



ORIGINAL

PLANNING & ZONING MEETING
Minutes of December 18, 2018

Chairperson Dave Hart opened the regular meeting at 7:00 p.m. on the above date, with the Pledge of Allegiance and the following members answering roll call:

Present: Dave Hart, Chair Sonny Markus Ron Johnson
 Tom Wheeler Nick Reitman Steven Shinkle

Absent: Randy Nehus

Also Present: Ramona Williams, Asst. City Clerk Carol Hofstetter, Zoning Administrator
 Mark Brueggemann, Engineer Robert Seitzinger, Engineer
 Sam Trapp, Public Works Superintendent

APPROVAL OF MINUTES: December 4, 2018

MOTION: Steven Shinkle made a motion to approve the minutes of December 4, 2018; seconded by Tom Wheeler. All in favor, the motion passed 5-0-0 with Mr. Hart abstaining.

VISITORS AND GUESTS:

NEW BUSINESS:

Heineke Site Drainage Issue:

Gary Caudill of 15 Orlando Drive was present to discuss with the Commission an issue he has with water drainage. Part of his property is directly behind the new construction of Heineke Veterinary Hospital located at 5 Orlando Dr. He stated he was not opposed to anything Dr. Heineke was doing other than all the storm water coming off that property is directed to his back yard. Mr. Caudill has owned the property since 2002 and said the water had always drained towards the street. He requested there be a better plan for diversion of the water from his property. Previous to construction there was pervious material - grassy area to absorb most of any excess water; however, with the construction that has been done and the placement of blacktop, he felt all the water was being condensed into the 12" pipe and once released, it is directed in a single, forced stream towards his property and not able to "spread out" as before.

Mr. Riegler, with Riegler Blacktop and engineer for the Heineke project, felt the misunderstanding is the amount of water that is being discussed. The standard of care is not to change the direction of where the water is going. The water has always been going towards the property of Mr. Caudill. All the data he collected shows the water is continuing to flow in the exact same direction. There is a ditch line that runs along Orlando and water flows to that ditch line onto his property. A big rain event may cause the water to hop over the ditch because a gravel drive was placed there. The capacity of the 12" pipe is over 6 CFS or 1/6th of what it can do. The amount of riprap rock that was proposed for the drainage was twice as much as planned for the purpose of "spreading it out" to minimize the flow from exit for the least amount of impact to his site. Engineers cannot change the direction of where this water goes, and while he respects Mr. Caudill's opinion on the situation, he does not see changing the direction of the pipe as a viable solution or option. He also felt there was too much excitement over an issue that is not a problem, and the project is not even completed at this juncture. Everything has followed regulations, and was previously approved by all concerned. The water coming from this pipe could fit in an 8" pipe but it is standard to go with the 12" to allow for debris such as leaves going into catch basin to clear out and not get clogged up. The large pipe may look menacing, but when you look at the flow, it's 1/6th of the capacity of the pipe.

After much discussion between property owners Mr. Caudill and Mr. Heineke, and both engineers, along with review of drawings and pictures, a proposed solution was offered by City Engineer, Mark Brueggemann for consideration. That change would be to redirect a couple downspouts to another location instead of all the downspouts going to one collection basin to the 12" pipe. The issue was not

really an increase in the amount of water, but rather the water was now being concentrated to the 12" pipe. Also, the amount of impervious area between what it was originally versus what it is now is a miniscule increase of less than .09 acres. Mr. Riegler said the pictures provided do not show any evidence there is more water now than previous to construction. They had done more than was required by regulations to dissipate the potential for problems by adding above the required amount of the riprap and channel line rock for that area.

Barry Heineke then took the podium to state that he bought the property in 1997. When he first came to the practice, water would drain through his yard, very little would go out into Orlando, and it would basically flow into the property of Mrs. O'Hara, the owner of property at that time. The reason it does not go into the property now is that Mr. Caudill put a curb along the whole front part of his yard. Mr. Caudill admitted doing so to control the water, diverting it into the street which now becomes a skating rink in the Winter. As a business owner Mr. Heineke does not want to divert more water to Orlando Drive and is not willing to change any of the plans that were already approved, paid for, and put into place.

In summary, not everyone is going to agree on the amount of, or where the water is going. Both parties have relied on their professional staff of engineers for the best scenario. Mr. Riegler said there is room for compromise by directing a couple of downspouts off that line. It would not be a huge or costly measure. The pipe can be turned to direct it down Orlando Drive. Mr. Heineke is more than willing to meet half-way for compromise and make an effort to alleviate some of the issue. It was not his intention to purposefully or maliciously create any issues with Mr. Caudill and he will proceed with the project as recommended by the professionals. However, Mr. Caudill is going to have to meet half-way as well and be willing to compromise.

After hearing lengthy arguments from both sides, Nick Reitman felt the issue was more between the property owners/neighbors to reach a mutual agreement and would like to see them accept the proposed change as a positive compromise. The project has been presented, discussed, and approved with all requirements having been met. There is nothing more the board is required to act upon and agrees with the proposed option of taking two downspouts off the line to ease some of the water going to the pipe.

Mr. Hart thanked all parties for being present and hoped they would continue to work together.

OLD BUSINESS

Sign Ordinance Changes:

A brief discussion took place on signs but nothing was decided.

INTERNAL BUSINESS

Mr. Hart presented the Treasurer's Report for December 18, 2018

Beginning Balance	\$12,095.44	
Receipts	+635.01	Application for site approval Hanson Transp
	+250.00	Application for plat approval Tamara Belanger
	+250.00	Application for plat approval Drees
	+610.00	Application for site plan approval Gold Star
Expenses	- 36.75	Priority Dispatch Inv. 1115151
	-351.00	Ziegler & Schneider Stmt # 215
Ending Balance	\$13,452.70	

MOTION: Nick Reitman made a motion to pay invoices as submitted, Sonny Markus seconded. All in favor, the motion passed 5-0-0. Chairman Dave Hart abstained.


MOTION: Ron Johnson made a motion to accept the Treasurer's Report as submitted, seconded by Steve Shinkle. All in favor, the motion passed 5-0-0. Chairman Dave Hart abstained.

Other: No other comments.

ADJOURNMENT

MOTION: Steven Shinkle made a motion to adjourn, seconded by Nick Reitman. All in favor, the motion passed with a 5-0-0 vote, Mr. Hart abstaining. Meeting adjourned at 8:45 p.m.

Attested to and submitted by:


Jan Johannemann, City Clerk


Dave Hart, Chair

Dated 1/16/19

Dated 1/15/2019