

Held

April 12, 2011

OPENING OF MEETING

Mr. Deters called the meeting to order at 6:02 PM. Mr. Ritter, Mr. Wolterman and Mrs. Harlow were in attendance.

EXECUTIVE SESSION

Mr. Reuter requested the Board enter Executive Session for the purpose of discussing matters related to pending litigation and matters related to the employment and compensation and benefits of public employees or officials.

At 6:03 PM, Mr. Ritter made a motion to enter Executive Session and Mr. Deters offered the second. No discussion and the roll was called:

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Mr. Deters reconvened the meeting at 7:06 PM. Mr. Reuter said no decisions or actions were made in Executive Session.

INVOCATION

Mrs. Harlow offered the invocation.

PLEDGE OF ALLEGIANCE

All recited the pledge of allegiance.

PRESENTATIONS**Hamilton County Communications Center Award**

Vincent Taylor, age 4, was awarded the "911 Hero Award" from the Hamilton County Community Communications Center, for his actions during a "911" emergency call to help his mom when she fell in their home on March 3, 2011. Parents Nicole Hammersmith and Robert Taylor smiled with pride as Vincent was presented his medal along with a 911 hero t-shirt, certificate, and a Cars-themed skateboard. The "911 Hero Award" has been presented only 20 times over the past 15 years. Vincent is one of the youngest children to receive the award.

Mr. Deters thanked our communications center and safety services. He also congratulated Vinney's parents for raising a fine young man.

Ohio Citizens Action Committee – Melissa English

Ms. English commended the Board for resisting the landfill expansion this far. She said her organization has sent letters and children's drawings to the company to discuss the alternatives to expansion. She said a 2004 Ohio Department of Natural Resources study found that over 75% of residential and commercial waste could be recycled. She discussed "zero waste" goals and said this is a change in current economic system, making it more into a cycle like nature. There is no waste in nature. She said this must be a national and international effort. She provided a basic recipe for 75% waste diversion, which includes providing large recycling bins and rate structure incentives. It is important to remove the perceived recycling costs barrier though the design of contracts. The first step is to set goals and plans. She said that her group will continue to oppose the expansion and they collected 400+ post cards in 8 days, which she presented to the Board. She said the good work that Rumpke does for the community does not compensate them for what they've put us through. She said that we should be the example of waste diversion. We have a 5% recycling rate now because it is inconvenient and an added expense. She encouraged the Board to set a township goal for waste diversion.

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Mr. Wolterman thanked Ms. English for the presentation.

Mr. Ritter also thanked her for the presentation.

Fiscal Officer's Presentation

Mrs. Harlow offered a presentation, to summarize the observations and recommendations from Clark Schaefer Hackett's review of the accounts payable process. She also offered her proposals for implementing their recommendations or explained reasons for not implementing them at this time. This presentation is attached to these minutes as Attachment I.

Mr. Ritter said this presentation validated the purpose of the full evaluation.

Mr. Wolterman said that Mrs. Harlow should meet with administrators and managers to make sure they understand where she's coming from and how what they do fits in to the picture.

Mr. Deters asked about the UAN software upgrade and Mrs. Harlow said that it will have increased capabilities, but probably not on-line approval of POs and invoices.

PUBLIC HEARING – Lighting District – Red Hawk Court

Mr. Foglesong said the Trustees were presented with a petition on March 7, 2011 for a lighting district located on Red Hawk Court (Blue Meadow – Phase IV) within Colerain Township. The required 51% front footage signatures have been received with 100% in favor. This is a new development, with currently one owner. Cost of the lighting to this property owner for the first year is approximately \$300. One new light will be installed in this phase as soon as scheduled by Duke Energy. The developer has agreed to pay the cost of the light at this time so the development schedule can continue. They will continue to pay until construction has been completed and assessment received from Hamilton County.

Mr. Ritter made a motion to open the hearing and Mr. Wolterman offered a second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

No one wished to speak.

Mr. Wolterman made a motion to close the hearing and Mr. Ritter offered a second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

Mr. Foglesong read Resolution 28-11, "Blue Meadow Farm Phase IV Red Hawk Court Lighting District."

Mr. Wolterman made a motion to approve the resolution and Mr. Ritter offered the second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

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POLICE REPORTS

Lt. Schoonover of the Hamilton County Sheriff's Office said the following statistics would be reported at the April 26, 2011 meeting.

