

**Meeting Minutes**  
**Waverly Municipal Planning Commission**  
**Special Meeting**  
**May 26, 2005, 2p.m.**  
**Waverly Municipal Building**

The Meeting commenced at 2:05 p.m. with Commissioners: Frank Perry, Jeff Allen, Mike Corwin and Barbara Early present, Mayor William Kelly arrived late at 2:30 which was reported prior to the meeting. No one from the public attended the meeting. Mr. Nathan Davis, Community Development Director for the City opened the meeting by welcoming everyone and explaining that he had taken the liberty of drafting a set of By-Laws for the Commission with the assistance of Commissioner Frank Perry.

Mr. Davis began reading the draft by-laws beginning with the legal definitions of section I. Finding section I to be in order, the commission allowed Mr. Davis to read section II which addressed the Purpose of the Commission. The purpose was summarized by a reference to Article IX, Section 3, and sub-section b. of the Waverly City Charter, which was read aloud by Mr. Davis. Finding no need for corrections or additions to section II. the Commission aloud Mr. Davis to read Section III which summarized the membership of the Commission. Subsections A-E of Section III was found to be in order by the Commission. Subsection F which addressed qualities desired for future Planning Commissioners was modified by defining the preferred qualities to be as follows:

- *Potential planning commissioners should have a length of residency in the City of at least 5 years.*
- *No individual who has been convicted of a felony shall be allowed to serve as a planning commissioner.*

Subsection G of Section III was revised to read as follows:

- *Officers shall be elected annually at the regular meeting in May, with nominations for officers being submitted to the Commission no later than the date of the annual regular meeting held in April. Only members who have served at least one year and are considered to be in good standing by the Commission shall be allowed to be nominated as Officers.*

Subsections I and J were accepted as is, while Subsection K was revised to read as follows:

- *Any member of the Commission that was appointed by the Mayor and approved by City Council may be removed by the Commission for the following reasons:*
  - *A continuous neglect to attend meetings and to provide input to the Commission's activities and responsibilities.*
  - *Gross Misconduct, misfeasance, malfeasance or nonfeasance while with the Commission.*
  - *Conviction while with the Commission of a crime involving moral turpitude or for violation of his oath of office or for persistent failure to abide by the rules of the Commission.*

Finding need for no further corrections or additions to Section III, Mr. Davis proceeded to Section IV which addressed the Commission's Meeting format. The Commission revised Section IV Subsections A. D. and F. to read as follows:

- *Regular Meetings will be held the second Tuesday of every month at 2 p.m. at the municipal building.*
- *All meetings of the Commission shall conform to the laws of the State of Ohio.*
- *Items not on the Agenda shall be considered at the discretion of the Commission.*

Finding no need for further corrections or additions to Section IV, Mr. Davis preceded to the last Section of the By-Laws, Section V, addressing amendments to the By-Laws. Section V was revised to read as follows:

- *These By-Laws may be amended by four of five Commission members concurring, subject to the approval of City Council by Ordinance.*

With no additional sections being added, the Commission recommended the addition of two legal definitions to Section I. These definitions were to be drafted by Mr. Davis before the next meeting. The definition terms were as follows:

- *Quorum*
- *Good Standing*

Closing the By-Laws for revision, the Commission scheduled the next special meeting for May 31, at 2p.m. in the same location in order to elect officers in May as prescribed by the drafted by-laws.

At this time, finding no audience participation, the meeting was adjourned at 3:30 p.m.

*\*Note\* These minutes were dictated from an audio tape recording of the original meeting.*

**Meeting Minutes**  
**Waverly Municipal Planning Commission**  
**Special Meeting**  
**May 31, 2005, 2p.m.**  
**Waverly Municipal Building**

The Meeting commenced at 2:05 p.m. with Commissioners: Frank Perry, Jeff Allen, Mike Corwin and Barbara Early present, Mayor William Kelly was absent in order to attend a funeral, which was reported prior to the meeting. No one from the public attended the meeting. Mr. Davis referred the Commission to the Agenda item number 1 under new business which involved approval of the last meeting minutes from May 26<sup>th</sup>. **Commissioner Early made a motion to approve the minutes from May 26<sup>th</sup> as is; this motion was seconded by Mr. Perry. Roll Call: All Aye.**

Mr. Davis then referred the Commission to item # 2 of the Agenda under new business which involved the first annual election of officers. The officers in question were announced as Chairman and Vice Chairman. Mr. Davis reported to the Commission that the Mayor had expressed no opposition to serving as an officer, but that it was up to the Commission to decide what they felt was best. Mr. Davis asked for a volunteer from the Commission to lead in the nomination procedure. Commissioner Perry then reported that he recognized a section in the proposed by-laws of the Commission that all nominations for officers must be limited to members who had at least one year of experience as a Planning Commissioner. Commissioner Perry inquired as to what affect that section would have on this first election. Mr. Davis then stated that because the by-laws had in fact not been adopted by the Commission nor approved by City Council that the rule did not apply to the first election. After further discussion the Commission agreed that all present Commissioners were eligible to be nominated as officers.

Mr. Davis asked the Commission if there were any volunteers to lead the nomination and election procedure for officers. Commissioner Corwin requested that Mr. Davis act as chairman until an official one was voted in. Mr. Davis asked if there were any objections to this proposal. Seeing none Mr. Davis asked for a motion and a second to open the floor for nominations. **Commissioner Perry made a motion to open the floor for nominations. The motion was seconded by Commissioner Allen.** Mr. Davis then stated that the floor was now open for nominations. **Commissioner Perry made the motion to nominate Commissioner Corwin as Chairman. The motion was seconded by Commissioner Early. Commissioner Corwin made a motion to nominate Commissioner Perry. The motion was seconded by Commissioner Allen.** Mr. Davis asked the Commission if there were any other nominations at this time. **Commissioner Early then made a motion to close the floor for nominations. The motion was seconded by Commissioner Perry.**

Mr. Davis asked the Commission if they wished to proceed with a vote for the position of Chairman or if they wished to now make nominations for Vice-Chairman. Commissioner Early suggested to the Commission that since there were two nominations for Chairman that one should be elected as Chair and the other accept the position of Vice - Chair. Commissioner Corwin then stated that he would like to see Commissioner Perry serve as Chair for the first year since he had more experience with the Planning Commission than he did. Commissioner Corwin stated that he did have experience with the City but not necessarily in the planning aspects; therefore he would volunteer to essentially "loose" the election to Commissioner Perry and then

accept the position of Vice-Chair. Mr. Davis asked the Commission if there was any further discussion on the matter. Hearing none, Mr. Davis requested Commissioner Corwin to repeat the proposal as a motion. **Commissioner Corwin then made the motion that the Commission elect Commissioner Perry as Chairman and he would accept the position of Vice-Chairman. Commissioner Allen seconded the motion. Roll Call: All Aye.**

Mr. Davis then proceeded to item 1 under old business of the Agenda. The business concerned the adoption of the Commission By-Laws that were constructed and critiqued during the May 26<sup>th</sup> special meeting of the Commission. Mr. Davis referenced the two added legal definitions of "Good Standing" and "Quorum" and asked the Commission if there was any additional revisions or additions needed for those items. Hearing none, Mr. Davis summarized the By-Laws briefly to the Commission. Mr. Davis then asked the Commission if there was any other discussion on the proposed by-laws. Commissioner Perry stated that he was concerned with the definition of "Quorum" due to the fact that in its present state, it would be possible for two commission members to propose and pass major planning aspects of the City. After further discussion, the Commission agreed that this was an unacceptable aspect and proposed the following addition to Section IV, subsection C.: *"Unless otherwise indicated all final decisions shall be made by a majority vote of the Commission."* After no further discussion on the by-laws, **Commissioner Perry made a motion to approve the by-laws with the added addition. The motion was seconded by Commissioner Early. Roll Call: All Aye.** Commissioner Corwin requested that the by-laws be reviewed by the City's legal council before being forwarded to City Council. Mr. Davis stated he would forward the by-laws to Mrs. Hoover then place the by-laws on the next Council Agenda to be approved by Ordinance.

