

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, April 21, 2014, at 7:30 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Mayor Kingseed, who led the Pledge of Allegiance and also presided over the meeting. Council Members and City Staff were present as follows:

Deputy Mayor	Brooks Compton
Council Members	John Beals
	Pau Gresham
	Belinda Kenley
	John Palcher
	JoAnne Rau
Clerk of Council	Debra James
City Manager	Gregory Horn
Police Chief	Bruce Robertson
Finance Director	Steven Hinshaw
City Planner	Andrew Rodney
Economic Development Administrator	Nathan Cahall
Public Works Director	Rob James
City Engineer	Douglas Spitler
Assistant City Engineer	John Sliemers
Community Resources Coordinator	Maureen Russell Hodgson
Municipal Attorney	Scott Liberman

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting - March 17, 2014.

Work Session Meetings - March 17, 2014.  
April 07, 2014.  
April 14, 2014.

Mrs. Kenley noted a correction for the minutes of the work session on April 14 that a letter of recommendation to the Ohio Municipal League Board would come from Mr. Horn, not Mayor Kingseed. Dr. Gresham abstained from the vote of the minutes of the work session and Council Meeting of March 17, 2014; Mr. Beals abstained from the vote of the minutes of the work session of April 14, 2014; and Mrs. Rau abstained from the vote of the minutes of the work session of April 7, 2014. Mr. Compton made a motion for approval of the minutes, as corrected. Mr. Beals seconded the motion. The motion to approve the minutes passed 7-0.

Carol Kennard, Director of the Centerville-Washington Park District, gave a report on the upcoming 0.9 mill renewal levy on the ballot on May 6, 2014. The Park District provides education, recreation, athletic fields, multi-use trails and open space in its 1,000 acres in 49 parks throughout Centerville and Washington Township. The levy would provide funding for daily operations and maintenance of the Park District's facilities. Ms. Kennard reviewed current amenities and future projects.

Mayor Kingseed welcomed Youth in Government Day participants who would be shadowing various staff members and holding a mock council meeting on April 29, 2014. The students who are involved and their roles are as follows:

Mayor	Alex Africk
Deputy Mayor	Alexys Bardonaro
Council Member	Annie Kost
Council Member	Jacqueline Rupp
Council Member	Tyler Grile
Council Member	Brian Kurek
Council Member	Monica Shah
Clerk of Council	Austin Edsall
City Manager	Caleb Holbrook
Assistant to the City Manager	Delaney Wurster
Assistant to the City Manager	Robin Herner
Director of Finance	Ellie Ballard
City Planner	Zach Rinstidt
Economic Development Administrator	Sarah Brown
Human Resources Manager	Joelle Falugi
Chief of Police	Alice Graham
Public Works Director	Todd Kinderdine
City Engineer	Lauren Moran
Golf Maintenance Superintendent	William O'Flaherty
Head Golf Professional	Andrew McGuffey
Director of Food Service	Hope Keller

Neither Mayor Kingseed nor Mr. Horn gave a report at this meeting.

Mr. Cahall outlined property maintenance code violations and resolutions for the month of March 2014, as well as the community calendar for the remainder of April and the month of May.

#### UNIFIED DEVELOPMENT TEXT AMENDMENT – TABLE 9.1, PERMITTED USED IN I-1 ZONING DISTRICT – APPLICANT, GREG DART

The Public Hearing was held concerning Ordinance No. 01-14. Mr. Rodney gave the staff report on Application P-2014-0007 by Mr. Greg Dart requesting an amendment of the Permitted Use Table of the Unified Development Ordinance to allow indoor recreation clubs in I-1 Zoning Districts with site plan approval. Although Mr. Dart wishes to open an indoor recreation club at 1701 Thomas Paine Parkway, the request would affect all I-1 zoning districts in the City of Centerville. Previous to the application, staff had discussed expanding the number of possible uses as one way to improve occupancy and maintenance in the I-1 zoning areas. Mr. Rodney noted that the Planning Commission had voted 6-0 recommending approval of this amendment to the UDO.