Police Chief Meloy said the Township's statistics would be reported at the April 26, 2011 meeting.

TRUSTEE REPORTS**MR. WOLTERMAN**

Mr. Wolterman extended Happy Easter and Blessed Passover greetings to everyone.

MR. RITTER

Mr. Ritter said last year there was a bill in the Ohio House to allow Townships to have a community court. He encouraged Representative Blessing to get this re-introduced in this session of the General Assembly. He said that we would save a lot of overtime as well as retain fees that are now paid to the county.

Mr. Ritter asked if the other trustees reviewed his Sick and Vacation Time Policy suggested revisions.

Mr. Deters said that he did review and that this is important to consider. He is not inclined to decide on it at this time. Cities and townships across the state and county are in dire straits due to some poor choices in sick and vacation policies. This was hatched with the idea of, "what if we can't make these payments?" We face budget tightening and alternatives in this landscape. He would like to see what the cuts would do. He said that employees should not take this as a personal attack as they are a very valuable part of what we do. He has not yet made up his mind, but it's an important discussion to have.

Mr. Wolterman said that in 1987 to 88, the Board did look at accrual of sick time at 100% with no cap. The Trustees at that time placed the cap of 1440 hours and at retirement, at 25% of the 1440 hours. He wishes this proposal would have been brought through the department managers first to ask them to ask for their feedback. There is fervor right now against public employees. The Township is managed well, with a recent rating of AA1 by Moody's. Personnel should be paid a livable wage. He takes offense when people want to take public employees and lay the fiscal woes on their feet. The program we offer is fair and reasonable. Any changes should be discussed with managers and administration.

Mr. Ritter said it is a great privilege to serve along with our employees. They are the most decent people he's worked with in his lifetime. He said his intention was not to insult anyone and said there could have been a different approach. But, he said the performance appraisal process took five years to implement. He said the biggest problem is the cash out as that is out of line with 90% of what's out there. Cashing out one's accrued sick time, may have been appropriate at some point in years past; but not now. Under the vacation time policy changes, he said it is much better to offer three weeks of vacation after two years of service. He said that we need to confront a new reality.

MR. DETERS

Nothing to report.

Citizen Address

Mr. Terry Cook of 11894 Kitrun Ct, stated that he owns properties 3-4 miles near the landfill. He moved here in 1978. Rumpke has expanded endlessly in that

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time. There is added traffic, smog and smell. There is a down turn in property values. He offered the Board his encouragement to keep up the good fight for all of us.

Mr. Deters said they are going to appeal the decision of the court of appeals to the Supreme Court.

Caren Whitcomb of 11739 Elkgrove Ct, asked the possibility of settlement talks with Rumpke. She discussed a city in Pennsylvania township where it settled with landfill, which set a precedent. The city received a new town hall, playground, and free trash pick-up, all from the tipping fees. Each resident receives an annual check for \$6,000. She said that hosting a landfill in a community comes at a high cost. Rumpke is just 3,000 feet from Northwest High School and Bevis Elementary. She said that we don't want increased pollution and lowered property values. No new landfill.

Bernie Fiedeldey, of 7822 E. Miami River Road, asked about the status on the Raisch property on East Miami River Road. Mr. Reuter said that we've opened discussions again with the Raisch family. The family is identifying in writing a list the items on their real estate that are of value: not trash, but collectables. He hopes to have that list very soon. Mr. Fiedeldey said that this has been going on for years. Mr. Reuter said they have a concern that the Township will over-reach and this process to work cooperatively, is putting those fears to rest. Mr. Fiedeldey said there are a few other properties that need work as well. East Miami River Rd is "a bad ride to such a nice park" (Heritage Park).

Mr. Fiedeldey thanked Mrs. Harlow for posting the minutes from the Financial Advisory Committee on the website.

UNFINISHED BUSINESS

ZONING

Journalization of Decision on ZA2010-05

Dr. Roschke read, by caption, Resolution 28-11, "Resolution Denying ZA2010-05."

Mr. Wolterman made such motion and Mr. Ritter offered the second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

6683 Springdale Road

Dr. Roschke said this property was on the nuisance resolution at the last meeting. Since we said told the homeowner we were ready to begin proceedings to abate his property and charge him for the costs, he began to clean up. Dr. Roschke showed some before and after photos of the process. She said we took him to housing court housing court 2-3 times.

