

**JOINT MEETING FOR WAL-MART DISTRIBUTION CENTER  
MINUTES  
FEBRUARY 7<sup>TH</sup>, 2005  
HONTZ'S HALL  
307 W. S. 'H' STREET  
GAS CITY, IN**

GAS CITY COUNCIL  
GAS CITY REDEVELOPMENT COMMISSION  
GRANT COUNTY COMMISSIONERS  
GRANT COUNTY COUNCIL  
AREA PLAN COMMISSION

**Mayor Leech of Gas City** called the meeting to order at 7:31 p.m.

**Mike Roorbach** led the prayer and **Jeremy Diller** led the Pledge of Allegiance.

**Mayor Leech** called the Gas City Council meeting to order and requested that the Clerk, Julie Flores call the roll. Present were: David Huffman, Mike Plancy, Larry Terwillegar and Jim Richards. Absent: Bill Rock.

**Jeremy Diller** called the Commissioner's Meeting to order and requested Mike Burton to call the roll. All three Commissioners (Mark Bardsley, Eric Walts and Jeremy Diller were present).

**Council President Mike Row** called the council meeting to order and requested Mike Burton to call the roll. Present were: Mike Row, Tim Enyeart, John Lawson, Judy Carmichael, Jim McWhirt and Myron Brankle. Mike Scott was absent.

**Area Plan Commission President Tony Manry** called the meeting to order and requested Betty Jones to call the roll. Those present were: John Bonham, Myron Brankle, Dennis Fox, Mark Bardsley, Karen Owen, Keith Roorbach, Richard Treon, Richard Trobridge, Rana Vctor, Kim Windle and Tony Manry. Absent was John Woodmansee.

Councilman Mike Scott arrived at 7:33 p.m.

**Richard Treon** moved, **Keith Roorbach** seconded to approve the minutes, from the previous meeting, as submitted. All members present voted yes.

**Tanya Ford** read and explained the procedures then asked the Board members if they had any contact with any petitioner, or with anyone else regarding any of the petitions. All members present answered no except Tony Manry and Myron Brankle. Both had been contacted; however, they were asked about general information on the petition but not asked to change their vote.

John Woodmansee arrived at 7:40 p.m.

**Docket: #05P-2004 (Continued)**

**Address:** 4203 E. 650 N., Marion

**Name:** Hummel Creek

**Zoning District:** Agricultural

**Legal Description:** Being 34.41 acres and located in the Northwest Quarter of Section 02 in Washington Township.

**Request:** To create a 7 lot residential subdivision.

**Thomas Schabo, 1221 Sheridan Road** represented the petition.

**MOTION: Richard Trobridge moved to approve Docket 05P-2004, Richard Treon seconded. All members present voted yes with the exception of Myron Brankle who voted no; motion carried 11-1.**

**Tony Manry**, Area Plan Commission president called for a recess at 7:42 p.m.

**COUNTY COUNCIL**

**Council President, Mike Row** stated that the council was present to consider the Confirmatory Resolution for Wal-Mart East LP for an Economic Revitalization Area. He asked if anyone in the audience would like to make comments.

**Teri Woenkhaus, 801 S. 10<sup>th</sup> Street, Gas City, IN 46933**, stated that she had concerns regarding the West Side of the property. She inquired as to what steps would be taken to reduce noise, lighting and dust.

**Attorney Joe Certain** replied that there would be buffering on the West Side and that Area Plan would address her other concerns later on in the meeting.

With no other objections or comments to be heard, Mike Scott moved to approve Resolution 2A-2005, which is a Confirmatory Resolution establishing an Economic Revitalization Area within Gas City for Wal-Mart East LP.

John Lawson seconded the motion; motion carried 7-0.

#### **GRANT COUNCIL REDEVELOPMENT**

**Attorney Joe Certain** stated that the Gas City Redevelopment Commission would consider amending, modifying and confirming the resolution of August 16, 2004 and amending Declaratory Resolution #1-1995. Mr. Certain read the resolution from August 16<sup>th</sup> in it's entirety (attachment) and gave highlights Declaratory Resolution #1-1995.

**President Bob Royal** asked for member comments and public comments. None were heard.

**MOTION: Max Leavit moved to approve Resolution 1-2005, David Shelly seconded; motion carried by a vote of 5-0.**

Gas City Council considered a resolution regarding the expansion of I-69 Industrial Park Development Area from August 16, 2004 and to amend Resolution 1-1995.

