

**PUBLIC HEARING VACATING ALLEY WAYS FOR
PROPERTIES ABUTING:
E. MARION, CHURCH, VINE, HIGH, SUMMIT,
JACKSON STREETS**

**SEPTEMBER 20, 2023
6:30 PM**

Public Hearing called to order at 6:34 PM.

Council Present: Mr. Mark Hammer, Mr. CJ Gadosik, Mrs. Kay Kerr, Mr. Doug Nestor, and Mr. Tim Smith. Also, present Mayor Lindeman, Village Administrator Kim Ferencz, Fiscal Officer Kristen Robison and George Smerigan.

Audience present: Amber Brock, Deric Martin, Pam Shipe, Vicky Deangelis, Sarah McCall, Bob McCall, Cathy Kiel, Yvonne Hutchinson (Swinehart), Jim Hutchinson, Ed Uhl, Chief Tester, Kevin Milburn, Jorge Vega, Kevin Bower, Linda Fenn.

Mayor called the meeting to order. George Smerigan went over why the alleys were their originally, stated the Village has no need or desire to ever turn these alleyways into roadways in the future. According to state law, if the village has no need for these alleyways, they must go through the procedure of vacating these alleyways. Property owners who abut these alleyways will gain one half of the alley from the centerline of the alley to their current property line. If Council approves the vacation of the alleys, the Village will record this at the county recorders office, and the land that was the alley will be divided in half to each property owner and will be added to each person's property. There is no cost to the property owners for any of these transactions, it merely a transfer of ownership. Audience members with questions or comments were requested to come forward to the microphone and state their name and address for the record. Council will vote on this issue at the Council meeting following the hearing.

The Summary of questions/comments will be listed only.

Sarah McCall – 577 High Street: QUESTION: Will this increase property taxes? GEORGE SMERIGAN: The amount of land gained is small. Cannot answer for sure, but has not seen this happen in the past. QUESTION: How will landowners know exactly where their new property lines are? GEORGE SMERIGAN: Because this will be recorded at the County, any future surveys will show this additional land as being yours. The Village will not have these properties surveyed. QUESTION: How long will this process take to see the change at the County? GEORGE SMERIGAN: If the ordinance is passed tonight, this should all be done within a month. QUESTION: Asking for another property owner who is not present, what happens if a property owner does not want the land? GEORGE SMERIGAN: Since the Village will be giving up their rights to these alleyways, by law the Village has to divide the property equally between the abutting properties. If one of the abutting neighbors don't want it, they would have to transfer that portion back to their neighbor. The village cannot do this so it would be between the neighbors.

Ed Uhl– 529 High Street: QUESTION: Why can't it be left the way it is? GEORGE SMERIGAN: The Village has no use for the land, and there are financial liabilities by keeping it. There is cost and expense. If trees come down, we would have to take care of that. The reason these were named in the beginning was to turn them into a public right of way. Right now, anyone could go on the property as it is public land.

Pam Shipe – 517 High Street: QUESTION: Purchased property 6 years ago, and driveway was already in the right of way but is unaware of how much. GEORGE SMERIGAN: I cannot say definitively how much of the drive is in the right of way. The majority of the alleys already have many encroachments which are a liability to the Village. Vacating the alleys will clear many of these up as they will now actually be on their own property. This will have to be handled between the abutting neighbor.

Jorge Vega – 236 Church & 46 Vine: QUESTION: Owns both properties listed. Can we now fence these together? GEORGE SMERIGAN: Yes. As long as the fence is on your properties.

Amber Brock – 164 Church: QUESTION: Currently people are using the alleyway to access other parts of town. Will this now be trespassing? GEORGE SMERIGAN: Yes. The Village may put a temporary sign saying it is now private property.

Public Hearing ended at 6:50 pm