Dr. Gresham made a motion to approve Ordinance No. 01-14, An Ordinance Amending Ordinance 14-08, The Unified Development Ordinance For The City Of Centerville, Ohio To

Amend The Development Standards Of The Unified Development Ordinance. Mrs. Kenley seconded the motion. The motion passed unanimously.

APPLICATION P-2014-0005: PRELIMINARY DEVELOPMENT PLAN FOR 32.92  
ACRES AT 700 EAST ALEX-BELL ROAD

In the second matter from the Planning Commission, Mr. Rodney gave the staff report for the Preliminary Development Plan submitted by CESO, Inc. for the construction of 85 single-family homes on 32+ acres between the Pleasant Hill subdivision and the Deer Run Condominium Community. The area has been zoned R-PD, Residential-Planned Development since 1986 and allows density up to six units per acre. Mr. Rodney explained the process required for public hearings at the Planning Commission and City Council for both this preliminary development plan and the final development plan. He summarized the background information from the February and March Planning Commission public hearings, before addressing the main neighborhood concerns voiced by residents –lot density on the west property line, increased traffic and safety on Zengel Drive, stormwater management, public notification, setback distances between the homes and open space. He announced the developer agreed to reduce the number of lots along the west property line from seventeen to sixteen. A curve for the roadway and stop signs were added to the plan for Zengel Drive. Mr. Rodney shared speed statistics collected by the Centerville Police Department along Zengel Drive in 2010 and shared the number of citations issued from 2009-2013. He reviewed the standards of approval from Section 5.09(G)(1) of the Unified Development Ordinance. Staff recommended approval of Application P-2014-0005, subject to the following nine conditions:

1. Final designs of intersections are subject to approval by the City Engineer. All clear zones shall be determined by the developer's engineer.
2. The Applicant shall provide a traffic analysis to calculate the trip generation to be expected by the proposed development and determine the proper location and length of the proposed turn lanes on Alex-Bell Road.
3. The final design of stormwater management infrastructure and individual lot drainage systems shall be in accordance with Article 9.35 of the UDO.
4. Parkland shall be provided in accordance with Article 9.47 of the UDO.
5. A public accessway of at least ten (10) feet in width shall be provided to access the proposed open space at the northwest corner of the subject site amongst Lots 44-48.
6. Use of vinyl or aluminum siding shall be prohibited. Vinyl or aluminum may be used for fascia, soffits, or other similar minor architectural or structural elements on a case-by-case basis upon review and approval by the City Planner.
7. Blank or featureless walls visible from the public right-of-way shall be avoided.
8. Detailed comments from the Engineering Division will follow and shall be incorporated into the final development plan, record plan, and construction documents as appropriate subject to approval by the City Engineer.
9. Detailed comments from Montgomery County Water Services and utility companies will follow and shall be incorporated into the final development plan, record plan, and construction documents as appropriate, subject to approval by the City Engineer.

The Planning Commission added the following three conditions at its meeting on March 25, 2014, creating conditions 10 through 12:

10. The applicant shall create a cul-de-sac at each stub end of Zengel Drive and a pedestrian walkway connecting the two.
11. The applicant shall add a 10' pedestrian walkway near the center of the block, running between the two new main streets.
12. The homes in this new plat shall have first floor brick wrap.

As of the night's meeting, staff recommended the following modifications to Conditions #5, #6, #10, #11, and #12.

5. A public accessway of at least ten (10) feet in width shall be provided to access the proposed open space at the northwest corner of the subject site ~~amongst Lots 44-48 adjacent to Lot 50.~~

Staff Comment: The Applicant proposes to allow access to the open space area via a proposed future 20 foot sanitary sewer easement adjacent to Lot 50. Staff believes this is an appropriate location and does not object to the modification.

6. *Homes shall be constructed using natural exterior materials such as brick, stone, wood, or other similar natural material, and include architectural elements and varied facades on all sides of each structure.* Use of vinyl or aluminum siding shall be prohibited. Vinyl or aluminum siding may be used for fascia, soffits, or other similar minor architectural or structural elements on a case-by-case basis upon review and approval by the City Planner.

Staff Comments: Staff recommends the noted additions to account for the purpose and intent of the proposed Condition #12 which required a brick wrap on each home. Staff contends that a brick wrap on each home will result in a monotonous block face and would limit creativity and flexibility in home style and design. The use of other materials, such as stone or wood, would add variety to the development and enhance the overall quality of the home product.

