

MINUTES OF THE MEETING
OF THE
DECATUR PLAN COMMISSION

Thursday, January 5, 2012
City Council Chambers, Decatur Civic Center

The January 5, 2012 meeting of the Decatur City Plan Commission was called to order at 3:04 P.M. in the City Council Chambers, Third Floor of the Decatur Civic Center, by Chairman John Mickler, who determined a quorum was present.

Chairman John Mickler introduced and welcomed new Plan Commission members Jack Myatt and Donald Smith.

Members Present: Bill Clevenger, Jim Grady, Steve John, Glenn Livingston,
Jack Myatt, Kent Newton, Donald Smith, John Mickler

Members Absent: Matt Dial, Susie Peck, Terry Smith

Staff Present: Suzy Stickle, Joselyn Stewart, Mary Cave,
Mark Smith, John Robinson, Janet Poland

It was moved and seconded (Livingston/Grady) to approve the minutes of the December 1, 2011 meeting of the Decatur City Plan Commission as presented. Motion carried with Jack Myatt and Donald Smith abstaining from the vote.

Mr. Steve John entered the meeting at 3:05 p.m.

New Business

Cal. No. 12-01 Petition of DANIEL L. DOUGHERTY, EXECUTOR
OF DAVID M. DOUGHERTY ESTATE to vacate the
Alley right-of-way located between the 200 Blocks of
East Grand Avenue and East Waggoner Street.

Ms. Suzy Stickle was sworn in by Mrs. Janet Poland.

Ms. Stickle presented the recommendation of staff:

The petitioner is requesting to vacate all of the remaining 16 foot alleyway between the 200 Blocks of East Grand Avenue and East Waggoner Street. The vacation will enable the petitioner to control the alley and utilize the area as part of their property. The petitioner owns property on both sides of the L- shaped alleyway.

The petitioner owns all the property adjacent to the north/south portion of the alleyway. The petitioner owns property on both sides of the east/west portion of the alleyway but does not own the properties adjacent to the most eastern 84 feet of the alleyway. Both property owners adjacent to the most eastern part of the east/west portion of the alleyway have been notified and no objections were expressed. Both property owners have clearly defined their properties with fences and have no direct access to the alleyway.

Letters were sent to AmerenIP, Comcast Communications, and AT&T notifying the utility companies of the vacation request and no objections to the proposed alleyway vacation were expressed.

An appraisal was conducted on the approximately 5,000 square foot L-shaped alleyway. The proposed vacated alleyway has an estimated market value of \$1,000.00 which will be paid to the City. A second appraisal is not required.

The formal vacation of this alleyway does not appear that it will have an adverse affect on the general public.

Staff recommends approval of the alleyway vacation with the following conditions:

- a. All easements shall be maintained.

The Administrative Policy of the City of Decatur requires that property vacation requests be submitted to the Plan Commission for a public hearing. Although a Plan Commission recommendation is not required, a motion to forward the vacation request of Calendar Number 12-01 to the City Council with a recommendation for approval is suggested.

Mr. Dan Dougherty, representative, was sworn in by Mrs. Poland.

Mr. Dougherty stated he is the executor of the estate of his father, David Dougherty, and that his father had started the process to vacate the alley before he passed away. All of the property around the alley is owned by the estate of David Dougherty and he would like to put the property together to sell it.

There were no questions and no objectors present.

It was moved and seconded (John/Livingston) to forward Cal. No. 12-02 to the City Council with recommendation for approval as presented by staff. Motion carried unanimously.

Chairman Mickler stated that calendars have been handed out with the dates of meetings for 2012.

It was moved and seconded (Livingston/Newton) to adjourn the meeting. Meeting adjourned at 3:09 P.M.

Terry Smith, Secretary
Decatur City Plan Commission