Mr. Wolterman asked if we are making headway in Judge Mock's court.

Dr. Roschke said we are making good progress in dealing with the judge and bailiff. We have re-worked our paperwork and are on the way to make good progress. Because some people don't come to court, a capius is issued.

Mr. Ritter said that he worked with Dr. Roschke to put a metric on the monthly dashboard to track the average number of days to resolve closed cases.

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Mr. Deters said this is a minor misdemeanor and 30 days is considered a speedy trial.

Complaints on Redskin/Bevis Area

As information, Dr. Roschke said that 12 property maintenance citations were sent for driveways, aprons, paint, etc. The illegal structure with graffiti was removed while the inspector was still on-site.

ADMINISTRATION**Zoning Board Appointments**

Mr. Foglesong submitted the following appointments for consideration:

- Zoning Commission: Dan Temming, regular member; Colleen Smith, alternate member; and Mike Riesenber, alternate member.
- Board of Zoning Appeals: David Radabaugh, regular member and Ron Roberto, alternate member.

Mr. Ritter made such motion and Mr. Wolterman offered the second.

The roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

NEW BUSINESS**FIRE DEPARTMENT****Seasonal Employees**

Chief Smith requested the Board hire Luke Eschenbach and Colby Bowman as first year hydrant employees, at the rate of \$9.00/hour. He also requested the Board approve pay rate changes for Benjamin Schneider, to \$10.50/hour, 4th year employee, and for Benjamin Endres, to \$10.00/hour, 3rd year employee. All of these are effective April 12, 2011.

Mr. Wolterman made such motion and Mr. Ritter offered the second.

Mr. Ritter said there was a volunteer effort in his company via the United Way to where employee teams did hydrant maintenance for a service project. He suggested that this is a possible volunteer effort.

The roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Donation Acceptance

Chief Smith requested the Board accept a \$100 donation from Judith A. Bloom.

Mr. Wolterman made such motion and Mr. Ritter offered the second. The roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

ISO Inspection

Chief Smith said the ISO has completed their field inspection of the department and has indicated the Board will receive a letter containing their findings in six to eight weeks.

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POLICE DEPARTMENT**Pay Journalizations**

Chief Meloy presented the following pay journalizations for the Board's information:

Effective April 7, 2011, per the current collective bargaining agreement, Officer Melissa Johnson will receive her "annual" step increase. She will move from "Step 3" to "Step 4" to an annual wage of \$59,438.29. Copy of the "journalization" has already been forwarded to Fiscal Officer.

Effective April 23, 2011, per the current collective bargaining agreement, Officer Joseph Carter will receive his "annual" step increase. He will move from "Step 3" to "Step 4" to an annual wage of \$59,438.29. Copy of the "journalization" has already been forwarded to Fiscal Officer.

PUBLIC WORKS DEPARTMENT**Tree Removal for Right-of-way**

Mr. McClain said that we received price quotes to remove 30 trees/stumps and 49 stumps from within the Township right-of-way in response to the request of property owners. He recommended the project be awarded to JR's Trees, LLC, who had the lowest price quote at \$7,630.

Mr. McClain said these trees can be a problem with the roots causing damage to sidewalks as they are growing underneath and pushing the sidewalk upward.

Mr. Ritter said that he was prepared to deny this request, but Mr. McClain provided an excellent explanation of why this is needed.

Mr. Ritter made such motion and Mr. Wolterman offered the second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

Rock Salt Purchase

Mr. McClain requested the Board authorize him to make a purchase of 2,200 tons at \$59.40/ton totally and not to exceed \$130,680.00 with Morton Salt. He said this is the same price as last year and he is purchasing the maximum amount. Since it is only 2,200 tons, he will still pursue ODOT purchasing when that becomes available.

