

The Olmsted Township Zoning Commission special meeting of March 19, 2001 was called to order at 7:40 PM. Present was Chairman Michael Bajorek, Ronald Campanalie, Ryan Thomas, Richard Witherspoon and Albert Arlow.

Mr. Bajorek stated that the purpose of this special meeting is to discuss Resolution A-01. Mr. Campanalie moved to reintroduce Resolution A-01 for discussion. Seconded by Mr. Arlow. Matt Casey was present representing Pulte Homes. Mr. Casey would like to confirm that all correspondence from Joyce Dodrill, Pulte Homes, Lorrie Sass and the Cuyahoga County Engineer was received by the Board members. The Board reviewed all of these documents.

Mr. Campanalie moved to dispense with the reading of the minutes from the meeting of February 14, 2001 and approve as submitted. Seconded by Mr. Arlow. Roll call, Mr. Campanalie-yes, Mr. Arlow-yes, Mr. Thomas-yes, Mr. Witherspoon-yes, Mr. Bajorek-abstain.

Discussion with the audience and Pulte Homes regarding the legal opinions of the vote taken on February 14, 2001. Mr. Bajorek stated that the vote taken on Resolution A-01 was 2 nays and 2 yeas.

Mr. Thomas stated that according to information received from the attorney general's office, on a 2 to 2 vote the motion is lost. Mr. Campanalie stated that the legal opinion from assistant county prosecutor Joyce Dodrill has stated that our zoning code does not express the results of a 2-2 vote. According to our resolution a vote of three is required to pass a motion. If a vote is less than 3 yeas or 3 nays, the vote is considered a non-vote. Mr. Thomas stated that what Ms. Dodrill is referring to is a quorum of the board, not a vote. Mr. Thomas stated that they have passed Resolutions with less than 3 votes to the affirmative.

Mr. Bajorek stated that everyone has stated their opinion and received all information regarding this issue. Ms. Dodrill's recommendation is to re-vote. Mr. Bajorek asked if all board members were ready to move on. Mr. Witherspoon asked what the information received from the attorney general's office was. Mr. Thomas stated that the attorney general's office said that if an issue was voted on, it was over. Discussion ensued regarding what would constitute a majority vote by the board.

Mr. Thomas stated that the previous motion was not voted on. The secretary took a roll call on Mr. Campanalie's motion to re-introduce Resolution A-01 for discussion. Roll call. Mr. Witherspoon- yes, Mr. Thomas-no, Mr. Arlow-yes, Mr. Campanalie-yes, Mr. Bajorek-yes.

Mr. Arlow moved to approve Resolution A-01, Woodgate Farms Final Development Plan, Phase 1. Seconded by Mr. Campanalie. Roll call, Mr. Campanalie-yes, Mr. Thomas- pass, Mr. Arlow-yes, Mr. Witherspoon-pass, Mr. Bajorek-yes.

Floor Discussion

Mr. Bajorek stated that the Zoning Commission would like to request a land use expert or land use attorney be hired by the Board of Trustees to advise this board.

Mr. Bajorek stated that an application was submitted and a date for the public hearing is needed.
Mr. Thomas moved to set the date for the public hearing for April 11, 2001 at 7:45 PM.
Seconded by Mr. Arlow. Roll call, all approved.

for D-01-
Westfield
Stamps

Mr. Campanalie moved to adjourn. Seconded by Mr. Witherspoon. Roll call, all approved.

Respectfully submitted,

Tammy Tabor
Tammy Tabor, secretary

Albert Arlow 4/11/01
~~Michael Bajorek, Chairman~~ Date
Albert Arlow
VICE CHAIRMAN