



WINFIELD PLAN COMMISSION

MEETING MINUTES

AUGUST 5, 2021 @ 6:00PM

Pledge of Allegiance was cited.

The Winfield Plan Commission held a special meeting on Thursday, August 5th, 2021 at the Winfield Town Hall at 6:00 pm. Those present: Tim Clayton, Dave Anderson, Tony Clark, Joe Gacsy, Jim Hajek, and Gerry Stiener. Mark Nelson was absent. Also present: Town Attorney David Austgen from Austgen Kuiper Jasaitis P.C., Town Engineer Mike Duffy, and Town Administrator Nick Bellar.

OLD BUSINESS:

1. Public Hearing and Recommendation to the Town Council

Docket PC 2021-08-Zone Change – AG to PDM – Robert. A Taft Middle School

Owner: Crown Point Community School Corp.
Petitioner: Crown Point Community School Corp.
Vicinity: 12408 Gibson St.
Request: Zone Change – AG to PDM

Nick Bellar first spoke and stated he and Attorney David Austgen have been working on the development agreement with the school's legal counsel for the past few days.

Attorney David Austgen then spoke and said the development agreement that was presented the last time has been beefed up and expanded for clarification of items that have been, or were, in the dialogue with school officials. Talking points that they understood were added to the discussion, and ultimately the agreement that is required by code included items that related to infrastructure payments, costs, and responsibilities. There will be reimbursement for certain expenses to the Town from the school corporation related to infrastructure. Clarification was added that off duty sworn police officers with jurisdictional authority on public streets will be utilized for traffic control at the discretion of and decision of school officials and the Town. Attachments will be made to the development agreement that are schedules related to lighting, signage, and landscaping. Most of these will be included in the site plan, engineering, and/or the subdivision plat. The last item involves the sewer reimbursement provision that had been originally requested in the original development plan. That has been removed by virtue of earlier agreements made that the town will design, engineer, install and complete infrastructure items specifically to be discussed. Attorney Austgen said it will be important that night that a reference be made exactly what that infrastructure is. Generally, improvement on several streets and intersections, a sanitary sewer lift station. Although, the specifics need to come from the school's concurrence. With that understanding, technical design (subdivision and development requirements) have been addressed and met.

Gerry Stiener stated he and Tim sat down with Town Engineer Mike Duffy and Sanitary Engineer Jeremy Lin and went through the numbers in detail of what it's going to take to get the improvements that they are requiring of the school (traffic flows and sewage). When they go to the bottom line, they felt there was some level of risk but not anything that would stop them from moving forward. They asked the school to pay them \$3,650,000.00 for the design and construction of the roads and sanitary sewer.



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Sanitary sewer would be a regional lift station which would be a force main part of the way and a gravity line to the lift station that Lennar is putting in. The council would be responsible for improving the roads 121st Ave between Decatur St and the western boundary of town, and Decatur St from 121st to 117th. Also, the turn lanes on 117th, for Gibson, and Decatur St. They looked at all the numbers of doing those projects. Gerry stated it did make sense when the school says they're not in the road building business so it makes sense for the town to take it over. The council felt comfortable with that number of \$3,650,000.00 for doing that. If there was any right of way that needed to be done, the town will take that task on and the school would reimburse them that cost. So, if they had to acquire right of way (Gerry stated he doesn't think they have to but just in case) that the school would reimburse that cost.

Attorney Austgen asked school attorney Cheryl Zic if that cost covered the roads. She replied yes. She stated it was the extra piece of that reimbursement that needed clarification. The reimbursement for right of way is outside the \$3.65 million. Gerry replied yes. She asked if it was for any infrastructure and rights-of-way they might need for the sanitary sewer? Gerry replied it would be for sewer or the water. They feel as they can avoid the two men's property on 117th Ave and come diagonally across the road (hasn't been engineered yet) but hopeful that they can do that. If they can get the right of way from an adjacent property owner, that would get them all the way there. Gerry stated they're going to do the regular road right of ways on 121st and Decatur, but not sure about turn lanes at Gibson and 117th. If they had to get more property the school would be responsible for reimbursing that. He stated they're pretty good about using the 40 feet that they have.

Town Engineer Mike Duffy made a quick correction and stated the improvement that they are doing is from their west property line to the extension of Colorado on 121st. They are still responsible for their frontage beyond Decatur.

Gerry added there were some other things that were mentioned as far as the school officer and traffic. Gerry mentioned their engineers were comfortable with it and Tim and Gerry were comfortable with it. He then asked if there were any questions.

Public Works Director Tony Clark asked what happens if the Lennar project stalls and the lift station doesn't get put in.

Gerry stated he had conversations with Lennar about posting that bond sooner rather than later. He stated they intended to start construction as soon as the next day. There is a level of risk there. Gerry told Tony he is trying to get the letter of credit from Lennar for the council meeting next Tuesday.

Attorney Austgen asked if the letter of credit would cover the lift station. Gerry replied yes. He continued that the conversation he had with them was the lift station that they're putting on their property. They wouldn't need letter of credit for the rest of it until they start doing that work. Lennar mentioned to Gerry that they can use the line of credit as opposed to going to the local bank they could



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do it quickly. He explained if they have to go to a local bank, it will take longer. They will have to make that decision.

Attorney Austgen noted that he would like to talk to Gerry about the process. He stated they have a partner bank locally and is not as convinced by their advocacy that they can't get it done locally. Gerry said they would talk.

Tony stated if the Lennar project stalls then they have to run a force main all the way to the plant and it will be more money. He then asked if they have talked to Olthof about easements. Gerry said he spoke to them and he knows they have had conversations with the school. They said they were on board and would help with whatever was needed.

Tony clarified the watermain crossed the road towards Lennar's project, down Lennar's project, back across so the two properties don't cross onto an Olthof owned property and keep going.

Gerry said that's what we would like Indiana American Water to do so they can avoid properties. With that, they wouldn't need right away at all on the west side of Gibson.

Mike said he believes they were able to fit their turn lane into the prescribed right away so the idea would be to avoid the west side of Gibson all together. Gerry said they will go to Olthof and see what they need there and then hopefully the path would be finalized.

Gerry mentioned they are not going to require the schools to put the sidewalks in on their property until a development comes around where they're going to need them. He added Mike will make sure that the infrastructure will be put out far enough so they don't have to tear that up or replace everything.

Tim Clayton asked if anyone on the board had anything else to say. With that, Gerry made a Favorable Recommendation to the Town Council to approve Docket PC 2021-08-Zone Change-AG to PDM- Robert A. Taft Middle School subject to development plan being finalized. Tony Clark 2nd the motion, passed by voice vote 5-0.

Attorney Austgen suggested to direct the attorneys to complete the development agreement and get it back to the council and school board and incorporate all the conditions and agreements undertaken in the public meeting now and previously.

Tim Clayton stated the development agreement would need to be finished by Tuesday's meeting with everything in it so the council can vote. With no further business before the commission, Dave Anderson made motion to adjourn, Jim Hajek 2nd the motion, passed by voice vote 5-0.

NEW BUSINESS:



WINFIELD PLAN COMMISSION

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N/A

STAFF/ATTORNEY REPORT:

N/A

ADJOURNMENT: 6:18 PM

Attest:

Plan Commission Secretary

Plan Commission President
Transcriber: Haley Crnarich

DRAFT