Mr. Davis announced the next meeting date of June 14<sup>th</sup> at 2p.m. at the municipal building as according to the by-laws. Mr. Davis then stated that at the next meeting the Commission will begin reviewing the Comprehensive Plan Text for the City. Mr. Davis then passed out the 10 page text that was drafted by his office and requested the Planning Commission to review this text before the next meeting.

Being no audience participation, **a motion was made by Commissioner Corwin to Adjourn. The motion was seconded by Commissioner Early. Roll Call: All Aye.** The meeting was adjourned at 3:45 p.m.

*\*Note\* these minutes were dictated from an audio tape recording of the original meeting.*

**Meeting Minutes**  
**Waverly Municipal Planning Commission**  
**Regular Meeting**  
**June 14, 2005**  
**Waverly Municipal Building**

The Meeting was called to order by Mayor William Kelly at 2:15 p.m. with Commissioners: Jeff Allen and Barbara Early present. Commissioner (Vice Chair) Corwin arrived late. Commissioner Perry (Chair) was absent as was reported two weeks prior to the Meeting to Mr. Nathan Davis. Ms. Ashley Lykins from the Pike News Watchman and the City Engineer Bob Gausman were present as audience attendees.

Mayor Kelly asked the Commission if they had received the May 31<sup>st</sup> meeting minutes. Everyone stated that they had. Mr. Kelly asked for a motion to approve the minutes. **Commissioner Early made a motion to approve the minutes from the May 31<sup>st</sup> Meeting as is; this motion was seconded by Commissioner Allen, Roll Call: All Aye.**

Vice Chairman Corwin, who was now present, referred the Commission to item number one of new business on the agenda, which was the review of the proposed "Comprehensive Plan Text Sections I-III". Vice Chairman Corwin then requested Mr. Nathan Davis to present the material to the Commission. Mr. Davis began by explaining that the Comprehensive Plan Text was the first component of a five (5) part plan that would hopefully become the City's first Comprehensive Development Plan. Mr. Davis stated that if no one had any objections he would read through each section individually then allow for comments or questions from the Commission at the end of each section. Finding the Commission to be in agreement, Mr. Davis read Section I in its entirety which outlined the Comprehensive Plans purpose and components. The Commission held discussion and found no need for any changes or revisions to Section I.

Mr. Davis then read aloud the text of Section II which summarized the preparation of the plan. The Commission held discussion and chose to delete the first sentence of Section II, subsection (b) (5) which stated the following: "The economy of the City is such that there are more people employed in the City than residing in it." Many of the Commissioners felt that the statement was in error and that there were actually more people residing in the City than those actually employed in the City. Further discussion by the Commission also warranted an addition to Section II; subsection (b) (1) stating that there were six, not five major areas of development. The sixth area was defined as "Park and Recreational Areas". This was deemed to be a major area by the Commission given the acquisition of the 86 acre Bristol Park in 2003 and the addition of the Pike County YMCA in 2002. These areas make up a large area of Waverly when combined with the existing park areas of Walnut Street Park, Canal Park and St. Mary's Lane Park. Further discussion by the Commission caused an addition to Section II, subsection (b) (5) to include "Bristol Village" with the list of major tax contributors in Waverly, OH.

Mr. Davis then read aloud the text of Section III which states the goals and objectives of the Plan. Mr. Davis stated that overall this was probably the most important part of the Plan Text if not the overall plan. Mr. Davis read Goal and Objective I of the plan. After further discussion the Commission revised the goal statement to say the following: "The City shall annex additional territory into the corporation limits that is viable for industrial development." Mr. Davis then read aloud the text of Goals and Objectives II through VII. These goals and objectives were agreed upon by the Commission as proposed.

Mr. Davis then read Section IV of the Plan Text. This section simply summarized that all future proposed development in the City would be made to adhere to the goals and objectives summarized in the plan.

Mr. Kelly inquired to Mr. Davis if most cities have had a Comprehensive Plan. Mr. Davis replied by stating that according to his research into the matter, that most City's that were of 50, 00 or more had plans. However, most of those cities of course possessed at least minimal amounts of planning staff. Mr. Davis said that when dealing with City's the size of Waverly, the City's that did have plans were usually plans that were developed by a Consultant and were not embraced by the Community. Mr. Davis said this was the main reason that the City held the Public Hearing in September of 2003 which kicked off the initiative to develop a plan for Waverly.

The Commission requested if there was any audience participation. Ms. Ashley Lykins of the Pike News Watchman asked if there had always been a Planning Commission in the City of Waverly. Mr. Davis addressed the question by stating that the City established a Planning Commission in its Charter of 1972. However, in the past the Planning Commission was not always active and lacked organization as evidenced by a lack of By-laws or a set meeting date. Mr. Davis stated that when the initiative for the Comprehensive Plan was started, this is why the Mayor and Council reorganized the Commission with new membership by Ordinance which since then has set a regular meeting date and adopted By-Laws. Ms. Lykins inquired as to what the main purpose of the plan was. Mr. Davis responded by saying that the plan was a ten year plan that described some of the more pressing issues with the City in terms of development and more importantly what are some of the avenues that the City can take in order to improve their economic and physical development situation. Mayor Kelly added to Mr. Davis' comments by reiterating that the plan was a way that the City could help manage its own growth. Ms Lykins asked if the City was perceived or was expected to grow a lot in the near future. Mayor Kelly stated that the City wanted to grow but that we want to be intelligent in how we manage all future growth.

With no further discussion **Commissioner Early made a motion to adjourn. The motion was seconded by Commissioner Allen. Roll Call, All Aye.** The meeting was adjourned at 3:40 p.m.

*\*Note\* these minutes were dictated from an audio tape recording of the original meeting.*

**Meeting Minutes**  
**Waverly Municipal Planning Commission**  
**Regular Meeting**  
**July 12, 2005**  
**Waverly Municipal Building**

The Meeting was called to order by Chairman Perry at 2:10 p.m. with Commissioners: Jeff Allen, and Barbara Early present. Mayor Kelly arrived late as was announced prior to the meeting. Commissioner Corwin arrived at approximately 2:30. Mr. Davis the Community/Economic Development Director was also present in order to present material needed for the Agenda. There was no audience participation.