Mr. Wolterman made such motion and Mr. Ritter offered the second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

PARKS & SERVICES**Seasonal Employees**

Mr. Schwartzhoff requested the Board approve the following employees for seasonal employment:

Name	Position	Hourly rate	Start date
Ryan Burgess	Seasonal Maintenance	\$9.66	4-18-11
Krista Lovewell	Camp Director	\$14.43	4-16-11
Greg Insco	Camp Co-director	\$11.71	4-16-11

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Danielle Hase	Counselor	\$8.98	4-16-11
Jared Foglesong	Counselor	\$8.98	4-16-11
Grant Foglesong	Counselor	\$9.82	4-16-11
Kelsey Barge	Counselor	\$9.82	4-16-11
Catherine Voegle	Counselor	\$9.26	4-16-11
Jay Volker	Counselor	\$8.72	4-16-11

Mr. Wolterman made such motion and Mr. Ritter offered the second. The roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Donation Acceptance

Mr. Schwartzhoff requested the Board accept a donation of \$4,000 given anonymously by a client of Edward L. Petrosky, CPA. He said he would like to use this gift as the match to the \$35,000 Kaboom grant, if it is received.

Mr. Wolterman made a motion to accept the donation and Mr. Ritter offered the second. The roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

ZONING

Nuisance Resolution

Dr. Roschke read, by title, Resolution 30-11, Nuisance Abatement.

Mr. Wolterman made such motion and Mr. Ritter offered the second. The roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

Sidewalk Waiver Request

Dr. Roschke said the request is to waive 1,691 feet of sidewalk on the east side of Gaines Road, north side of Sheed Road, Blackwolf Run, and Shadowleaf Lane. She said the amount of payment in lieu of sidewalk is calculated as the total lineal feet of sidewalk to be waived x \$26/ft x 80%. This is \$35,172.80.

C. Francis Barrett of 105 E. 4th Street, is the attorney representing Decker Builders. He said the request covers the east side of Gaines Road, north side of Sheed Road, Blackwolf Run and Shadow Leaf Lane. The request is to waive the sidewalk requirement. There are no sidewalks on Gaines Rd or Sheed Rd in the vicinity and to accommodate pedestrian access is neither desirable nor appropriate. He said that they would need massive retaining walls. He said there are already sidewalks within the subdivision, but this is asking for a waiver on the exterior streets as there are four miles of road with no sidewalks. He requested the Board do two things: 1. adopt a resolution telling the Hamilton County Engineers office that sidewalks are not required and 2. that funds need not be allocated and should be released.

Mr. Ritter said the waiver itself is a "no-brainer," but should be contingent on funding being submitted.

Mr. Reuter said that the 2006 resolution says that the application "shall" deposit the funds.

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Mr. Wolterman said that if the money is at the county, we need to find a mechanism to transfer to it to the Township. He agreed that the variance is OK, but they need to submit for funding.

Jeff Decker, president of Decker Builder Group, said there were never going to be sidewalks at the perimeter of the development. This was never required on any plot plans. He is not paying a penny because it was never going to be put in. This is unfair in this economy and there is no way he can afford to pay 80% on someone else's sidewalks. The development was approved before 2006. There is no money in an account, just his signature.

Mr. Wolterman said he was not here when this was started. The bond was necessary for the building permits to move forward. He has no problem with waiver and the 80% policy is fair.

Mr. Wolterman made a motion to approve the waiver and Mr. Ritter offered the second.

Mr. Deters said these are beautiful homes which have no doubt improved our Township. However, the Board must vote based on the resolutions in our township.

Mr. Fiedeldej said that he heard that the subdivision was approved before the resolution was passed and the Board may want to take that in to consideration.

Mr. Deters suggested the Board table this vote until the next meeting to get clarity on that.

Mr. Decker said this is a custom home development, which takes 3-4 years to do a development. He was held up for five years and wouldn't need to do this if he wasn't held up.

Mr. Deters requested the board table this matter.

Mr. Wolterman said that this can wait and it needs to be fair. It is our discretion, but needs to implement on a 100% basis, not per development.

Mr. Deters offered a motion to table this request. Mr. Ritter offered the second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

APPROVAL OF MINUTES

Mr. Wolterman made a motion to approve the February 22, 2011, regular meeting minutes as amended. Mr. Ritter offered the second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

Mr. Ritter made a motion to approve the March 22, 2011, regular meeting minutes as amended. Mr. Wolterman offered the second. The roll was called:

Mr. Deters. "Aye"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

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FISCAL OFFICER REPORT

Mrs. Harlow said financial reports are available for viewing at the Administration Office weekdays during regular business hours; or you can call or email to receive information.

Mrs. Harlow asked for approval of payroll, purchase orders, and receipts.

