

**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.*