Chairman Perry asked the Commission if everyone had received the June 14, 2005 Meeting Minutes prior to today's meeting. He also asked if everyone had received ample time to review the minutes. With no revisions, additions or deletions being recommended, a motion was requested to approve the June 14<sup>th</sup>, 2005 Meeting Minutes. **A motion was made to approve the June 14<sup>th</sup>, 2005 minutes by Commissioner Early, the motion was seconded by Commissioner Allen. Roll Call: All Aye.**

Chairman Perry referred the Commission to the Agenda. Commissioner Perry stated that the meeting today consisted of reviewing Sections V-X of the proposed Comprehensive Development Plan Text. Chairman Perry reminded everyone that Sections I –IV had been reviewed during the previous June 14<sup>th</sup> meeting. With that Chairman Perry turned the meeting over to Mr. Davis.

Mr. Davis thanked Chairman Perry and announced that he would read through each section separately then allow the Chairman and the Commission to make comments on possible deletions, revisions or additions to the text. Mr. Davis then read in its entirety, Section V of the Draft Comprehensive Development Plan Text entitled "General Provisions". After Mr. Davis read Section V aloud Chairman Perry asked the Commission if there was any discussion. Hearing none, Chairman Perry requested Mr. Davis to read Section VI.

Mr. Davis announced the title of Section VI as "Implementation of the Plan". Mr. Davis read Section VI in its entirety aloud. After Mr. Davis read Section VI aloud Chairman Perry asked the Commission if there was any discussion. Hearing none, Chairman Perry requested Mr. Davis to read Section VII.

Mr. Davis announced the title of Section VII as "Zoning". Mr. Davis read Section VII in its entirety aloud. After Mr. Davis read Section VII aloud Chairman Perry asked the Commission if there was any discussion. Commissioner Corwin inquired about the intent of Section VII in relationship to the Plan. Mr. Davis answered by saying that Section VII was simply an explanation of Zoning as one of the five components of the overall plan and how it was needed in order to make the plan work. Chairman Perry asked if there would be any consideration in the Zoning Code for dealing with nonconforming uses that have been grandfathered in at the time of the Zoning Code being adopted. Mr. Davis stated that all Zoning Ordinances have a section dealing with nonconforming uses and that the section in Waverly's Code could be as stringent or as un-stringent as the Planning Commission and City Council so choose. Mr. Davis went on to explain that some City's have gone as far as placing a time deadline on all nonconforming uses to be removed while others have been much more tolerant towards non-conforming use. Commissioner Corwin then referred the Commission to subsection

b of Section VII which described areas that the Zoning Code would regulate. Commissioner Corwin stated that the subsection needed a clause that would generalize the areas to be regulated and not specify them because this could lead to legal implications later on which would jeopardize the strength of the Zoning Ordinance. After further discussion, Section VII, subsection b was rephrased to say the following:

*Zoning involves the allocating of all land in the community to districts or zones of different categories. It also regulates, district by district, certain aspects of the property, such as but not limited to, the use of property, setback requirements, height and size of buildings. It is the principal instrument for implementing that part of the Comprehensive Development Plan concerned with the use of private lands, as distinguished from that part which is concerned with public spaces and facilities.*

Chairman Perry then directed Mr. Davis to read aloud Section VIII. Mr. Davis announced the title of Section VIII as “Zoning Administration”. After Mr. Davis read Section VIII aloud Chairman Perry asked the Commission if there was any discussion. After much discussion Section VIII subsection e was rephrased to say the following:

*The City Planning Commission is to apply the zoning ordinance, as adopted, with adjustments for exceptional situations as provided. These adjustments must be consistent with the zoning regulations as set forth in the ordinance.*

Commissioner Corwin then suggested a revision to Section VIII, subsection f based on the dislike of the term “bad zoning”. After much discussion Section VIII, subsection f was rephrased to say the following:

*The Planning Commission has the authority to hear and determine each case which falls within its jurisdiction as defined in the zoning ordinance. But in its decision, it must assume the correctness of every part of the zoning ordinance, including the zoning map, and restrict itself to the field of adjustment, administration, and interpretation. Changing the zoning to fit each and every request for variance is not within its province.*

Commissioner Corwin then suggested the deletion of Section VIII, subsection g based on the reasoning that the language in the subsection could bring harm to the Plan in the future if challenged. After much discussion, the following former subsection g was deleted entirely:

*If the Planning Commission takes its task too lightly, interprets its discretionary powers to liberally and thereby encroaches on the province of the Mayor and City Council, it can badly impair, if not destroy the effectiveness of the zoning code, antagonize the Mayor and Council, and break down public respect and support for zoning directly as well as through adverse court decisions. If the Commission interprets the code too rigidly and refuses to extend relief in specific cases to the extent it is authorized to do so it will accumulate resentment, invite judicial disapproval on the grounds of unreasonableness, and fail to build up and maintain necessary public support. In performing its functions, sound policies and practices by the Commissioner are of vital importance.*

The Commission as a whole questioned the organization of subsections h, h1, h2, h3, i and j. After much discussion the Commission reduced the scope of this section and subsections based on the reasoning that an element of redundancy needed to be addressed. The Commission decided to reduce the above mentioned subsections to the following as the new subsections g and h and i respectively:

*Interpretation of the zoning ordinance by the Planning Commission is necessary when the Zoning Administrator is uncertain as to either the correct interpretation of a specific provision of the code or the precise location on the ground of a zoning district boundary as shown on the zoning map.*

*A condition which justifies a variance must be that of the individual lot and not a condition due to those aspects of the regulations or districting which affect other properties not possessing the exceptional characteristics from which the condition ensues. The zoning ordinance specifically lists the conditions under which a variance may be granted, and the decision must be based upon a finding of facts.*

*If a request for variance arises out of a condition common to the neighborhood or to other lots similarly situated, but not having the peculiar characteristics of the lot in question, then the need may require amending the zoning ordinance. This is a legislative function.*

Chairman Perry requested Mr. Davis to move on to Section IX. Mr. Davis announced the title of Section IX as "Subdivision Control". Mr. Davis read aloud in its entirety the contents of Section IX. Chairman Perry asked if there was any discussion related to the contents of Section IX. Hearing none Chairman Perry directed Mr. Davis to read Section X. Mr. Davis announced the title of Section X as "Public Improvements". Mr. Davis read aloud Section X in its entirety. Chairman Perry asked if there was any discussion related to Section X. Hearing none Chairman Perry announced that at the next meeting on August 9<sup>th</sup> the Comprehensive Development Plan Text would be placed on the Agenda as "Old Business" and would be scheduled to be accepted by the Commission. Mr. Davis was directed by the Commission to email the revised text to the Commissioners prior to the August 9<sup>th</sup> meeting so a final review could be made by all the Commissioners prior to the next meeting. With no Audience Participation present, Chairman Perry requested a motion to adjourn the meeting. **Commissioner Corwin made a motion to adjourn. The Motion was seconded by Commissioner Early. Roll Call: All Aye.** The meeting was adjourned at 4 p.m.