10. The applicant shall create a cul-de-sac at each stub end of Zengel Drive and a pedestrian walkway connecting the two.

Staff Comment: Planning Staff believes the roadway design suggested by Condition #10 would technically facilitate interconnectivity between neighborhoods, but results in a less desirable road layout and would not be the preferred solution of Staff.

11. The applicant shall add a 10' pedestrian walkway near the center of the block, running between the two main streets.

Staff Comments: Staff recommends the elimination of this condition. In theory, a mid-block pedestrian access makes perfect sense given the length of each block face. However, the significant grade differential between the two parallel streets would lead to a walkway grade in excess of 8%. Staff believes such a walkway would be a serious safety concern for users-particularly children-and would not add any discernible value to the project.

12. The homes in this new plat shall have first floor brick wrap.

Staff Comments: Staff recommends the elimination of this condition. Condition #12 is absorbed into Condition #6.

Mayor Kingseed opened the public hearing with comments from the developer. Mr. David Oakes of CESO Inc., 8534 Yankee Street, who was the applicant, summarized the company's response to some of the Planning Commission's recommendations. As developer, he felt that Condition #10, creating a cul-de-sac at each stub end of Zengel Drive and a pedestrian walkway connecting the two, was a disconnect within the community and wouldn't achieve connectivity or eliminate traffic concerns on Zengel Drive at the park. The lots within the cul-de-sac would not be desirable home sites, and builders would have difficulty placing homes on those lots. He stated that this layout eliminates four buildable lots without producing sufficient benefit.

Therefore, in preparing for this meeting, the developer had submitted an alternative plan that was very similar to the last submittal to the Planning Commission as recommended by staff. The layout proposed at the last Planning Commission Meeting had one connection to the east into Deer Run (Zengel Drive) and two connections to the west (Zengel Drive and Treeview Drive). In the new concept, the connectivity to the west would be via a walkway to the park with the right-of-way remaining in place, but no roadway would be constructed at this time. This plan would allay concerns raised by residents about additional vehicles in the park area.

Mark Locke of Ryan Homes, 884 Pleasant Valley, Springboro, responded to residents speaking at Planning Commission concerning the quality and price of the proposed homes. Many felt this development would affect their property values. Mr. Locke's research showed that the average price of a house is expected to be \$270,000 based on prices for homes in Normandy Green. Those homes ranged in price from \$200,000 to \$360,000. Average prices for the new homes would be \$110,000 more than the average value of existing homes in Pleasant Hill. For Deer Run residents, the average of the proposed homes would be \$30,000-40,000 more than the current average price in Deer Run. Mr. Locke felt the new subdivision should drive up property values in the area. With regard to the language addressed in Condition #6 and modification to Condition #12 he shared language used when houses were built by Ryan Homes in Yankee Trace previously. The language allowed a wide variety of products and materials to be approved. He showed pictures of elevations of various models of the proposed homes.

Mr. John Koverman, an attorney representing Mr. Thomas Agnew of 345 Silvertree Court, spoke at length on behalf of his client. He questioned the City's role in the application for the Preliminary Development Plan, since the City owns a small wedge of property at the site that was leftover from right-of-way needed for the widening of Alex-Bell Road. Mr. Koverman noted that the City had not required a traffic study at this point. He reported a study done for a subdivision in Fairborn with 185 units found that traffic generated would be 2919 vehicles per day. Comparing that to the 85 proposed lots, there would be 1335 additional vehicles per day in the area. Considering the difficulty turning left onto Alex-Bell at certain times of day, he felt the majority of traffic would use Zengel Drive, a roadway clearly not set up to take the increase in traffic. He noted the depth of the retention ponds and stated that the ponds would be drowning hazards, even "attractive nuisances," for children. Mr. Koverman said that Mr. John Geiger, his

consulting engineer, felt that it would be difficult to get back yards with slopes of less than 3:1, without the use of retaining walls.