Mr. Wolterman made such motion and Mr. Ritter offered the second. The roll was called:

- Mr. Deters. "Aye"
- Mr. Ritter. "Aye"
- Mr. Wolterman. "Aye"

The Fiscal Officer has recorded the following receipts:

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
154-2011	Police Dept.	February Reports	5.40
155-2011	Sr. & Community Ctr.	Membership \$150, Classes \$20, Rent Event Dep. \$700, Rent Event Fee \$350, Lunch \$23.50, Transportation Donation \$5	1,248.50
156-2011	Police Dept.	Salaries	16,242.15
157-2011	Police Dept.	Court Reimbursement	138.00
158-2011	Sr. & Community Ctr.	Membership \$140, Classes \$558, Lunch \$39	737.00
159-2011	Police Dept.	Court Reimbursement	18.00
160-2011	Parks & Services	Shelter Rental, Clippard Park Vending Machines	1,004.59
161-2011	Parks & Services	Shelter and Baseball Field Rentals	530.00
162-2011	Fire & EMS Dept.	Postage Reimbursement	1.38
163-2011	Fire & EMS Dept.	Foster Care	15.00
164-2011	Rumpke Sanitary Landfill	Solid Waste Disposal Fee – Feb.	57,772.59
165-2011	Hamilton County Auditor	2nd Semi-Annual RRI Awards	11,146.04
166-2011	Hamilton County Auditor	Motor Vehicle Reg. Excess IRP	1,229.34
167-2011	Hamilton County Auditor	March Gas Excise	24,334.92
168-2011	Hamilton County Auditor	Tipping Fees	479.39
169-2011	Hamilton County Auditor	Feb. Munc. Court Fines, Feb. Perm. Motor Veh.	37,306.12
170-2011	Hamilton County Auditor	Motor Veh. Reg. Feb., Local Gov. Hgwy. March, LFG March	55,066.53
171-2011	Sr. & Community Ctr.	Membership \$70, Lunch \$28	98.00
172-2011	Police Dept.	Court Reimbursement	6.00
173-2011	Parks & Services	Shelter and Concession Rentals	380.00
174-2011	Fire & EMS Dept.	Plan Review	75.00
175-2011	Fire & EMS Dept.	Plan Review	75.00

RECORD OF PROCEEDINGS

Minutes of

REGULAR

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

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176-2011	ARPCO – OTARMA Pool	Partial Reimbursement for Funds Paid into the Operational Cumulative Reserve Fund	15,281.13
177-2011	Public Works Dept.	Snow Removal, Permits	1,837.16
178-2011	Police Dept.	Salaries	259.18
179-2011	Police Dept.	Court Reimbursement	72.00
180-2011	Police Dept.	Tow Fee – Engels	285.00
181-2011	Police Dept.	Court Reimbursement	60.00
182-2011	Public Works Dept.	Snow Removal	2,644.34
183-2011	Zoning Dept.	Certificates	930.00
184-2011	Parks & Services	Shelter Rentals	490.00
185-2011	Fire & EMS Dept.	Inspection Fee	15.00
186-2010	Police Dept.	Insurance reimbursement	32.18
187-2011	Sr. & Community Ctr.	Membership \$47.50, Classes/Events \$1090.26, Rent Event Dep. \$350, Rent Event Fee \$350, Lunch \$63.50, Refreshments \$5	1,906.26
188-2011	Police Dept.	March Reports	3.10
189-2011	David Foglesong	Cell Phone Usage	20.00
190-2011	Police Dept.	Court Reimbursement	6.00
191-2011	Parks & Services	Shelter and Baseball Field Rentals	600.00
192-2010	Sr. & Community Ctr.	Membership \$70, Classes/Events \$45, Lunch \$12, Transportation Donation \$5, Refreshments \$1139.25	1,271.25
193-2011	Police Dept.	Immobilization Fee	140.00
194-2011	Sr. & Community Ctr.	Membership \$80, Classes/Events \$244, Lunch \$19.30	343.30
195-2011	Hamilton County Auditor	Lighting Districts and Nuisances	228,304.10
196-2011	Hamilton County Auditor	1st Half Real Estate Settlement	218,178.08
197-2010	Hamilton County Auditor	1st Half Real Estate Settlement	54,412.11

Mrs. Harlow said the minutes from the first two meetings of the Financial Advisory Committee have been posted on the "forms and documents" section of the website.