*\*Note\* these minutes were dictated from an audio tape recording of the original meeting.*

**Meeting Minutes**  
**Waverly Municipal Planning Commission**  
**Regular Meeting**  
**August 9, 2005**  
**Waverly Municipal Building**

The Meeting was called to order by Chairman Perry at 2:08 p.m. Roll call confirmed the attendance of Chairman Frank Perry, Commissioner Barbara Early, Commissioner Jeff Allen and City Community/Economic Development Director Nathan Davis. Mayor Kelly was announced to be arriving a few minutes late while Commissioner Corwin was excused due to a death in the family.

Chairman Perry asked if everyone had received the minutes from the past meeting July 12<sup>th</sup>. Commissioner Perry then asked if there were any recommended changes or revisions to the minutes. **Commissioner Early made a motion to accept the minutes as is, the motion was seconded by Commissioner Allen. Roll Call: All Aye.**

Chairman Perry then referred the Commission to the Agenda. He announced that today's meeting would consist of the new business of reviewing a draft "Comprehensive Plan Map" as prepared by Nathan Davis the Community/Economic Development Director. Chairman Perry stated that the next meeting of the Commission would be September 13<sup>th</sup> at 2p.m. as regularly scheduled. Chairman Perry announced he wished to proceed with the old business of the Agenda first that concerned the "Comprehensive Development Plan Text". Chairman Perry welcomed the Mayor to the meeting at this time. Mayor Kelly apologized for being late. Chairman Perry explained that during the last meeting Sections IX and X were reviewed rather quickly due to time constraints and he wished to open some more dialogue about the sections. First, Chairman Perry referred the Commission to Section IX, subsection b concerning subdivision control. After further discussion, the Commission felt like the word "Consequently" which began the first sentence of Section IX, subsection b in the Comprehensive Development Plan Text was unnecessary since the sentence was complete without it. Following this discussion, **Commissioner Early made a motion to: strike from the record the word "Consequently" which began the first sentence of Section IX, subsection b. The motion was seconded by Commissioner Allen. Roll Call: All Aye.**

Chairman Perry then referred the Commission to Section IX, subsection d. Section IX, subsection d of the Comprehensive Plan Text states the following: "The legal basis for control of land subdivision is the exercise of the right to withhold the privilege of public record for subdivision plats, which have been poorly or inappropriately designed, which are not properly adjusted to the existing or desirable future development of adjoining areas, or which are not consistent with the Comprehensive Development Plan." Chairman Perry asked Mr. Davis for a further explanation of the meaning of this subsection. Mr. Davis explained that the section was simply stating that when dealing with Subdivisions in the City limits, the Planning Commission's main source of power is the fact that until the plat meets the guidelines outlined in the City's Subdivision Regulations, the potential subdivider will not be allowed to record his/her plat at the Pike County Recorder's Office. Mr. Davis stated that he had obtained the language of the section from a "Planning & Zoning in Ohio" source book.

At this time Chairman Perry stated that he would now entertain a motion to approve the Comprehensive Plan Text in its entirety with the revision suggested in today's meeting..

**Commissioner Early made a motion to approve the Comprehensive Development Plan Text with the proposed revision to section IX, subsection b. The motion was seconded by Commissioner Allen. Roll Call: All Aye.**

At this time Chairman Perry announced that he would now turn the meeting over to Mr. Nathan Davis in order to present the New Business Section of the Agenda. The New Business Section consisted of the presentation of the draft “Master Plan Map” of the Proposed City Comprehensive Development Plan.

Mr. Davis proceeded to pass out a hard copy handout that consisted of the approved “Goals and Objectives” as approved in Section III of the Comprehensive Development Plan Text. Mr. Davis stated that the Commission needed to refer to these goals and objectives as a the foundation for any decision that was made concerning the development of the remaining components of the Comprehensive Development Plan.

Mr. Davis referred the Commission to the projector screen that displayed a draft Master Plan Map, which would be the Second of Five components to the Comprehensive Development Plan. Mr. Davis pointed out the main components of the Map which consisted of the City Corporation Limits, the New City School District, the City Streets, and the lot lines according to the County Tax Record, the newly developed “Bristol Park”, undeveloped areas of the Armbruster and Seif Properties and the now vacant City School District Properties. Other areas highlighted were the planned “Waverly South Connector” roadway project and the proposed “West North Street Realignment and Second Street Realignment Projects.” Mr. Davis reiterated that at this point in time only the “Waverly South Connector” had been funded and endorsed by City Council and that the other projects displayed on the Map were only plans derived by various offices or departments of the City that had not been approved in any way. Therefore, these plans with the exception of the “Waverly South Connector” were still up for review.

Mr. Davis announced that the objective of today’s meeting was to discuss the future of the former City School District properties now vacated due to the construction of the new City School District Campus on the North West end of the City. These four parcels were highlighted in Brown on the Draft Master Plan Map.

Mr. Davis stated that he needed the Planning Commission’s input as to what would be the best approach or best method for planning the future of these particular parcels in the City. Mr. Davis wondered if the Commission wanted to meet with the School Board on an individual basis, or did they want to make a plan and present it to the board. Mr. Davis announced that whatever approach was utilized should be a method that completes a plan for the parcels that would address the goals and objectives of the approved Comprehensive Development Plan Text.

At this time Chairman Perry announced that he would now open the floor for discussion of the School Board Parcels in the City. Mr. Perry said that before discussion began he wanted to generally pose the question of: “Is the School Board open to discussion about the topic and does the City have a specific need for the parcels?” Chairman Perry went on to say that he had always felt that the “East Elementary” location would make an excellent site for a new Municipal Building.

Mayor Kelly reported that the City had looked at the possibility of obtaining “East Elementary” in the past but any hopes of obtaining it were dissolved due to the high cost of utilities that would be incurred from owning the building. Mayor Kelly also reported that he was under the impression that Bristol Village was interested in obtaining “North Elementary” but he was not aware of any official decisions. Commissioner Early declared that Bristol Village should be very interested in obtaining “North Elementary”.

Mr. Davis directed a statement towards Chairman Perry and the Commission that he would like to follow up on Chairman Perry's inquiry as to the specific needs of the City for the Sites. Mr. Davis announced that the Commission should refer to the "goals and objectives" set forth in Section III of the Comprehensive Plan Text when making a decision about the sites. Mr. Davis then read aloud goal number three (3) of Section III which states: "The City shall create additional space within the corporation limits that is viable for future commercial retail and service development." Mr. Davis reported that he did indeed have a draft plan associated with one of the school board parcels that might help address this particular goal. Mr. Davis requested the Commission's permission to present that plan at this time. Chairman Perry thought that at this time a plan presentation by Mr. Davis would be good in order to provide the Commission with some food for thought.

Mr. Davis reported that one of the main traffic problems in the City is the three way stop at Clough and Second Street (335). Mr. Davis said that in order to alleviate the problem, one solution would be to move the intersection towards the school property and intersect with Second Street at the turn. Mr. Davis presented a map of the proposal on the projector screen. Mr. Davis pointed out that with the High School Building now gone, the School Board could grant a 50 section of right of way to the City routing through the existing parking lot. Once the right of way was obtained, the City could then proceed to construct a road connecting 335 with Second Street and doing away with the present Clough 335 intersection that causes continual bottlenecks. Mr. Davis announced that the pavement to the rear of the B.P Station and Tim Horton's Restaurant could be maintained so that their present access would not be changed dramatically. Mr. Davis said that this plan would provide a much better traffic flow situation in the are and also benefit the City and School Board by creating the potential for at least two (2) new parcels that could be subdivided from the School Boards present tract and sold as prime retail, commercial property.