Mr. Koverman challenged the Council to require homes and lots sizes similar to those in the Enclaves of Washington Township where advertised amenities included first floor brick wraps, cul-de-sac homes, wooded lots, walk-out basements, and home-sites from 1/3 to 3/4 of an acre. He asked Council to protect the current residents and demand a similar product.

Mayor Kingseed stated that the meeting would reconvene after a five minute break.

When the Mayor reconvened the meeting, Kate Lepley, 227 Zengel Drive, voiced her concern about safety for children with the increase in traffic, especially since her side of Zengel had no sidewalks.

Jack Garner, 85 Zengel Drive, referred to his street as "Centerville Speedway." He did not want the extension of Zengel Drive to Clyo Road or even a connection into the new subdivision. He voiced his support for speed control devices on Zengel Drive and stated anxiety related to the safety of children, the left turn onto Alex-Bell Rd., and decreasing property values.

David Herbert, 85 Mimosa Drive, stated it is very difficult to turn left onto S.R. 48 from Zengel Drive. He said he totally objected to increasing traffic on Zengel Drive from the new development and Deer Run. He stated opposition to the proposed cul-de-sacs where people would have to drive through the new development to get to the other part of Zengel Drive. When he asked if the new homes would have slabs or basements, Mr. Rodney answered that there would be basement options and two of the areas would have walk-out basements. Mr. Herbert asked how many acres would be left after the right-of-way was taken out. Mr. Rodney answered that he didn't have that calculation, and Mayor Kingseed clarified that typical density calculations include rights-of-way and streets.

Charles Deuser, 182 Cherry Drive, stated that the UDO was supposed to protect the existing neighbors. He did not think that the large number of residents attending felt they were being protected.

Jeff Bowman, 319 Zengel Drive, a closing officer at a title company for 7½ years, questioned the comparison of the new home versus the existing home values. He said the calculation should compare the cost of a new home with the cost of rebuilding an existing home.

Tim Bowser, 257 East Elmwood Drive, talked about the 2010 Traffic Study with Mimosa Drive and Elmwood Drive. After noting a stop sign within 100 yards on those streets, he doubted the validity of the study for Zengel Drive. He stated that high school students would use Zengel as a shortcut if it was open to Clyo Road. He disagreed that a curved roadway creating a little less sight distance (a blind) and a couple of stop signs would improve safety or reduce the number of cars cutting through. He agreed with the Planning Commission that the road should not be extended.

Marian Laing, 205 South Hill Court, stated that the children and their safety should be the priority in making this decision. She noted that City staff wanted connectivity—exactly what the residents were against.

Laurie Weed, 294 Blackstone Drive, stated her five concerns were increased traffic, the effect on wildlife, construction noise affecting the quality of life for the neighborhood for five years, the dangers of retention ponds, and the level of demand or need for the new homes. She asked the members of Council to deliberate as if this development and construction were proposed for their back yards.

Tom Endicott, 7238 Caribou Trail, President of the Deer Run Homeowners Association, asked Council to follow the lead of the Planning Commission and retain Condition #10 requiring the cul-de-sacs. He indicated that the most significant problem for the people in Deer Run would be the traffic to and from Zengel Drive.

Amy Cloud, 7113 Hartcrest Lane, said her home borders the eastern edge of the new subdivision. She affirmed her wholehearted agreement with the Planning Commission recommendations. Because her home could adjoin up to three of the Ryan Homes, she asked about the setbacks required. Mr. Rodney replied that from the back of that house to the rear property line would be around sixty feet. He said the distance between the back of her house and the back of the new house would probably be around 90' to 100'. She stated that the distance was too close for her comfort. She also noted difficulty in turning from Deer Run onto Clio Road from 8:00 to 9:00 a.m. and during rush hour in the evening; putting more cars through Deer Run would add to the long wait lines. She asserted that it would be unfair to open Zengel Drive through Deer Run, but not into Pleasant Hill. She said, when she had complaints about snow plowing in Deer Run last winter, it was the City's streets that were not plowed.

