

**MINUTES OF THE REGULAR MEETING
COMMON COUNCIL OF THE CITY OF HOBART
LAKE COUNTY, INDIANA
October 20, 2021**

Call to Order: Mayor Snedecor called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance, and moment of silence. The meeting was held with the building open to the public and a call-in number for remote public participation.

Roll Call: The following members were present in person: Mr. Kopil, Mr. Huddlestun, Mr. Maggio, Mr. Vinzant, Mr. Wells, and Mr. Claussen. Present via zoom telephonically: Mr. Waldrop. Also present: City Attorney McCarthy and Clerk-Treasurer Longer.

Reading of the Minutes: Motion by Mr. Kopil, seconded by Mr. Wells, to approve the minutes of the regular meeting of October 6, 2021 and the Special Meeting of October 13, 2021 as presented. All aye, motion carried. (7-0)

Presentation: American Rescue Plan Recognition/Assistance to non-profit organizations: The Hobart Food Pantry, \$15,000; Humane Society of Hobart, \$15,000; and Exceptional Equestrians Unlimited, \$10,000; were presented ARPA Fund checks from the City. The Food Pantry and Humane Society both realized an added burden during the pandemic but continued to provide services to the community throughout the most difficult year. The Exceptional Equestrians also continued to provide services until the collapse of the barn under a snow event and are working to rebuild as quickly as possible. The Mayor and the Council thanked all three organizations for their continued investment in our community.

Committee Reports: Mr. Vinzant noted the City received the Comprehensive Financial Plan from BakerTilly earlier today and while the Southlake Mall tax appeal is mentioned in this report it is not included in the calculations as the details of the final costs have not yet been determined.

Mr. Huddlestun stated the Park Board is staying apprised of the plans for the roundabout at Cleveland and SR 130 and the trail connectivity concerns. He has expressed his concerns to INDOT and will continue to monitor the addressing of the safety issues for pedestrians and bicycle traffic on the trail.

Approval of Agenda: Motion by Mr. Vinzant, seconded by Mr. Huddlestun, to approve the agenda as presented. All aye, motion carried. (7-0)

Unfinished Business:

Tabled: Ordinance 2021-24: An Ordinance to Amend the Covenants and Restrictions Governing Certain Parcels of Real Estate in an Established PUD Zoning Classification: Cressmoor Estates, S. of 37th Ave., W of Lake Park Ave., E of Wisconsin St., D.R. Horton, Inc. Motion by Mr. Huddlestun, seconded by Mr. Claussen to remove this item from the table. All aye, motion carried. (7-0)

The Ordinance was read. Motion by Mr. Claussen, seconded by Mr. Vinzant, to pass Ordinance 2021-24 on first reading. Discussion followed regarding the continuing dialogues with the developer to rework the townhomes, either by having the driveways in the rear or reducing the density. Mr. Huddlestun asked about the 30% rentals allowed in tough economic times and how this would be measured and defined. Mr. Vinzant stated all of the issues continue to be discussed with the developer. Discussion followed regarding the deadline for Council action being November 3, 2021 which is 90 days after the Plan Commission determination. As the next Council meeting is scheduled for November 3rd, Mr. Vinzant withdrew his 2nd to the motion and Mr. Claussen withdrew his motion. Motion by Mr. Huddlestun, seconded by Mr. Kopil, to table Ordinance 2021-24. All aye, motion carried. (7-0)

Tabled: Ordinance 2021-30: (2nd Reading) An Ordinance for Appropriations and Tax Rates (2022 Budget): Motion by Mr. Vinzant, seconded by Mr. Kopil, to remove this item from the table. All aye, motion carried. (7-0) The second reading of the ordinance was held. Motion by Mr. Claussen, seconded by Mr. Maggio, to adopt Ordinance 2021-30 as presented. Roll Call Vote taken. All aye, motion carried. (7-0)

New Business:

Request for a Use Variance: to operate a proposed retail fireworks facility at 3821 W. 37th Ave., SE corner of Sandusky St. & 37th Ave., zoned B-3, 0.619 acres: **KaBoom Fireworks:** Mr. Snedecor noted the BZA has forwarded an unfavorable recommendation to the Council by unanimous vote. Owner Kerrie Hale presented information to the Council regarding her current location at 4001 W. 37th Ave. and comparing the new location which she asserts would be better suited for the fireworks facility, not any closer to residential areas, with designated fire lanes and better traffic flow at the new location. She stated she has an offer to purchase on the building (Diner's Choice) contingent on the granting of the Use Variance. Mr. Wells presented a petition signed by twenty-one residents opposing the request as the facility is too close to a residential neighborhood. Ms. Hale stated that while she would not put in fire suppression sprinklers, she would be willing to wire smoke detector notifiers directly to the firehouses. Ross Pietrzak, City Planner, stated the correct zoning would be in an M-1 district. Motion by Mr. Vinzant, seconded by Mr. Wells, to **deny** the Use Variance as presented. Discussion followed regarding the current space being safe and whether the City would have more controls as to safety under a new permit if the business were to change locations. Mr. Snedecor called for the question. Roll Call Vote taken. All aye, motion carried. (7-0) The Use Variance is **denied**.