At this time Mayor Kelly stated that he and Mr. Davis had proposed this plan to the school board in the past but did not receive any serious feedback from the board. Mayor Kelly said that the Commission must be careful as to how they approach the school board with such proposals. Commissioner Allen asked the Mayor if the school board had ever announced any plans they had for the "high school" parcel. Mayor Kelly responded by saying no, but that the school board faced the dilemma of trying to decide what to do about the future of the football/track complex that still remained in use on the parcel. Mayor Kelly announced that he had expressed concerns to the school board about the situation now occurring where over 100 students were being transported from the new campus site to the stadium each day in order to have practice for certain sports functions primarily football. Mayor Kelly said he felt this was unsafe and needed to be looked into. Mayor Kelly said that he would be in favor of the school board utilizing their new campus site for all games and practices which would therefore make the proposal presented here today more agreeable to everyone involved.

Commissioner Early reported that given the recent interactions between the School Board and the Board of County Commissioners she felt that the school board would now be on the defensive when asked to discuss the future plan of the parcels. Mayor Kelly agreed but pointed out that the school board and the City municipal government had always had a strong relationship.

Further discussion by the Commission was held concerning the possibilities for the future of the parcels. Commissioner Early reiterated the pressing needs for a new municipal building and a County Sheriffs Office. Chairman Perry stated that he felt that "East Elementary" was definitely a good fit for residential development and that "West Elementary" would be good for

an office complex of some kind. Mayor Kelly added that it was “West Elementary” that presented a sort of “oddball” situation. He expressed the concern that it was not really a perfect fit for anything considering its immediate surroundings and poor access.

Mr. Davis then requested the Commission as to how they wanted to meet with any if not all of the school board members. After much discussion, it was agreed by the Commission that Mr. Davis would draft a letter to be sent to the school board inviting them to the next regular meeting of the Commission on September 13. The meeting would be held at the Police Station due to space constraints. Mr. Davis reported he would update the meeting announcement on the web site as to the location change of the next meeting. Mr. Davis said that as always there would be an announcement in the News Watchman Community Events section as to the location and time of the meeting.

After no further discussion, **Commissioner Allen made a motion to adjourn. The motion was seconded by Commissioner Early. Roll Call: All Aye, the meeting was adjourned at 3:15 p.m.**

*\*Note\* these minutes were dictated from an audio tape recording of the original meeting.*

**Meeting Minutes**  
**Waverly Municipal Planning Commission**  
**Regular Meeting**  
**September 13, 2005**  
**Waverly Police Department**

The Meeting was called to order by Chairman Perry at 2:03 p.m. Roll call confirmed the attendance of Chairman Frank Perry, Commissioner Barbara Early, Commissioner Jeff Allen, Mayor William A. Kelly and City Community/Economic Development Director Nathan Davis.

Chairman Perry asked if everyone had received the minutes from the past meeting August 9. Commissioner Perry then asked if there were any recommended changes or revisions to the minutes. **Commissioner Early made a motion to accept the minutes as is, the motion was seconded by Commissioner Allen. Roll Call: All Aye.**

Chairman Perry reviewed the accomplishments of the last meeting on August 9. Chairman Perry announced the revision made to section 9 of the Comprehensive Plan Text and also reiterated the adoption of the Comprehensive Plan Text by the Commission. Chairman Perry also announced the accomplishment of the review of the Master Plan Map Draft prepared by the City's Community/Economic Development Director Nathan Davis. The Map contained the parcels left vacant by the City School Board, which was the topic of discussion at the last Planning Commission Meeting in August. Chairman Perry reported that the Commission had decided to draft a letter to the Waverly City School Board inviting them to the Planning Commission Meeting held today in order to discuss the future of the vacant properties owned by the School Board. Chairman Perry announced that the Planning Commission had received a response from the Waverly City School Board announcing that they would not attend today's meeting because of the Sunshine Laws. Chairman Perry stated that he was a little confused as to why the School Board could not have sent a representative to the meeting instead of the whole board. Commissioner Early reported to the Chairman that Mrs. Linda Shoemaker had reported to her unofficially that the School Board was going to send one person to today's meeting. Chairman Perry said that he was unaware of this but that regardless the Commission needed to proceed with the meeting. At this point Chairman Perry turned the floor over to Mr. Davis.

Mr. Davis began by stating that he was a little perplexed by the Waverly City School Board's response letter because he felt that the Municipal Planning Commission could give the same response in relation to attending the School Board Meetings since the Planning Commission was subject to the same State of Ohio Sunshine Laws. Mr. Davis explained that from the position of the City Planner, his opinion on the matter was that now the Commission needed to decide what the next step would be. Mr. Davis inquired to the Commission if they wanted schedule another meeting or did they want to attend the next School Board Meeting in October. Mr. Davis stated that there was some different options or avenues that the Commission could take. They could schedule a special meeting with both the board and the commission or they could send a representative to the next school board meeting which was always the second Wednesday of the month. Mr. Davis said at this point he was fearful of the Planning Commission proceeding with a plan without the School Board being involved and then having the Commission accused of foul play. Mr. Davis said that this was certainly not his goal and he was concerned about the situation at this time.

Mayor Kelly reported that he felt that everyone understood the complexities of the situation given past disagreements between the County Government and the Waverly City School Board. Mayor Kelly stated that because of this disagreement the Commission was going to have to be very careful on how they presented or included the School Board in the Comprehensive Plan. Mayor Kelly also reported that he would volunteer to attend the next School Board Meeting if the Planning Commission needed him to. Mayor Kelly stated that he felt it was important to inform the School Board that with or without their input, a plan was being derived by the Municipal Planning Commission which could affect any future plans they may have. Mayor Kelly asked the Chairman if there was a way to present this problem to the School Board without antagonizing them to the point of refusing to participate.

Chairman Perry stated that he always looked at the School Properties as being the property of the local taxpayer. He then made reference to the recent land exchange between the City and Mr. Randall Roe in terms of the "Waverly South Connector". Chairman Perry felt like that as with the "South Connector" scenario, this situation was similar in that the point of the plan proceeding regardless of the opposing body's approval had to be made. Mr. Davis requested the floor from Chairman Perry and stated that in the past, Comprehensive Plans for City's have always pointed out areas of land in the corporation limits that were being reserved for public use. Once the plan reserved the land for a public purpose it was therefore eligible to be taken through the municipalities "eminent domain" power. Mr. Davis stated that the reserving of the land for the "Second Street Realignment Project" fit this scenario and that everyone should be aware of that. Chairman Perry added to Mr. Davis' comments by explaining that at the end of each emergency resolution of City Council the statement of "For the public peace, safety and welfare of the Citizens of Waverly" was added. Chairman Perry stated that the "Second Street Realignment Project" was exactly this.

After further discussion, Mayor Kelly and Chairman Perry volunteered to attend the next School Board Meeting on Wednesday October 12<sup>th</sup> with Mr. Davis giving a power point presentation on the Comprehensive Development Plan. Chairman Perry directed Mr. Davis to call schedule the meeting attendance with the School Board. Chairman Perry stated that at the next Planning Commission Meeting the Presentation and its content could be reviewed.

