

**Monrovia Plan Commission Meeting**  
**Monday February 13<sup>th</sup>, 2023**

**Call to Order:** The meeting was called to order at 6:30 pm with the Pledge of Allegiance led by Eddie Menzel and the prayer led by Philip Fowler.

Meeting was held at the Municipal Building 140 E Main St., Monrovia, IN

**Roll Call Present:** Eddie Menzel, Ed Olleman, Philip Fowler, Loren Moore, Bob Nicholls, Michael Conner, Tammy Everett, and Maryanne Taylor: Plan Administrator

**Roll Call Absent:** Brad Dove: Town Engineer, Jim Wisco: Town Attorney

**SPR 22-01** a continuous was requested by Holloway Engineering to table the Inglert Site Plan Review until March 14<sup>th</sup>, 2023.

**Motion to table until March 14<sup>th</sup>:**

- 1<sup>st</sup> Philip Fowler
- 2<sup>nd</sup> Bob Nicholls
- All in favor

**Motion Carries**

**Motion to approve January 10<sup>th</sup> Plan Commission Minutes as presented:**

- 1<sup>st</sup> Philip Fowler
- 2<sup>nd</sup> Michael Conner
- All in favor

**Motion Carries**

Philip Fowler did a brief recap of the Town Council minutes. The President and Vice President of Town Council remains the same with Philip Fowler as President and Kevin Collier as Vice President. An amendment to the Salary and Compensation Ordinance was approved. The expansion to the sewer plant and where the funds would come from was discussed. The Plan Commission went on to discuss flow from Hendricks County and their intentions after their sewer plant is built. Concerns over how many warehouses have come online were discussed. Eddie Menzel said if all flow from Hendricks County stops, then we would have more capacity. Michael Conner said that Mike Dellinger had asked the County for assistance with our sewer expansion since they had a vested interest since dissolving the buffer zone. Eddie Menzel said if there is development around the Town of Monrovia then someone needs to be at the County's Plan Commission meetings to represent our town. Loren Moore suggested we run sewer lines and a lift station to Keller Hill Road for future developments.

**Building Permits:** One demo permit was issued for January. Tammy Everett asked about the intentions of the Prescott's concerning the rehabilitation. Eddie Menzel said Sunco Construction

had said they may remove the second story and make it a one story structure. Tammy asked if that was allowed since it was a historic building. It was decided that we would contact Prescott and request he attend a meeting to discuss his plans.

**Old Business:** Discussions took place about the property at 155 E. Main street. Kyle and Janice Binhack attended the meeting at the request of the Plan Commission. The Plan Commission is recommending the Town Council put a timeline on the rehabilitation or demolition of the structure. A recommendation was made by Michael Conner that they have ninety days to get a building permit and until December 31<sup>st</sup>, 2023, to complete. Janice and Kyle Binhack have owned the property since September of 2021 with little to no improvements. Kyle stated they planned to start this year. Michael Conner asked Kyle which architect they were using, Kyle Binhack said John but did not give a last name or firm. Binhack asked what ordinance was being violated. Kyle stated that he could drag this out and asked about a home on Pray Street. Pictures of the home on Pray were passed around. Tammy Everett said we all agree we need to improve structures in Monrovia. Janice Binhack stated that we have went through a pandemic and that has held things up. Tammy Everett said a motion has been made and asked what was the next step. Everyone said that a second needed to be made. Tammy Everett seconded the motion and a vote was taken. All agreed but Eddie Menzel who stated that the Ordinance allowed one year once the permit was obtained.

Michael Conner read from the Code of Ordinances chapter 151.04 titles Unsafe Buildings Declared a Public Nuisance. Kyle Binhack asked who decides the structure is a nuisance. He said his opinion is the Homestead Subdivision is shameful and a nuisance. Kyle added that the structure is boarded up and he feels he has done everything he said he would do. Kyle asked about demo permits and asked if the Bar & Grill had a demo permit, they do.

February 9<sup>th</sup>, 2021, the property was inspected by, the Building Inspector, Eddie Menzel. Eddie said the home was unsafe.

On March 9<sup>th</sup>, 2021, the Plan Commission sent a recommendation to Town Council to demolish the home and place a lien on the property for cost incurred.

