

RECORD OF PROCEEDINGS

Minutes of MADEIRA BOARD OF EDUCATION Special Session

Held July 19, 2009

The Special session of the Madeira Board of Education was held on Sunday, July 19, 2009 at Madeira Board Office at 4:00pm in accordance with written notices sent to each member. The meeting was called to order by President Pasquale Gentile.

Roll Call: Present - Mrs. Hurst, Mr. Templeton, Mr. Groenke Mr. Misleh, and Mr. Gentile.

Also present were Steve Kramer, Susan Crabill, Kenji Matsudo, Laurie Westermeyer, Bob Westermeyer, Traci Theis, James Erion, Carol Thomas, Darren Thomas, Jim VonHoene, Steve Shaw, Pam Spink, Doree Hyde, Gail Zeifman, Fred Zeifman, Helen Pennington, Thomas Ashmore, Lisa Almquist, Linda Minter, Tim Yeomans, Don Luthman, Karen Luthman, Peggy Groenke, Cheri Misleh, Jane Kuykendall, Don Korengal, Pat Shea, Tina Walter, Steve Schlagbaum, Steve Shemo, Dan Bascom, Chuck Jonas, Larry Burns, Tom Walter, and John Cravak.

AGENDA (85-09) Mrs. Hurst moved, seconded by Mr. Misleh to approve the agenda for the July 19, 2009 meeting of the Board of Education.

Vote: Mrs. Hurst, aye; Mr. Templeton, aye; Mr. Groenke, aye; Mr. Misleh, aye; Mr. Gentile, aye.

HEARING OF THE PUBLIC

Mr. Gentile, Board President, explained the format of the meeting to the Board and the individuals interested in participating in the hearing of the public. Mr. Gentile stated that he would (1) clarify the terminology of "appeal" and "rehearing" and the position of the Board as determined in previous Board meetings, (2) state the timeline of events to date, (3) explain the rules and behavior expectations during the hearing of the public.

Mr. Gentile explained the term "appeal" means the Board would begin a legal action of appeal in the Court of Common Pleas. The term "rehearing" means the Board would request a rehearing of the stadium renovation plans with substantial changes to be presented to the Madeira Planning Commission (PC). As of the July 9 Board meeting the Board agreed to not appeal the Madeira PC decision. Two Board members and an administrator met with representatives of the City to fact find concerning a "rehearing". The City stated that substantial changes would need to be submitted for the Madeira PC to "rehear" the proposal.

The timeline to date: June 15 MSRP and Kenji Matsudo met with Madeira PC on the variance and conditional use request for the concession stand, ticket booth, and restroom. The Madeira PC approved the concession and the ticket both. The Madeira PC did not approve the restroom location. On July 9 the Athletic Boosters met and decided that they would support the decision of the Madeira PC and move forward moving the restroom to a possible location closer to an existing building that houses music and art classrooms. On July 9 the Board held a special meeting and agreed that they would not "appeal" the Madeira PC decision, but would like to meet with the City to see if anything else could be done. Mrs. Hurst clarified that if the proposal was taken back to the City PC for a rehearing there must be a substantial change to the project and the entire project is subject to further scrutiny.

Mr. Gentile requested that the Board hear from a few representatives of the audience if the message was going to be the same or similar. At this point the "Hearing of the Public" section of the meeting began.

Question: Mr. Vic Parkhouse- If we go back to the Madeira PC will the entire project be reviewed?

Answer: Mrs. Hurst - Yes, they will review the placement of the concession, ticket booth, and restroom in its entirety.

RECORD OF PROCEEDINGS**Minutes of MADEIRA BOARD OF EDUCATION****Special Session****Held July 19, 2009**

Question: Mr. Don Luthman - Does that threaten the placement of the concession?

Answer: Mrs. Hurst - Yes.

Statement: Mr. James Erion - Mr. Erion read a resolution passed on July 13 by the Athletic Boosters requesting the placement of restroom be reconsidered. The Athletic Boosters are still committed to the project as a whole and would like consideration of alternative placement.

Question: Mrs. Hurst - Was there a meeting of the Athletic Boosters where there was an agreement to move the restroom placement.

Answer: Mr. Erion - Yes there was a meeting that resulted in support of alternative restroom placement, but there was not a resolution.

Question: Mr. Misleh - Is there another option for restroom placement?

Answer: Mr. Erion - He is not qualified to speak about restroom placement and would look to the volunteer architect and contractor for that information.

Statement: Mr. Trubow - As a neighbor of the high school he intends to hold his position of opposition to the restroom placement.

Question: Ms. Tracy Thies - Requested explanation of variance and conditional use.

Answer: Mr. Steve Kramer - Variance is required if the setback is closer than 50 feet and requires a Madeira PC variance. Variance was granted on the concession because it was on the original footprint.

Question: Mr. Don Luthman - Is the variance for the concession tied to the restroom variance?

Answer: Mr. Steve Kramer - The Madeira PC has already approved the space/location for the restroom connected to the art/music wing of the existing building.

Statement/Question: Mrs. Cheri Misleh - The high school PTA thanks all of the volunteers. The PTA favors the Board doing what is best for all of the Madeira Community. What are the negatives of attaching the restroom to the art/music building?

Statement: Mrs. Carol Thomas - Speaking for the music boosters, noted the placement of the restrooms close to the art/music building interferes with the band practice and band gathering. The placement of the restroom attached to the art/music building is not close enough.

Statement: Mr. Steve White - The Madeira PC makes decisions based on the interest of the community.

Statement: Mrs. Pam Spinks - The boosters were told that the location of the restroom was okay and there wasn't going to be any additional issues or concerns.