At 3:15 p.m. **Commissioner Early made a motion to adjourn, the motion was seconded by Commissioner Allen. Roll Call: All Aye.**

*\*Note\* these minutes were dictated from an audio tape recording of the original meeting.*

**Meeting Minutes**  
Waverly Municipal Planning Commission  
Regular Meeting  
October 11, 2005  
Municipal Building

The Meeting was called to order by Chairman Perry at 2:00 p.m. Chairman Perry asked if everyone had received the minutes from the past meeting September 13<sup>th</sup>. Commissioner Perry then asked if there were any recommended changes or revisions to the minutes. **Mayor Kelly made a motion to accept the minutes as is, the motion was seconded by Commissioner Allen. Roll Call: All Aye.**

Chairman Perry confirmed the attendance of himself, Commissioner Barbara Early, Commissioner Jeff Allen, Mayor William A. Kelly and City Community/Economic Development Director Nathan Davis. Commissioner Mike Corwin was not present due to business in Jackson.

Chairman Perry referred the Commission to the Agenda and announced the first quarterly report to City Council was now due. Chairman Perry asked Mr. Davis to explain the details of the task at hand. Mr. Davis reminded the Commission of the quarterly report requirement established in the By-Laws of the Commission and said that he had prepared a draft report for the Commission to review today. Chairman Perry requested at this time if there were any questions about the contents of the report to City Council. Finding none, Chairman Perry requested that all planning commissioners be present at the next City Council Meeting scheduled for October 4<sup>th</sup> at 7 p.m. in order to give the report. Mayor Kelly agreed with the need for all members of the Commission to be present for the report. Mayor Kelly also thanked Mr. Davis for performing the administration of the Commission so efficiently.

At this time Chairman Perry recognized attendance in the audience. The attendants were representatives from the Pike County Office of Travel and Tourism. Mrs. Sharon Manson and her associate introduced themselves and announced that they were working hard to perform tasks to help promote Pike County to rest of the region and state about travel and tourism opportunities in the area. Mrs. Manson reported that her office had recently completed an impact study for Pike County concerning Travel and Tourism. Mrs. Manson wanted to make the Waverly Municipal Planning Commission aware of the need for promotion of Travel and Tourism in the area and that if the City had questions concerning the topic she would be available. The Commission thanked Mrs. Manson for attending and encouraged them to attend at any time. Mr. Davis reiterated that the Commission was now working on a Comprehensive Development Plan and that perhaps down the road, Travel and Tourism could have a part in the plan.

Chairman Perry now reviewed what was covered in the last meeting which was the discussion of the Master Plan Map and the vacant school board properties. Chairman Perry reported that it had been decided that at least two members of the Planning Commission along with Mr. Davis would attend the next school board meeting and give a presentation concerning the Comprehensive Development Plan and show how the school board property needed to be a part of that plan. Mayor Kelly asked Mr. Davis if had contacted the School Board yet. Mr. Davis said he had talked to Cheryl Francis and that they were now on the Agenda for October 9<sup>th</sup> and would receive at least 10 minutes on the Agenda for the presentation. Mr. Davis admitted that he was thinking before of presenting a plan proposal for the future of the properties to the

school board but as he was doing it he decided that it would not be appropriate to present such a plan without allowing the School Board the chance to present their own plan first. He had geared the presentation around simply explaining the Comprehensive Plan and how the School Board Properties needed to be a part of that plan. After further discussion, the Commission agreed on this format and decided to send Chairman Perry and Mayor Kelly to the School Board Meeting with Mr. Davis to make the presentation.

Finding no other business **Commissioner Early made a motion to adjourn, the motion was seconded by Commissioner Allen** and the meeting was adjourned at 3:15 P.M.

*\*Note\* these minutes were dictated from an audio tape recording of the original meeting.*

**Meeting Minutes**  
**Waverly Municipal Planning Commission**  
**Regular Meeting**  
**November 8, 2005**  
**Municipal Building**

The Meeting was called to order by Chairman Perry at 2:00 p.m. Chairman Perry recognized all Planning Commissioners to be present. Chairman Perry also recognized Mr. Nathan Davis, the City's Community Development Director and the guests of Dale, Kelly and David Seif. Chairman Perry then asked if everyone had received the minutes from the past meeting October 9th. Commissioner Perry then asked if there were any recommended changes or revisions to the minutes. Finding none **Commissioner Early made a motion to approve the minutes; the motion was seconded by Commissioner Allen, Roll Call: All Aye.**

Chairman Perry requested that everyone refer to the meeting's agenda which recognized a meeting with the Seif family as the new business item. Chairman Perry then turned the meeting over to Mr. Davis. Mr. Davis at this time explained to the Seif Family attendants what the Planning Commission had been focusing on the past five months. He explained the five components of the proposed Comprehensive Development Plan and how the substantial acreage owned by the Seif Family on the West end of the City would play an important role in the future development of the City. Mr. Davis also alluded to the already under way "Waverly South Connector Project" that was now being administered by the Ohio Department of Transportation, District 9 Office. The Waverly South Connector would involve the construction of a new road from the intersection of Pride Drive and US 23 moving westward across State Route 104 then turning northwestward across the property owned by the Seifs and intersecting with Prosperity Road. The scheduled completion of this project was in approximately 2009/2010 and would create a new development demand on the property owned by the Seifs. At this time the Seifs were given the opportunity to speak.

Mr. David Seif thanked the Planning Commission for creating an open and cooperative atmosphere when discussing the future plans of their property on the West end of the City. Mr. David Seif then recognized his two sons of Dale and Kelly Seif. At this time Mr. Kelly Seif stated that they were interested in either developing a master plan for the property themselves or hiring a land use planner to create a plan with their input. They were now looking for plan makers and comparing prices. Mr. Davis asked the Seif Family if they foresaw the property being developed primarily commercially or residential. The Seifs reported that they saw a fit for both a mix of light commercial and residential. Mr. Davis then asked what the Seifs believed to be the best fit in terms of lot size for any future residential development. The Seifs replied by stating that they believed lot sizes comparable to what was previously developed in the area might be the best plan. Mr. Davis reported that through the development of "Parkview and Canal Crossing Subdivision" on the East end of the City by the Armbruster Family Trust, he had come to the conclusion that the Waverly City Area had a high demand for larger size lots than what was being developed recently and in the past. Mr. Davis asked the Seif Family if they would have any objection to an increase in the minimum lot size requirement for the City in relation to its single family home zoning code. The Seifs replied by stating that they had no objections and understood the need for larger lots in the City but did recognize the fact that lots of comparable size might be warranted adjacent to the already existing "Waverly Place" Subdivision. These lots were of smaller stature and might warrant comparable sizes directly

beside them. After some interjection on the part of some of the Planning Commissioners, this concept was generally agreed upon.

