

Plan Commission Meeting Minutes
July 27, 2017

Meeting came to order by President Tom Stiens at 7:00 pm.

*Commission Members present: Lynnette Allen, Mike Duke, Richard Tincher, Mark Tucker & Tom Stiens.
Gene Kates & Ed Martin also present

Minutes from the June 22, 2017 was read with Mike Duke motioning to accept with Lynnette Allen seconding. Unanimously approved. Richard Tincher didn't receive, Lynnette resent to him.

Minutes from the special meeting on July 13, 2017 was reviewed with Richard Tincher motioning to accept with Mark Tucker seconding. Unanimously approved.

Old Business:

Reviewed the special meeting of July 13, in regards to Mr. Dan Worl's property 312 West Main Street.

Gene Kates reiterated that he had 30 days for the enforcement of the structure and 90 days to get hooked up to the public sewer. He has already passed the 30 days to correct the structure.

Lynnette typed up the ordinance and sent to Mr. Martin for review and a few corrections on July 14th. Mr. Martin returned the final copy to Lynnette on July 20th. Lynnette printed 7 copies and Richard Tincher as the hearing authority over the meeting signed the forms on July 21st, and Lynnette sent Mr. Dan Worl, Mr. Allen Kirsch & Mainsource Bank their copies via certified mail on Saturday July 22nd. Per Gene Kates, Mr Worl had pulled a permit to fix the sewer on July 18th. Mr. Allen Kirsch had already had the utilities disconnected to the property. Gene Kates along with the Utilities supervisor for Centerville, shut the water off on July 17th to make there isn't any new raw sewage seeping into the ground. On July 20th, Gene met with Mr. Worl's contractor to go over all that is required to meet the requirements of the ordinance, work started by moving equipment onto work site on July 24th, but due to the number and severity of the storms we have recently had a large tree was blown over onto the work site and took a full day to get it removed, Mr Worl tried to get the neighbor to take care of the tree because the tree was the neighbors, but Gene informed Mr, Worl that since the tree fell on his property, it is his responsibility to take care of the tree. Gene stated that they have the supplies on site to complete the work but they have not completed the process due to the recent storms. Gene told Mr Worl top priority is to get the septic tank pumped and filled in and then hook into the town sewer line. We can decide to resend the fine if completed in a timely manner, so we decided to be optimistic and table any final decisions on the fine until next meeting.

Mr Martin was able to get copies of the certificates for all of the commission members and found that there are some discrepancies that will be taken up with the clerk. He went through each certificate to verify our residency of in town or 2 mile fringe and our political affiliation. Richard Tincher, in town Republican, Richard agreed. Mike Duke, in town Republican, Mike agreed. The in town members was to be appointed by Dan Wandersee. Rob Doty is list as 2 mile fringe and Republican(not present to agree) and is to be appointed by the County Commissioner. Lynnette Allen in town Democrat, Lynnette agreed appointed by Dan Wandersee. Tom Steins 2 mile fringe Democrat, Tom agreed appointed by County Commissioner. Dave Burton was suppose to have been the appointed member by Dan Wandersee for the in town Democrat but he has stepped away from the position. The last position has to be of a political party other the Republican that was listed on the last presidential election. Mr. Martin stated that the secretary should have copies of all of the members certificates with the gold seal as part of my records. I let him know that I only have mine. The certificates for the County Commissioner appointees should be created by the county, the ones current were created by Centerville Clerk/Treasurer instead. he didn't feel the it voided their rolls on the committee but wants to have it corrected. Clerk/Treasure spoke with Beth Fields of the Wayne County Commissioners office stated the Tom and Rob both were appointed by them. They will be providing certificates to our Clerk/Treasurer. Lynnette state that the Clerk/Treasure is certifying that the appointment was through the town board, not the president Dan Wandersee, this will need to be corrected. Gary Holbert's stated that he was appointed by the town, the town is responsible to appoint 3 members which need to be members of the town board. Mr Martin stated that Gary's certificate is the only one that seems