On April 26<sup>th</sup>, 2021, Town Council voted to proceed with the demolition.

On May 27<sup>th</sup>, 2021, Kyle Binhack came to the Clerk Treasurers office and expressed an interest to purchase the property. At the request of the Clerk Treasurer, he provided a written plan to demolish the home.

On June 22<sup>nd</sup>, 2021, Kyle Binhack came before the Town Council requesting the town not proceed with the demolition. Kyle was attempting to purchase the property, after which he will demolition with an estimated date of no later than September 2<sup>nd</sup>, 2021. Town Council agreed to not have their demo company demolish the home and place a lien, but to allow Kyle to demo it himself.

September 23<sup>rd</sup>, 2021, Kyle notified the Clerk Treasurer stating he had closed on the property and was considering two options, to have the home demolished or to have the home rehabilitated.



October 12<sup>th</sup>, 2021, Kyle Binhack came before the Plan Commission and discussed removing the second floor and rehabbing the home. Plan Commission stated they would need to consult with their attorney since there was a demolition order in place.

On November 19<sup>th</sup>, 2021, the Town Attorney, Jim Wisco sent a letter to Kyle expressing concerns about the change in plans and the length of time this has been an issue.

On February 22<sup>nd</sup>, 2022, a letter from the Town Attorney to Kyle Binhack stated that the home would be demolished, and a lien be placed on the property.

February 24<sup>th</sup>, 2022, our Town Attorney received a phone call from Dale Coffey on behalf of Kyle Binhack. After explaining to Dale Coffey that the town had an unsafe building ordinance Dale Coffey said he would advise Kyle to demolish the property himself or accept that the Town would do so.

On March 16<sup>th</sup>, 2022, Kyle Binhack stated to Town Attorney, Jim Wisco that during recent communications with some Council members it was inferred/stated that he could appear before the Council and request approval to keep a portion of the structure.

On March 18<sup>th</sup>, 2022, the Town of Monrovia paid Triad Engineering to conduct an inspection on the home. Triad met with Kyle and Janice Binhack at 155 E. Main and conducted their inspection. Triad stated that the owners intend to remodel the house as a one-story with a partial loft. The new pitched roof will have gable ends and metal roofing. Triad added that all new wiring, plumbing and HVAC will need to be installed. Also a new driveway will need to be installed to match the State Road 42 driveway cut. Triad added that based on the visual observations the existing framing appears to be stable and could be rehabilitated. The engineer recommends that the owner provide the Town Council with a plan for the residential structure to be rehabilitated and a timeline to achieve completion. The structure is partially protected from weather and needs to be weatherized as soon as possible to prevent further damage to structural components.

On March 22<sup>nd</sup>, 2022, Kyle came before the Town Council requesting to rehabilitate the home. Town council agreed to allow Kyle Binhack to rehabilitate the structure at 155 E. Main Street.

August 23<sup>rd</sup>, 2022, at the request of Town Council a letter was sent from the Town Attorney requesting Kyle takes action to correct the unsafe structure.

October 25<sup>th</sup>, 2022, A timeline of before winter, 12-21-2022, was requested and agreed to by Kyle Binhack.

December 12<sup>th</sup>, 2022, Kyle sent an email to the Town Attorney and Clerk Treasurer stating the open points and egress to the house had been secured as of 12-10-2022.

**Motion to recommend Town Council give Janice and Kyle Binhack ninety (90) days to acquire a building permit and until December 31<sup>st</sup>, 2023 to complete:**

- 1st Michael Conner
- 2nd Tammy Everett
- Ed Olleman, Philip Fowler, Bob Nicholls, and Loren Moore said yes. Eddie Menzel voted no because the timeline did not match the ordinance.

**Motion to Adjourn:**

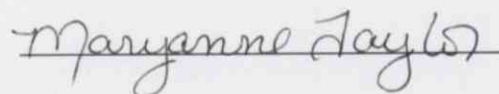
- 1<sup>st</sup> Michael Conner
- 2<sup>nd</sup> Philip Fowler
- All in favor

**Meeting adjourned at 7:55 p.m.**

Plan Commission President  
Eddie Menzel

Plan Commission Administrator  
Maryanne Taylor

  
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