Mr. Davis then explained to the Seif Family that once a general concept was developed in terms of a Master Plan Map for the City, the existing City Zoning Code would need to be updated or modified. Mr. Davis explained that this would affect the Seifs and their property in terms of lot sizes, allowed uses and general subdivision design. Mr. Davis also posed the question again in terms of the potential for any commercial development in the acreage owned by the Seifs. Kelly Seif responded by stating that he felt the property did have commercial development possibilities but that much of that depended on the final design of the “Waverly South Connector Project”. Kelly Seif added that a lot of the design for any future development in their property would depend on the movement of dirt experienced during the future roadway construction. Kelly Seif felt that it was important for the City, ODOT and the Seifs to stay in tune with one another during the design of the roadway so that the maximum development benefit could be achieved for the property. Mr. Davis stated that in the very near future ODOT and its contracted consultant would be holding monthly progress meetings in relation to the preliminary design of the “Waverly South Connector Roadway Project”. Mr. Davis stated that he thought it would be a good idea for both the City and the Seif family to attend at least some of these meetings in order to keep a hand in what was being decided. The Seif family agreed with this statement. The Seif family also expressed at this time that they would be looking closely at different land use planning consultants so that a possible preliminary layout of their property could be achieved and incorporated into the City Comprehensive Development Plan Master Plan Map.

At this time Mr. Davis inquired to the Seif family as to rather or not they wanted the City to proceed with a potential zoning layout for the property in question, or if the family would like the chance to make their own layout and present it to the Commission. After some discussion, the agreement was that the City would proceed with updating and proposing its own zoning layout and then coordinate with the Seif family when the proposal was ready. At this time Chairman Perry encouraged the Seifs to attend as many City Planning Commission Meetings as they could in order to stay in touch with the Commission and its plans for the future of Waverly. The Seif family thanked the Commission for its spirit of cooperation and left the meeting area.

Chairman Perry then referred the Commission to the “old business” of the agenda. This item was the presentation made by Mr. Davis to the Waverly School Board in October concerning the Comprehensive Development Plan and its components. At this time Chairman Perry felt like the presentation went well however he had mixed feeling about the School Boards reaction. Mr. Davis stated that he was confused by the School Boards almost “defensive” reaction. The other commissioners to include the Mayor stated that hopefully the presentation would help open up future dialogue about the properties and lead to an agreement of some kind.

At this time Chairman Perry reminded the members of the next meeting on December 13<sup>th</sup> and asked for a motion to adjourn. **Commissioner Early made the motion to adjourn, Commissioner Allen seconded, Roll Call: All Aye.** The meeting was adjourned at 3:30 p.m.

*\*Note\* these minutes were dictated from an audio tape recording of the original meeting.*

**Meeting Minutes**  
**Waverly Municipal Planning Commission**  
**Regular Meeting**  
**December 13, 2005**  
**Municipal Building**

The meeting was called to order by Chairman Perry at 2 p.m. Chairman Perry recognized all Planning Commissioners to be present. Chairman Perry also recognized Mr. Nathan Davis, the City's Community Development Director, Mayor Kelly and Sharon Manson from the Pike County Office of Travel & Tourism. Chairman Perry led the commission and guest in the Pledge of allegiance. Chairman Perry asked if everyone had received the minutes from the past meeting November 8<sup>th</sup>. Commissioner Perry then asked if there were any recommended changes or revisions to the minutes. Finding none **Commissioner Early made a motion to approve the minutes; the motion was seconded by Commissioner Allen, Roll Call: All Aye.**

Mayor Kelly brought to the Commissions attention that there is a section in the charter that allows for the Clerk of Council to take minutes at other meetings. Mr. Davis stated he would speak with the Council Clerk concerning this matter. Chairman Perry questioned the October and November meeting minutes to be posted on the web site. Mr. Davis stated he recently read a pamphlet concerning the Sunshine Law. Mr. Davis mentioned when reading through the section that talks about meeting minutes, it mentioned that minutes are to be posted or made available to the public and that a legislative body needing to approve those before they are posted is not a legitimate reason to prevent them from being posted. Mr. Davis stated waiting approval is the reason he has been holding off on releasing them to be put on the website. The Commission decided the best way to handle this is to make the minutes available as soon as they are prepared and make changes during the next meeting if necessary. Chairman Perry then turned the meeting over to Mr. Davis.

Mr. Davis stated a letter has been received from the Waverly School Board requesting the Waverly Planning Commission attend a meeting on December 28<sup>th</sup> at 5:30 p.m., to discuss the school property. The Commission discussed if they would be able to attend and if designees should attend or the entire Commission. Upon agreement **Commissioner Early made a motion to, as a board, attend the December 28<sup>th</sup> meeting with the Waverly School Board; seconded by Commissioner Allen. Roll Call: All Aye.**

**Commissioner Perry made a motion to declare a special meeting of the Planning Commission on the 28<sup>th</sup> of December and a change of location; seconded by Commissioner Allen, Roll Call: All Aye.**

Sharon Manson was present representing the Pike County Office of Travel & Tourism. Ms. Manson stated she recently met with the Rotary and they are interested in working with the City to see about posting the service club signs at the North and South ends of town.

Generally it was decided that it needs to be determined where best the signs could be utilized and the type of signs.

**Commissioner Allen made a motion to go into executive session; seconded by Commissioner Perry, Roll Call: All Aye.**

**Commissioner Allen made a motion to re-enter the regular meeting; seconded by Commissioner Early, Roll Call: All Aye.**

Mr. Davis stated there has been a problem with the set meeting date of the second Tuesday of each month; it conflicts with Mayor's Court. Mr. Davis asked the commission to consider a different meeting date.

**Commissioner Perry made a motion to amend the Waverly Planning Commission bylaws to change meeting date from the 2<sup>nd</sup> Tuesday to the 2<sup>nd</sup> Wednesday of each month; seconded by Commissioner Early, Roll Call: All Aye.**

**Commissioner Allen made a motion to adjourn; seconded by Commissioner Early, Roll Call: All Aye.**

\*Note\* these minutes were dictated from an audio tape recording of the original meeting.

**RECORD OF PROCEEDINGS**

**Waverly City Board of Education**  
Special Meeting

December 28, 2005

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The Waverly City Board of Education met in special session on December 28, 2005, at 5:30 p.m. in the Fiscal Office building. On roll call the following members were present: Mr. Randy Armbruster, Mr. John Boyer, Mrs. Sharon Manson, Mr. Gary Towler, and Mrs. Linda Shoemaker. Also present were: Superintendent Cheryl Francis, Assistant Superintendent Roger Ramsey, Treasurer/CFO Rebecca Peden, Jeff Allen, Barbara Early, Yvonne Jones, Alan Jones, Frank Perry, Mike Corwin, Bill Kelly, Nathan Davis, Janet Roberts, Greg Kempton, and Forrest Blakeman. President Linda Shoemaker called the meeting to order. Mrs. Peden called the roll.