**President Mike Planck** asked for member comments and public comments. None heard

**MOTION: Mike Planck moved to approve Resolution 3-2005, Larry Terwillegar seconded. Motion carried by a vote of 4-0.**

#### **AREA PLAN COMMISSION**

**Tony Manry president of Area Plan Commission** called the meeting back to order at 8:00 p.m. Tony stated that the APC would consider the Wal-Mart Distribution Center PUD (Planned Unit Development).

**Docket: #1PUD-2005 (Public Hearing)**

**Name:** Wal-Mart Distribution Center

**Address:** S/W Corner 500 E. & 600 N., Marion

**Zoning District:** R-1, AG & I-2

**Legal Description:** Being 278 acres and located in Section 02 in Mill Township.

**Request:** To create an Industrial Planned Unit Development.

**Attorney Kim Roger – Rogers & Rogers, 525 S. Washington Street, Marion, IN 46953**, represented Wal-Mart . He presented the outline for the proposed PUD. Mr. Rogers stated that the PUD allows for flexible zoning. The parking does not need to meet the Ordinance requirement. The West Side will have a planting of trees. The detention pond will be drained into Octave Creek. Gas City is in charge of getting the water off site. He further stated that he is not exactly sure what type of signage they will have on site.

**Teri Woenkhaus** questioned the zoning and use. She stated she would like to have buffering on the West Side.

**Christopher Christen**, Contractor and representative for Carter-Burgess, addressed her concerns regarding the location of the building. He explained that the building would be built up approximately 4 feet from the adjacent grad. There would be no machinery outside of the building. The cooling tower will be exposed and will not have any noisy engine room equipment or compressors. It will only create minimal noise. He agreed that the refrigeration units are noisy however, ambivalent noise from SR-35 and I-69 will usually exceed the noise on site. He further stated that the dust area would be watered down periodically during construction to minimize dust.

**Tanya Ford** informed Mrs. Woenkhaus that the building would be constructed approximately 2,400 feet from her property, and that she would not likely be affected by the noise, lighting or dust.

**John Bonham** moved to suspend the rules, **Keith Roorbach** seconded; motion carried by a vote of 12-0.

**Richard Trobridge** moved to approved the final plat, **John Bonham** seconded; motion carried by a vote of 12-0

**Keith Roorbach** moved to approve the preliminary plat, **Richard Trobridge** seconded; motion carried by a vote of 12-0.

**Tony Manry** called recess at 8:31 p.m.

#### **GRANT COUNTY COMMISSIONERS**

Grant County Commissioners considered approval of the preliminary and final PUD.

**MOTION:** Eric Walts moved to approve the preliminary and final PUD within the Economic Revitalization Area for Wal-Mart East LP, Mark Bardsley seconded the motion; motion carried by of vote of 3-0.

The Grant County Council, Grant County Commissioners, Gas City Council, and the Gas City Redevelopment Commission all adjourned at 8:33 p.m. The Area Plan Commission remained in session.

#### **OTHER BUSINESS:**

**APC Attorney** – Tanya commented that Bruce was familiar with the Area Plan cases and that he wouldn't have to start all over learning about each case like a new attorney would have to do. She further stated that with the financial situation, we only had two choices for Area Plan attorneys, Bruce Elliott or Kyle Persinger.

**MOTION: Rana Vctor made the motion to retain Bruce Elliott as the Area Plan attorney, Richard Treon seconded; motion carried by a vote of 12-0.**

In other business Tanya introduced the two new board members, Bob Highley and Mark Bardsley, who replaced Tom Walters for the Town of Sweetser and David Glickfield for the County Commissioner. The members in attendance introduced themselves respectively.

Following the introductions Tanya explained that the officers for the Board are selected each year in January; however, we didn't have a meeting in January. Therefore, the vote for chairman, vice-chairman and secretary for the board needs to be taken at this meeting.

Tony commented that since Area Plan is searching for a new director he suggested retaining the same officers.

**MOTION: Karen Owen moved to retain the present officers, Dennis Fox seconded. The vote was 8-4 in favor of retaining the present officers.**

**Myron Brankle** stated he would like to nominate Keith Roorbach as president of the board.

**Tanya Ford** asked for any discussion on the matter. There were none.

**MOTION: John Bonham moved to retain the present Executive Committee, Richard Treon seconded; motion carried on a vote of 12-0.**

**There being no other business to come before the board, the meeting was adjourned at 8:54 p.m.**

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**Tony Manry, President**