILL OPENED THE HEARING ON 8 N US 31. NORM GABEHART SUGGESTED TO PURSUE THE  
ENFORCEMENT ORDER AS STANDS. RICHARD HILL CLOSED THE HEARING.

NORM GABEHART MADE THE MOTION TO AFFIRM THE ORDER AND INCLUDE THE CIVIL PENALTY OF  
\$5,000.00 IF FAILURE TO COMPLY WITH THE ORDER BY JULY 9<sup>TH</sup>. RUSTY SNYDER SECONDED THE  
MOTION. THE COMMISSION HAD ADDITIONAL DISCUSSION. THE MOTION PASSED 6-0. DENNIS  
CAPOZZI EXPLAINED THE "OLD SPEEDWAY STATION" WAS NOT A PART OF THE HEARING.

NATHAN BILGER STATED THE SIGN CODE ORDINANCE 2014-04 HAD A TYPO AS CERTIFIED BY THE  
COMMISSION. NATHAN EXPLAINED THE TYPO. PER SAME CODE ANY CHANGES MADE BY COUNCIL  
NEED TO COME BACK TO THE PLAN COMMISSION TO BE CONFIRMED. GARY HOWARD MADE THE  
MOTION TO CONFIRM. ROBERT ZEHR SECONDED THE MOTION AND PASSED 6-0.

THE MEETING ADJOURNED AT 8:04PM

PASSED BY THE TOWN OF WHITELAND PLAN COMMISSION ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
\_\_\_\_\_, 2014.

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NAY

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RICHARD HILL

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RICHARD HILL