Ron Malish, 330 Blackstone Drive, stated the City's plan would not protect the hill as the signs all over the Pleasant Hill neighborhood requested. He spelled out how this issue was not just about protecting Pleasant Hill. The US economy is in poor condition, and the United States now ranks alongside Turkey in wealth gap between rich and poor – the top one percent in income versus the rest of us. He showed a home of good quality that was built 41 years ago by the Zengels next to a house currently built by Ryan Homes which he considered poor quality and poor design. He lamented that the money of Centerville residents would go to Ryan Homes Headquarters in Reston, Virginia, less than 20 miles from Washington, DC, enabling the company to continue to lobby our politicians and to pay one of the top 100 highest salaried CEO's in America.

Jeff Meineke, 329 Silvertree Court, pointed out the open green areas were sized mainly to accommodate retention ponds and that there were no buffers between the current neighborhoods and this proposed construction. He stated that the Zengels never built there – they could not build the type of house that met their standards. He stated that there was no recourse against the Planning Commission, but that the Council was elected, and citizens would have recourse with them.

Keith Burr, 100 Mimosa Drive, who was a remodeler for 27 years, indicated that his concerns were traffic and quality. He encouraged Council to require Ryan Homes to build to Centerville standards so that the city would remain a place where people wanted to be.

Mike Richey, 50 Zengel Drive, drove home the message, "Don't let Zengel become a through street." He also was unhappy with the steep slopes in the new area and the fact that the traffic counts had not been done during the season when the pool was open.

Chuck Hamlin, 337 Silvertree Court, declared that Virginia Avenue, was a dead-end street and could be cited as a precedent for dead-ending Zengel Drive. Mr. Hamlin encouraged Council to make a choice that Centerville could be proud of by listening to what the people wanted.

Helen Yauch, 291 Zengel Drive, compared the lot sizes in Pleasant Hill and the new plat. She said she bought her home because of the larger lot size, the mature trees, and the reputation of Zengel Builders. She worried about increased traffic and safety for children.

Jeff Meyer, 184 Linden Drive, asked Council not to connect Zengel Drive because of increased traffic and children walking to school.

Jennie Eide, 204 Pleasant Hill Drive, scolded the Council and staff for not listening to the voices of the past month and for choosing to jeopardize the safety and unique nature of this ideal residential neighborhood. She asked that the citizens be the top priority, not the financial interests of the developers.

Dave Westendorf, 898 Deer Run Road, pleaded with the Council to keep Condition #10 of the Planning Commission requiring the cul-de-sacs. He felt the Planning Commission had exercised wisdom in what they decided and had listened to the 300+ people who had signed Jennifer Sargent's petition.

David Yauch, 291 Zengel Drive, detailed a study called a Traffic Impact Analysis covering all public roads involved in a project. He asked whether this would be required when the Final Development Plan was presented, Mr. Rodney stated that a Traffic Impact Study would be required and would be a public document. Mr. Yauch shared that he has high expectations because Centerville has high standards—and high property taxes. In return, he stated his expectations that he would have the support of the Council when he needed it.

Mr. Yauch asked how Ryan Homes determined the price of a home. A price per square foot was one norm. He pointed out that if the demand was not what was expected, Ryan Homes could end up selling these homes for \$180,000 or a greatly reduced price. He asked if Phase 1 could stand alone, if Phase 2 was never developed. He requested a product that is symbiotic with Centerville, not parasitic.

Donna Ankrom, 510 Cedarleaf Drive, noted a constant pattern of traffic currently using Cedarleaf Drive to access other parts of Pleasant Hill. She said she expected the vehicles per day to increase and reiterated the problem of safety for children. She felt the new subdivision would

have little safe area for children because of steep inclines connecting one street to the other, limited front yards and steep backyards.

Greg Foley, 440 Ceaderleaf Drive, asked if there had been a geological study done on this property to identify the bedrock level. He declared he had hit bedrock 6.5 feet down when trying to install an in-ground pool in Pleasant Hill. He asked if hitting bedrock during construction had been considered. Mr. Rodney answered that staff was aware of the issue and that CESO had done borings to identify the location of the bedrock.

Thad Sargent, 340 Blackstone Drive, noted the circuitous route through Deer Run to Zengel Drive. He asked if there was a circuitous route through the neighborhood when one starts at the pool and goes west on Zengel Drive to S.R. 48. Mr. Rodney answered that it is a straight shot – it is wide, long, easy to speed, and only one stop sign. He wanted to point out that there is no fixing that either unless people are willing to give up property.