Question: Mr. John Cravak - What are the major complaints by the neighbors?

Answer: Mr. Steve White - Property value is the concern of the neighbors. Expectation of inconvenience when you move next to a school is understood. The concern is when the school changes to a public park.

Answer: Mr. Sam Trubow - A restroom will be a nuisance.

Statement: Mr. Jay Groenke - The school facility will be open only when there are planned activities.

Question: Mr. Larry Burns - What was your view at the time you purchased your property?

RECORD OF PROCEEDINGS**Minutes of MADEIRA BOARD OF EDUCATION****Special Session****Held July 19, 2009**

Answer: Mr. Steve White - clear.

Statement: Mr. Steve Kramer - Mr. Kramer indicated on the map where the different homes are and the proposed locations of the restroom.

Statement: Mr. Steve Shaw - The purpose of the meeting today is to provide input. If Mr. Shaw was representing the Madeira PC as their attorney he would advise them upon a "rehearing" to review the entire project in its entirety. Steve Shaw suggested to the Board that the location is acceptable and accept the decision of the Madeira PC and should not go back for a "rehearing". A "rehearing" would require more financial investment and irritate more neighbors. What is needed for the facility is a restroom.

Statement: Mrs. Kathy Hurst - The general Madeira community is not concerned with the restroom placement issue. They will appreciate the fact that the district moved forward with new ADA compliant restrooms.

Question: Mrs. Lisa Almquist - Why is there only one option for restroom placement attached to the art/music building?

Answer: Mr. Tom Walter - Plan B, restroom placement attached to the art/music wing, was developed because the volunteers felt that Plan A, restrooms attached to the concession, would not work. Plan A was defeated by the Madeira PC with a 7-2 vote. The Madeira PC listened to all interested parties testimony and made their decision. Mr. Walter stated he was very supportive of the art/music building placement of the restroom at an approximate cost of \$30,000. The placement would allow usage of existing electric and plumbing features. The area would be completed with landscaping, exterior brick, and be within the gated area. There is only 5 weeks left until the first game and using the art/music building placement would allow quicker completion.

Question: Mr. Chuck Jonas - Why not relocate the restroom to the end of the track?

Answer: Mr. Tom Walter - The space at the end of the track might be developed at a later date.

Question: Mr. Kam Misleh - Requested more information on the allowable placements of the restroom as approved by the Madeira PC?

Answer: Mr. Tom Walter - It is more economical to attach it to the existing art/music building.

Statement: Mr. Kam Misleh - Prefer the restroom by the track.

Question: Mr. Cheri Misleh - What is the negative to attach to the art/music building?

Answer: Mr. Jay Groenke - There is no immediate plan to expand the art/music building. His personal opinion is that is not the best option. Mr. Groenke does not fear that restroom placement will affect his property value. Mr. Groenke believes that the restroom will become part of the complex and not be noticeable.

Statement: Mrs. Kathy Hurst - Thanked the residents for attending the meeting. Suggested the Board needs some additional information for completing the project.

Question: Mr. Don Luthman - Did the Madeira PC hear or listen to one group of neighbors over another group of neighbors?

Answer: Mr. Tom Walter - The Madeira PC listens to all interested parties. Using the original footprint was not approved.

Question: Mrs. Linda Minter - Can there be a change in the ticket booth location?

RECORD OF PROCEEDINGS

Minutes of MADEIRA BOARD OF EDUCATION

Special Session

Held July 19, 2009

Answer: Mr. Tom Walter - The location has already been submitted, approved, and is under construction.

Question: Mr. Tim Yeomans - Why not deal with the restroom later?

Answer: Mr. Steve Kramer - Volunteers are currently working on the project. The financing, \$125,000, and fund raising for the project has already been committed that includes the concession, ticket booth, and restroom.

Question: Mr. Don Korengel - Has the Board looked at making the current restrooms ADA compliant?

Answer: Mr. Tom Walter - Due to space limitations the required ramping and additional fixtures could not be accomplished.

Question: Mrs. Laurie Westermeyer - Will the school Board support the restroom addition to the art/music building?

Statement: Mr. Vic Parkhouse - Many people in this room today worked with MSRP on Phase 1 completing the field turf project. Phase 2 is needed now including concession, ticket booth, and restroom.

Statement: Mr. Dan Bascom - The district needs to decide on placement of the restroom in one of the two optional locations. The Madeira PC will not rehear the same application.

Statement: Mr. Tom Walter - The grade of the location next to the track would require the entrance to the restroom to be on the back side of the free standing building instead of the front.

Mr. Pat Gentile requested Board input on the following question after listening to the questions, answers, and statements of the residents. Mr. Gentile asked each Board member to answer (1) is the Board going back to the Madeira PC? (2) What is the preferred location of the restroom?

Mr. Kathy Hurst - (1) Do not pursue legally or otherwise with the Madeira PC. (2) No response.

Mr. Kam Misleh - (1) Do not go to Madeira PC. (2) Place restroom next to the track.

Mr. Jay Groenke - (1) Go back to the Madeira PC. (2) Place restroom next to the track.

Mr. David Templeton - (1) No response. (2) Place restroom next to the track.

Mr. Pat Gentile (1) Do not go back to the Madeira PC. (2) No response.

Mr. Pat Gentile requested the Board move to vote on the following motion.

(86-09) Move the Board not take any action of appeal or request a rehearing to the Madeira Planning Commission.

Vote: Mrs. Hurst, aye; Mr. Templeton, no; Mr. Groenke, no; Mr. Misleh, no; Mr. Gentile, aye.

ADJOURNMENT (87-09) The July 19, 2009 Special meeting of the Madeira Board of Education was adjourned.

President

Treasurer