

Town of Michiana Shores
601 El Portal Dr.
Michiana Shores, IN 46360-1175
Office Phone: (219) 874-3193 • Fax: (219) 874-3770

Advisory Plan Commission
Meeting Minutes of April 7, 2020 7:00 pm

The Regular Meeting of the Plan Commission of the Town of Michiana Shores was convened at 7:00 pm on Tuesday, April 7, 2020. At the time leading up to this meeting, the country was facing a pandemic outbreak of the novel coronavirus COVID-19. In response, Indiana Governor Eric Holcomb issued a series of Executive Orders which, among other things, declared a public health emergency and suspended various state statutes. On March 18, 2020, Town Officials were notified that the Michiana Shores Fire Station and Public Meeting Room were closed to the Public by order of the Chief of the Michiana Shores Fire Department. On March 23, 2020, the Governor issued Executive Order 20-09 which specifically addressed public meetings and the Indiana Open Door Law. The Executive Order along with the opinion and Guidance issued by the Indiana Public Access Counselor (“PAC”) allowed for meeting to be held by videoconference or by telephone conferencing. This allowance remains in effect for the duration of the public health emergency that was declared in Executive Order 20-02. Thus, this allowance was in effect on the night of the virtual meeting of the Plan Commission.

In accordance with the PAC Guidelines, notice of the virtual meeting replacing the meeting at the Fire Station Public Meeting Room and access to the virtual meeting by videoconferencing was posted on the Town’s website in advance of the meeting.

1. Meeting called to order by Howard Jablon at 7:00 pm, via Zoom. All members remote. Public can access via Zoom invite posted on the Town website.

2. **Roll Call:**

Howard Jablon – President	Present
Matt Bowen, Vice-President – Citizen Member	Present
Mike Lancioni – Council Appointment	Present
Michael Martinez – Council Appointment	Present
Pam Dubie – Council Appointment	Absent
Ray Dumbrys – Citizen Member	Present
Ralph Box – Citizen Member	Present
Steve Thomas - Building Commissioner	Present
Jeffrey Gunning - Attorney	Present
Daina Dumbrys – Acting Recording Secretary	Present

Dan Coffey - guest

3. **Agenda:** Howard Jablon requested approval of the agenda. Matt Bowen moved to accept, Ralph Box seconded, all present approved by show of hands and voice: 6/0.

4. **Minutes of the March 3, 2020 meeting:**

Approval of minutes from the 3/3/2020 meeting. Matt Bowen moved to accept the minutes, Mike Lancioni seconded. All approved by show of hands and voice. 6/0

5. **Old Business:**

Consideration of the Amended Proposal to Amend the Special Use Provisions of the Zoning Code of the Town of Michiana Shores.

Atty Gunning spoke to explain in detail what amending Ordinance 2020-01 into Ordinance 2020-02 would accomplish. He also said that the Plan Commission has the option to a. approve, b. decline or c. take no action on the proposal.

Mike Lancioni moved to accept the document as presented – which is now the combined Ordinance 2020-01 into ordinance 2020-02. Matt Bowen seconded the motion. Interim secretary Daina Dumbrys called for a Vote by Roll Call:

- i. Howard Jablon – Aye
- ii. Matt Bowen – Aye
- iii. Ralph Box – Aye
- iv. Pam Dubie – not present
- v. Ray Dumbrys – Aye

- vi. Mike Lancioni – Aye

- vii. Michael Martinez – Aye

Motion Passed by Roll Call Vote 6/0

Ralph Box asked for clarification: will there now be only one document or still two? The answer was that there will now be only one new document: Ordinance 2020-02 adds ordinance 2020-01 into 2020-02. Atty Gunning confirmed.

The Town Council has to approve this new document because at the last Council meeting 2020-02 had only the 1st reading. Before reaching the Town Council the document will be reformatted. All contents will remain the same.

Howard Jablon thanked Ralph Box for his questions and Atty Gunning and Mike Lancioni for their clarification.

Citizen Dan Coffey interjected, asking where the Plan Commission got the authority to cancel the scheduled, live, in-person meeting for this date and instead holding of this virtual meeting, and whether the Plan Commission can vote on something without the people seeing the document?

Attorney Gunning responded that the virtual meeting was authorized by the Governor's Executive Order 20-19 due to the coronavirus (COVID-19) pandemic and allowed a virtual meeting in place of the in-person meeting.

Mike Lancioni pointed out that the Governor of the State of Indiana had extended the order that he had put in place earlier through at least 23rd of April, and maybe longer.

This new Ordinance will need to be published in a qualified newspaper before it goes into law.. Atty Gunning will get the correct form over to Clerk Treasurer in order to complete this requirement when the Town Council passes the new Ordinance 2020-02.

6. Commission Comments:

a. Howard Jablon mentioned that future meetings may still take place remotely, not in person.

President Howard Jablon adjourned the meeting at 7:25 pm.

Next meeting date: To Be Determined.

Minutes submitted by:

Daina Dumbrys, Interim Secretary

Howard Jablon, President