Diane Wysong, 664 Legendary Way, stated that she formerly lived at the corner of Deer Run Road and Clio Road. She asserted that the east wall of her home's basement was caving in because of a drainage problem. Others, including Deer Run residents on Hartcrest Drive had drainage problems also. She asked for consideration for a thorough study as to whether the two retention ponds would be enough. She felt people downhill from the Zengel property should be protected.

Mark Engert, 182 Pleasant Hill Drive, asked what would happen if the actual traffic through Pleasant Hill exceeded the estimates in the traffic study by a considerable amount—10, 15 or even 20%. He wanted to know if there would be any recourse other than to live with the traffic for the long term.

Tom Agnew, 345 Silvertree Court and a resident of Centerville for 56 years, explained that he had watched Centerville grow into a coveted residential area. He said that Centerville's success was due directly to its elected officials, the Office of Development and the Planning Commission who also have the goal to maintain and grow the tax base to keep the City healthy and self-sufficient. However, that focus should never take precedence over the well-being of the homeowners as was happening to the citizens of Pleasant Hill, Deer Run and Whispering Oaks. He complained about the difference in density, the lot sizes, the setbacks and the view of a "Berlin Wall." He enumerated the following points: 1) It is a very narrow, difficult parcel of land with bedrock and slope problems. 2) It is a lousy layout dictated by land conditions and site profitability. 3) The homes are of questionable quality compared to existing Zengel homes. 4) Increased traffic creates safety concerns.

Mr. Agnew proposed that the people of Pleasant Hill, Deer Run and Whispering Oaks form a coalition to buy or lease the land from the Zengels. The coalition could work with the Centerville-Washington Park District or two or three other groups such as the City's Stubbs Park to develop Zengel Park with a few shelters and picnic tables. He had spoken with the Centerville-Washington Park District regarding this possibility. He said there was a vote coming up May 6 for the Centerville-Washington Park renewal levy; he felt the project could be included in their upgrades.

Jennifer Sargent, 340 Blackstone Drive, read a letter she had sent to the Council. She discussed three main items. Her first request was for the number of lots on the west boundary in the new subdivision to equal the number of lots on the Pleasant Hill side. Her second item was traffic and its impact on the identity of the neighborhood. Third she discussed the installation of curbs and traffic calming measures on Zengel Drive.

The Public Hearing was officially closed. Mr. Compton stated that he would like to take sufficient time to consider all that had been presented in the course of the evening. He felt that this Preliminary Development Plan required additional thought and deliberation. He suggested tabling the matter until May 12, 2014. Mrs. Kenley stated support for Mr. Compton's idea. She said it was obvious the citizens present loved the city, and that Council needed due time to consider seriously the points that they have made. The goal would be to find an equitable, knowledgeable solution. Mayor Kingseed reminded everyone that the public hearing had been closed, so there would be no testimony at a future meeting.

Dr. Gresham pointed out that Council had heard a proposal that this land be bought and made into a park. Mayor Kingseed stated that the City cannot get involved in private negotiations between the owner and the developer of the land, and a citizens group. He said that the citizens' group would need to communicate directly with Mr. Zengel. It would be totally improper for the City to interfere with any contract between Mr. Zengel and the Developer. Mr. Liberman stated agreement that the City should not be involved in such an effort. He said the reality is the owner of the land has a right to develop it and has made that request. The job of the Council is to evaluate the application under the zoning laws and to make a decision.

Mr. Compton made the motion to table this matter until the Special Council Meeting scheduled for May 12, 2014, at 7:30 p.m. Mrs. Kenley seconded the motion. The motion passed unanimously.

Mayor Kingseed explained that the Consent Agenda contains routine procedural and administrative matters which the Council had discussed in Work Sessions. Council Members read the Consent Agenda items into the record, before Dr. Gresham sponsored the following items and moved for their approval.