Mrs. Harlow said she received a stock transfer request from the Ohio Division of Liquor Control for the Famzay Business Ideas Inc., DBA La Canasta Groceries, 7812 Colerain Ave., Cincinnati, OH 45239. Mrs. Harlow said she spoke with Chief Meloy and Dr. Roschke about this and neither saw the need for a public hearing. The Board agreed.

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Mr. Deters offered a motion to recess at 8:57PM. Mr. Ritter offered the second.

The roll was called:

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

The Board reconvened at 9:06PM.

PUBLIC HEARING

ZA2011-01 7161 Eagle Creek, American Scaffolding

Dr. Roschke presented the staff report. This is a request for a zone amendment from R-2, estate residential, to PD-B, planned business district. This is a rezoning of a portion of the parcel. This parcel is split into R-2, R-3, and RF zoning districts. The R-2 area has a history of and continues to be a non-conforming use. This property is located at the northwest corner of Eagle Creek Road and Harrison Ave.,

Scott Huber of Abercrombie and Associates on Compton Road spoke for the applicant. He said this is the reconstruction of an existing building. He current building is 40x113 feet with structural damage. It was not designed properly and has foundation problems. Their plan is to replace it with a two-story building, 40'x144'. He said they are requesting an amendment to replace this damaged building. PD-B is most appropriate zoning as it's in compliance with the comprehensive plan, land use plan and zoning map. He said they have no landscape plan as they are leaving existing trees. He said gravel is the best use for application, not a pervious surface, as they will be running heavy equipment in the area.

Mr. Wolterman said he has no questions.

Mr. Ritter made a motion to open the public hearing. Mr. Wolterman offered the second. The roll was called:

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Bernie Fiedelley of East Miami River Road said he is not against this project at all. It is a viable business. He said there is no water retention on the site, but are several catch basins. He said that the Board should bring that to the attention of Public Works to review this and take care of flood water. He said the Landscape Advisory Board said the existing vegetation along Eagle creek is adequate. He said the Board has the opportunity to fix this now, as it's not attractive. They have the opportunity to require landscaping. Why wait until future development?

Mr. Ritter made a motion to close the public hearing. Mr. Wolterman offered the second. The roll was called:

Mr. Deters. "Aye"

Mr. Ritter. "Aye"

Mr. Wolterman. "Aye"

Mr. Wolterman said he listened to both sides and they have good points. Mr. Fiedley makes good points, but this building is not near Harrison Ave. There is no place to put a sidewalk. He agrees that we should waive impervious parking surface requirement as gravel serves a better purpose in this area. The parcel is well kept and clean. If the southern portion is completed, he expects a landscape plan.

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Mr. Ritter said he agrees with Mr. Wolterman.

Mr. Deters said there were good points made about the landscaping. He said a lay person might think this is scrap that they can see from the road. He said the Board has duty to be consistent. Another business required landscaping. Is it a financial burden doing this now? Why wait? He has significant interest in being consistent with other businesses in the area.

Mr. Wolterman asked how far the building is from Harrison Ave.

Mr. Huber said it is about 600' north of Harrison Ave.

Mr. Deters said the PD-B zone change request opens the entire property

Mr. Huber said they will still have three different zonings and when they do future buildings that would need approval from the Board. They will do landscaping then so it actually shields something.

Mr. Deters asked why they would want to wait.

Mr. Huber said that since zoning meeting, they decided to re-locate some items. He said they do have a concern that landscaping would take up valuable space.

Mr. Wolterman made a motion to approve the zone change with recommendations from the Zoning Commission and Mr. Ritter offered the second.


Dr. Roschke said the Zoning Commission didn't have Landscape Advisory Board recommendation when they voted.

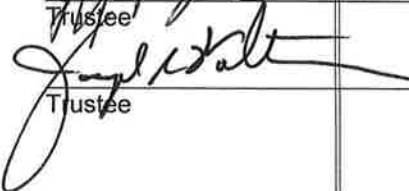
The roll was called:
Mr. Deters. "Nay"
Mr. Ritter. "Aye"
Mr. Wolterman. "Aye"

ADJOURNMENT

With no further business to come before the Board, at 9:57 PM, Mr. Wolterman motioned for adjournment. Mr. Ritter offered a second.


Fiscal Officer


Trustee

Trustee

Trustee