Ordinance 2021-36: An Ordinance Amending the Municipal Code of the City of Hobart Concerning Off-Street Parking and Loading: re: Section 154.358(A)(2) Additional Parking Regulations / Off-street Parking Regulations / Weight. The Ordinance was read. The Plan Commission unanimously forwarded a Favorable Recommendation with no conditions for this proposed change. Motion by Mr. Huddlestun, seconded by Mr. Wells, to pass Ordinance 2021-36 on first reading. Roll Call Vote taken. All aye, motion carried. (7-0)

Ordinance 2021-37: An Ordinance providing that the Zoning Ordinance of the City of Hobart be Amended by Changing an established B-3, R-2 and PBP Zone to a PUD Zone Classification: approx. 1/3 mile west from the SW corner of US 30 & Grand Blvd., & 1/3 mile from the NW corner of 83rd Ave & Grand Blvd., zoned B-3, R-2 and PBP, 44.19 acres, James Dragon, SIR RLJ, LLC (Albanese Candy): Representatives of Albanese were present. The Ordinance was read. The Plan Commission unanimously forwarded a favorable recommendation for this zone change with no conditions. Motion by Mr. Huddlestun, seconded by Mr. Maggio, to pass Ordinance 2021-37 on first reading. Discussion followed with the City expressing appreciation for the attentiveness to resident concerns by the company. Roll Call Vote taken. All aye, motion carried. (7-0)

Ordinance 2021-38: An Ordinance Transferring Appropriations within the 2021 Budget of the Park & Recreation Fund, the Public Safety Income Tax Fund, the Economic Development Income Tax (CEDIT) Fund and the General Fund, Sanitation Department in the City of Hobart. The Ordinance was read. Motion by Mr. Vinzant, seconded by Mr. Kopil, to pass Ordinance 2021-38 on first reading. Roll Call Vote taken. All aye, motion carried. (7-0)

Motion by Mr. Maggio, seconded by Mr. Vinzant, to suspend the rules, declare an emergency and proceed with the second reading of the Ordinance this evening. All aye, motion carried. (7-0)

Ordinance 2021-38: An Ordinance Transferring Appropriations within the 2021 Budget of the Park & Recreation Fund, the Public Safety Income Tax Fund, the Economic Development Income Tax (CEDIT) Fund and the General Fund, Sanitation Department in the City of Hobart. The second reading of the Ordinance was held. Motion by Mr. Maggio, seconded by Mr. Huddlestun, to adopt Ordinance 2021-38 as presented. Roll Call Vote taken. All aye, motion carried. (7-0)

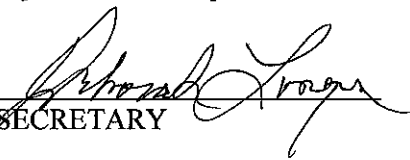
Ordinance 2021-39: An Ordinance providing that the Zoning Ordinance of the City of Hobart be Amended by Amending the Preliminary Plan for Certain Parcels of Real Estate in Established PUD (M-1) Zoning Classifications and Consolidating the Zoning for said Real Estate in a PUD (M-1) Zoning Classification: 800' east of the NE corner of 69th Ave & Mississippi St., zoned R-3 and PUD (M-1), 50 acres +/-, Indiana Becknell Investors 2011, LLC. Becknell representatives were present telephonically. The Ordinance was read. The Plan Commission unanimously forwarded a favorable recommendation for this zone change with no conditions. Motion by Mr. Claussen, seconded by Mr. Huddlestun, to pass Ordinance 2021-39 on first reading. Roll Call Vote taken. All aye, motion carried. (7-0)

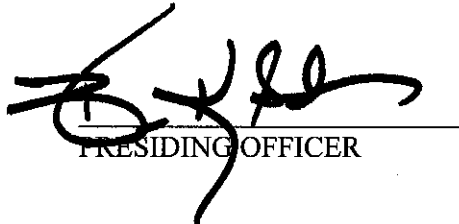
Announcements: Mr. Kopil mentioned the recent home robberies preying on senior citizens with robbers posing as utility company representatives and distracting homeowners while others gain access to homes and valuables. He asked everyone to use caution and call the police if suspicious activity is seen.

A resident thanked the Council for denying the Use Variance for the fireworks business, stating that there is enough traffic on Sandusky toward the cemetery and for consideration of the neighborhood.

Mr. Snedecor asked if anyone wished to address the Council and there was no additional response.

Adjournment: Motion by Mr. Vinzant, seconded by Mr. Claussen, to adjourn the meeting. 6 Aye: Kopil, Maggio, Vinzant, Wells, Claussen, Waldrop / 1 Nay: Huddlestun. Motion carried. (6-1) The meeting adjourned at 7:15 p.m.


SECRETARY


PRESIDING OFFICER