*Discussion of Rezoning and Future Use of District Property*

Mrs. Francis informed those in attendance that the Waverly Planning Commission had previously attended a meeting of the Board of Education and had asked the Board to consider what the future plans will be for the downtown properties. The Planning Commission is working on revising the zoning code for the City and wants the District's input on how to zone the former sites of East Primary School, West Intermediate School, North Junior High School, and Waverly High School. Mrs. Francis presented a plan previously obtained by the District of future athletic facilities. The plan shows practice facilities on the campus site and an athletic complex at the downtown former location of the high school. Mrs. Francis stated that the Board would like for the zoning of the downtown properties to remain zoned as it currently is, which is residential. That would let the residents surrounding the properties know that the Board wishes for the properties to continue to blend with the neighborhoods and would also allow the District to make improvements to the existing facilities at the high school site. Currently the District does not have the money to build new athletic facilities so the plans are long-range plans. In the mean time, the District may use the other sites for practice and will continue to use the downtown fields, tennis courts, gymnasium, and bus garage. Mrs. Francis asked for questions or comments from those in attendance. Mrs. Early expressed concern about busing student athletes downtown to practice. Mrs. Francis stated that having a practice facility on the campus would alleviate that problem with games being played downtown. Mr. Davis stated that to be "technically correct," on the original zoning map, the District properties do not have a zoning designation. Mrs. Francis and the Board members were under the impression that the properties were zoned residential. Mrs. Francis stated that regardless of the

**RECORD OF PROCEEDINGS**

**Waverly City Board of Education**  
Special Meeting

December 28, 2005

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current designation, the District is asking for the properties to be zoned residential so the neighborhoods will be maintained and the District could make upgrades to current facilities. If the District offered any of the properties for sale, the buyer would have the burden of asking the City to change the zoning before developing the property for anything other than a residential use. Mr. Davis asked if it wouldn't make more sense for the District properties to be zoned for public school use only. The Board members responded that this was the first time that option had been presented to them. Mr. Davis stated that a zoning classification could be created that was just for public school use. Mr. Davis asked if the District's plan for the downtown high school site could be incorporated into the new zoning map. He also stated that if the properties were designated for public school use only, then the City would be in control of the future use of those properties. Mrs. Francis responded that the Board feels that having the East, West, and North properties zoned residential provides a protection for the residents surrounding those properties. Zoning the properties as public school use only would tie the hands of the District if the decision is made to sell a property. The property would be more attractive to potential buyers as residential than public school use only. Mr. Davis then asked if the Board would be willing to work with the City to correct the traffic problems at the intersection of State Route 335 and Clough Street. Mrs. Francis responded that the Board is willing to work with the City but does not like the current plan the City has to cut across the District's parking lot and connect State Route 335 with Second Street. The District has received feedback from some Second Street residents who are not pleased with the possibility of increased traffic from State Route 335 on their street. The plan would also greatly decrease the amount of parking available for the football field and gymnasium. Mrs. Early stated that she has heard that the District will be going for a levy soon and she wondered if the public would be more likely to support the levy if the District sold one or more properties first. Mrs. Francis responded that if the District were to sell a property for \$350,000, that would not operate the District for one month. Mrs. Peden added that a biweekly payroll is more than \$350,000. Councilman Blakeman suggested that if land were needed in the future for school facilities, the District already has property and would not have to try to purchase land in the City at a premium price. Councilman Kempton stated that selling now would be irresponsible. Mrs. Peden informed

**RECORD OF PROCEEDINGS**

**Waverly City Board of Education  
Special Meeting**

December 28, 2005

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Mrs. Early that the levy in question is a renewal of a 5-mill operating levy and that the Board has not yet decided whether they will place the renewal on the ballot. Mayor Kelly expressed his opinion that the District should zone the properties as public school use only and then the future use of the properties would be dependent on the desires of City Council. Mrs. Francis stated that the properties are currently residential with an allowance for school purposes and this designation serves the District's purposes and leaves the decision to the City if a buyer wishes to have the property zoned something else, such as commercial. Mr. Davis asked if the Board would agree with a zoning designation of residential or public school use. The Board responded that they would consider it and let the Planning Commission know soon. Mr. Perry asked if the Board would appoint one of their members or a member of the administration to work with Mr. Davis on a plan for the State Route 335/Clough Street problem. Mr. Davis asked if the Board would be willing to split the cost with the City of a consultant to create options for the traffic problem.

**243-05 APPOINT REPRESENTATIVES TO ATTEND PLANNING COMMISSION MEETINGS**

It was moved by Mr. Towler and seconded by Mr. Boyer to appoint Mrs. Manson and Mr. Ramsey to attend the Planning Commission meetings. On roll call the vote was as follows: Ayes - Mr. Armbruster, Mr. Boyer, Mrs. Manson, Mr. Towler, and Mrs. Shoemaker. Motion carried.

**244-05 RECESS**

It was moved by Mr. Boyer and seconded by Mr. Armbruster to take a short recess at 7:08 p.m. On roll call the vote was as follows: Ayes - Mr. Armbruster, Mr. Boyer, Mrs. Manson, Mr. Towler, and Mrs. Shoemaker. Motion carried.

**245-05 RETURN FROM RECESS**

It was moved by Mrs. Manson and seconded by Mr. Towler to return from recess at 7:18 p.m. On roll call the vote was as follows: Ayes - Mr. Boyer, Mrs. Manson, Mr. Towler, and Mrs. Shoemaker. Motion carried. Mr. Armbruster left the meeting during the recess.

- 246-05**
- **ACCEPT RESIGNATION**
  - **EMPLOY SUPPLEMENTAL STAFF**
  - **APPROVE VOLUNTEERS**

It was moved by Mrs. Manson and seconded by Mr. Boyer to accept the resignation, with regret, of

**RECORD OF PROCEEDINGS**

**Waverly City Board of Education  
Special Meeting**

December 28, 2005

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April Bryant as Girls Varsity Track Coach, employ Tom Monroe as Varsity Baseball Coach, employ Jeff Noble as Varsity Assistant Baseball Coach, employ Brian Martin as Reserve Baseball Coach, employ Verlin Kritzwiser as Varsity Softball Coach, approve Jason Ramsey as Volunteer Baseball Coach, and approve Josh Gillott as Volunteer Baseball Coach. On roll call the vote was as follows: Ayes - Mr. Boyer, Mrs. Manson, Mr. Towler, and Mrs. Shoemaker. Motion carried.

Appropriation Discussion

Mrs. Peden explained to the Board members that the appropriations that are approved for July every year have been termed "Temporary" but are actually the first permanent appropriations for the fiscal year. Temporary appropriations as prescribed by Ohio Revised Code 5705.38 are for three months only (until the October 1 deadline). The District includes the entire fiscal year in the appropriations that are approved for July 1 so Mrs. Peden requested that the Board amend the title of those appropriations and amended certificate of estimated resources from "Temporary" to "Permanent."

**247-05 AMEND TITLE OF APPROPRIATIONS AND AMENDED CERTIFICATE**

It was moved by Mrs. Manson and seconded by Mr. Towler to amend the title of the appropriations approved June 22, 2005, from "Temporary" to "Permanent." On roll call the vote was as follows: Ayes - Mr. Boyer, Mrs. Manson, Mr. Towler, and Mrs. Shoemaker. Motion carried.

**248-05 ADJOURNMENT OF BOARD - DECEMBER 28, 2005**

It was moved by Mr. Towler and seconded by Mrs. Manson to adjourn at 7:21 p.m. On roll call the vote was as follows: Ayes - Mr. Boyer, Mrs. Manson, Mr. Towler, and Mrs. Shoemaker. Motion carried. The President declared the meeting adjourned.

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President

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Treasurer/CFO