to be correct. Jack Bodiker's & Mark Tucker's appointment on the certificates were notated backwards and Richard Tincher's was incorrect also. Mike Duke was suppose to be appointed by the president, but notates he was appointed by the council. Mr. Martin stated that is looked as if someone cut pasted the documents and just mixed up how it was suppose to be listed. He didn't think they invalidating the meetings, but he will get with the Clerk/Treasure and get them corrected. He also stated that the Oaths remain, as they aren't a part of the certificate. He asked us to think of someone that lives in town that is anything other than a Republican to see if they would volunteer for the spot. Tom Stiens mention Mike Baumer, asked that if anyone sees him to possibly ask him. Tom didn't know is political views and location. Gene Kates, thought that Mike lives outside the town. Richard Tincher is going to reach out to a couple of gentlemen that live north of town, but still in town. Gene Kates passed around a short list of Democrats that live in town, no one recognized any of the names on the list.

Mr. Martin stated that it is the matter of the town president that the vacancy still needs to be address and he will remind Dan Wandersee of this. He also discussed the Wayne County Plan Commission still needs to have one of our members on their board as an advisory member and the Wayne County Plan Commission will appoint one of their members to our board as an advisory member. Neither will have a voting right on the boards, but would be helpful for us to know what the county is planning and it will benefit the county to know what Centerville is working on, especially in regards to the 2 mile fringe strategy. The Wayne County Plan Commission meets monthly and special meetings per Gene Kates.

Rules and Procedure document: Mr. Martin stated that he thought he misspoke on the Suspension of Rules section under Article X: Stated that it has to be 2/3 of all members, not just present members at the meeting. Commission has 9 voting members and a possible county member in an advisory capacity only so we would need 6 of 9 approval to suspend any rule that doesn't have to comply with Federal, State or Local law. Rule is to read: These rules may be suspended by affirmative vote of two-thirds (2/3) members of the Commission, however no rule which is required to comply with federal, state, or local law my be so suspended. Richard Tincher motioned to amend Suspension Rules and Tom Stiens 2nd , unanimously approved. Will review at next meeting for approval.

Board of Zoning Appeals(BZA): Needs 4 new members needed for a total of 5 members. Dan Wandersee will appoint 3 citizen members of which 1 will be a citizen member of the Plan Commission and 2 Non Members of the commission. Town Counsel will appoint 1 Citizen member that is not a Plan Commission member. Plan Commission will appoint either a citizen member of the commission or the County Agriculture Agent(Gene Kates feels there is an agent). No one on the BZA can be an elected officer- the plan commission will need to have 2 citizen members on the BZA, one appointed by Dan Wandersee and one appointed by the commission. Gene stated that we would need to speak with the Agriculture Agent before appointed. Richard Tincher stated that he would let Dan Wandersee appoint him to the BZA and he would be fine with that. Mark motioned to appoint Mike Duke to the BZA as the Plan Commission appointee and Richard Tincher 2nd, unanimously approved. Mike Duke is the first official member of the BZA. Discussed Bob Ramsey being a citizen member of the old BZA, he doesn't qualify per Mr. Martin. Hard to find volunteers, so unsure how soon the BZA will be established fully. BZA is a more fact finding as a quasi-judicial board. The Plan Commission has meet their requirement to appoint a member to the BZA board.

Community notification of the Plan Commission meetings: Ed was going to talk with Susan, but he didn't because there was a budget meeting and apparently the Plan Commission does have a small budget. Under Title 5 after we adopt the rules and set regular meetings our only obligation is to post meetings up to 48 hours prior to meetings until rules are approved. Then after approval, once a year the press(Palladium Item or Kicks96) will ask the Town of Centerville for notice of the meetings. His understanding is that the Clerk will notify the press via email of any special meetings and if in the request they ask for the Plan Commission to do the same, then we will do the same. There is NO obligation to publish notice in the paper, but he recommended that we do this at least once a year to let the public be aware of the commission. Mr. Martin presumes the Clerk/Treasurer has been posting notice of the meetings at least 48 hours prior, he hasn't been checking. Decided to table this until next meeting 8/24 since the Rules have not been adopted yet.