- A. Ordinance Number 02-14, An Ordinance Repealing Chapter 836 "Peddlers And Solicitors" Of The Codified Ordinances Of The City Of Centerville And Enacting New Chapter 836 Entitled "Peddlers, Vendors, Canvassers, And Charitable Solicitations be set for Public Hearing on May 19, 2014.
- B. Resolution Number 14-14, A Resolution Authorizing And Directing The City Manager To Enter Into An Economic Development (PIR) Grant Agreement With South Point Building Investment, LLC, And Southwest Ohio ENT Specialists, Inc.
- C. Resolution Number 15-14, A Resolution Declaring Specific Property No Longer Utilized By The City Of Centerville As Surplus Property And Authorizing The City Manager To Dispose Of Said Surplus Property In Accordance With The Guidelines Stated Herein.

- D. Marlene Orendorf be appointed as Temporary Chairman of the Arts Commission for a term of three months.
- E. Frank Holloway be reappointed as a Member of the Board of Architectural Review for a term of three years

Mr. Beals seconded the motion for the Consent Agenda. The motion passed with seven ayes.

EMERGENCY ORDINANCE NUMBER 03-14:  
EMINENT DOMAIN FOR PROPERTY LOCATED AT 5770 WILMINGTON PIKE

Mr. Horn stated that Mr. Cahall had been working on for some time on the right-of-way for the widening of Feedwire Road, east of Wilmington Pike. At issue, at this time, was a very small parcel of property located at the southeast corner of Wilmington Pike and Feedwire Road that the City needed to acquire in a timely manner in order to proceed with the project. Mr. Cahall stated that the requested ordinance would allow an eminent domain proceeding to take place. He also shared that, in the interim since staff put this on the agenda, the City had been negotiating with the property owner, and the City should be able to acquire the area without having to do a quick take in Common Pleas Court. Passage of this ordinance would allow the City to proceed with the quick take, if for some reason the title transfer would fall through in the next 30-45 days. In that case, staff would have the legislative authority to proceed without delaying the Feedwire Road project.

Mr. Compton sponsored Emergency Ordinance No. 03-14, An Emergency Ordinance By The Council Of The City Of Centerville, Montgomery County, State of Ohio to Appropriate All Right Title And Interest In A Certain Parcel Of Real Property Located at 5770 Wilmington Pike, Centerville, Ohio For The Purpose Of Public Right-Of-Way And Temporary Construction Easement Purposes; And Declaring An Emergency and moved for its approval. Mrs. Rau seconded the motion. The motion passed unanimously.

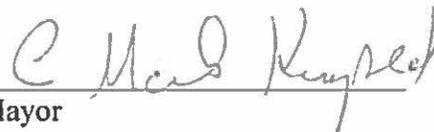
RESOLUTION NUMBER 16-14: YANKEE TRACE WOODS, LLC  
PETITION TO ESTABLISH A SPECIAL ASSESSMENT DISTRICT

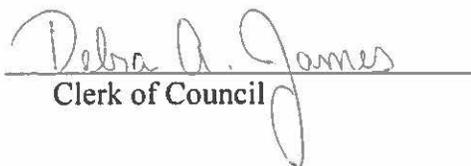
Mr. Cahall explained that this resolution related to last year's annexation of 14 acres between Yankee Trace Drive and Paragon Road near the "S" curve and the fifth green of the Golf Club at Yankee Trace. Presently, the property owner petitioned for the establishment of a Special Assessment District, a tool used for construction in other parts of Yankee Trace, allowing the City to act as a conduit for monies to fund the construction of the roadway and sanitary sewer to service the 27 lots in the subdivision. This resolution would be a first step in a two-step process. The next step would be legislation authorizing construction to proceed and the funds to be borrowed. The money for infrastructure would be repaid by the future homeowners as assessments on the lots, following the sale of the homes.

Mrs. Rau sponsored Resolution No. 16-14, A Resolution Declaring It Necessary To Construct And Install Public Roadways, Sidewalks, Curbs, And Sanitary Mains Along The

Yankee Trace Woods, LLC Property, Together With All Necessary Appurtenances Thereto, As Provided Herein To The Extent Of Available Funds and moved for its approval. Mr. Compton seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned. Council's next regularly scheduled meeting will be May 19, 2014. A Special Council Meeting will be held on May 12, 2014.

Approved:   
Mayor

ATTEST:   
Clerk of Council