Lynnette brought up the fact that she spoke with the Clerk/Treasurer Susan Dillman in regards to posting the meeting minutes on the town website. Susan stated that we don't have to, but if we start posting, then they will need to be posted every time. Mr. Martin didn't feel it was a big deal, but if we put it on the website, it may bring more notice to the Commission from the public, and get more involvement. Tom Stiens motioned to post minutes on the website and Mark Tucker 2nd . Unanimously approved.

2 Mile Fringes discussion: Gene Kates brought a map for all of us to review in regards to where Richmond and Centerville converge on the East side of Centerville. He showed us where the contentious area on Gaar Jackson and Round Barn Road. Gene thinks the last update to the 2 Mile Fringe was around 1985. Centerville's College Corner Annexation, at that time the legislature passed a statute if you were a municipality within a 3 mile of a class 2 city you had to get that cities approval to annex. Centerville went to Richmond to get permission and Richmond denied the original request, reason being they wanted control of the Gaar Jackson up to US 70 area, because Centerville wanted the area, to prevent Richmond from taking too much control of the area. There was a little bit of negotiation and a resolution was met. Gene can't find his final copy of the agreement between Richmond and Centerville. Mr. Martin stated that he wasn't the town attorney at that time, he isn't sure if he has a copy of it or not. They both will research to get all Plan Commission members a copy of the resolution. Gene proceeded to let us know that. Centerville can annex into Richmond's 2 mile fringe and vice versa. Major worry is because of the water aquifer to the north of town along Centerville Road that the town of Centerville gets their water supply. There are rules and regulations in the Clean Water Act that will protect some of it, but it still could have negative effect if Richmond got control of that area. Gene brought up the status of the statute that was in place during the College Corner annexation has been over 10 years and now the statute has been repealed, do we still need to honor the agreement that was made under that statute. The point was made that we still need to honor our obligations, but may want to address Richmond and Wayne County to lay out our request for our 2 mile fringe. Per Gene- Step one would be for the Commission to establish what is wanted for Centerville 2 mile fringe. Will not have a lot of leverage to the East, like on the West and North because of how tight the utilities are in the area already. Gene feels that Richmond is ready to expand the Industrial Park where Blue Buffalo is currently building, but nothing set in stone. Mike Duke wanted to know how we can research what Richmond is working on and Gene stated that we could send one of our members to their EDC meetings to monitor what they are planning. Gene mentioned getting copies of the 2 mile fringe map for all members and work a little at a time, then hire a company to work up the legal aspects of the plan. After much discussion on what needs to be address it came down to we can't proceed with any changes to the fringe until 1) get the last person appointed to the board, 2) get the County person appointed 3) review the Richmond/Centerville resolution that was agreed upon for the College Corner annexation. Will discuss more at the next meeting 8/24.

Comprehensive Plan: Discussed starting to review the total document. The draft that we have is a copy of the official plan that was adopted in 2003. Tom Stiens made sure everyone has a copy and then decided to break it down into sections. Everyone understands that it will take about 6 months to get through the entire document, but we know that it is a big deal to change anything and want to make sure it is understood by everyone before any steps are taken to change anything. Tom Stiens requested that each member read sections 1 & 2 for discussion at the meeting on August 24.

New Business:

Advisory member to the County Planning Commission: No one volunteered. Tom Stiens disclosed that his brother and brother-in-law are on Richmond Planning Commission board, he didn't want to do anything that would cause a conflict of interest. Mr. Martin feels that it could actually be beneficial to everyone especially since they are only advisory boards. Richard Tincher nominated Tom Stiens to be the advisory member of the County Planning Commission and Lynnette Allen 2nd . Unanimously approved. Tom Stiens also agreed to do it.

Plan Commission signs for special meetings: Lynnette Allen has been in touch with Ed at A Plus Sign to get cost on sign, since the size wasn't discussed wanted to make sure. Lynnette got permission to talk with Ed at A Plus to see if they can make one sign at a time in the size of 24 x 18 and just throw away after the meeting and what the time frame would be to produce such a sign.

Gene Kates will continue to monitor West Main Street project and let us know at next meeting

Next meeting is scheduled for August 24, 2017 at 7:00pm

Lynnette Allen motioned to adjourn meeting and Mark Tucker 2nd- unanimously accepted and adjourned at 8:40 p.m.