

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, November 18, 2013, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor Chad Current of Living Hope Church and the Pledge of Allegiance with Mayor Kingseed presiding. Council Members and City Staff were present as follows:

Deputy Mayor Brooks Compton
Council Members John Beals
Douglas Cline
Paul Gresham
Belinda Kenley

Clerk of Council Debra James
City Manager Gregory Horn
Finance Director Steven Hinshaw
City Planner Steven Feverston
Planner Andrew Rodney
Public Works Director Robert James
City Engineer Douglas Spitler
Assistant to the City Manager Jennifer Wilder
Assistant to the City Manager Kristen Gopman
Economic Development Administrator Nathan Cahall
Community Resources Coordinator Maureen Russell Hodgson
Municipal Attorney Scott Liberman

Dr. Gresham made a motion to excuse Mr. Singer. Mr. Compton seconded the motion. The motion passed 6-0.

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

Council Meeting - October 21, 2013.
November 4, 2013.

Work Session Meetings - October 21, 2013.
October 28, 2013.
November 04, 2013.
November 11, 2013.

Mr. Compton made a motion for approval of the minutes, as distributed. Mr. Beals seconded the motion. The motion to approve the minutes passed with six ayes. Mrs. Kenley abstained from the vote on the minutes of October 21 and November 11, 2013 and Mr. Cline abstained from the minutes of November 11, 2013.

Mrs. James announced communications from Kay Wick and Sue Butler resigning from the Arts Commission. Mayor Kingseed thanked them for volunteering and for their efforts with the Arts Commission.

Mayor Kingseed recognized Pastor Chad Current, who is leaving the community, as an important member of the faith leaders' group in our City. Mayor Kingseed thanked Pastor Current for often giving the Invocation at City events and being a key player in several of the City's initiatives over the past eight years.

Mayor Kingseed administered the oath of office for Edward Ross, a new member of the Board of Architectural Review; Kevin Von Handorf, a new member of the Planning Commission; and Robert Lentz, a new member of the Stormwater Drainage Task Force.

Certificates of recognition were presented to new Eagle Scouts Jonathan Daniels and Logan Rura. Jack Jacobs could not be present to accept his certificate.

Mayor Kingseed noted the following in the Mayor's Report:

He publicly thanked State Representative Jim Butler for his vote against House Bill 5, the municipal income tax reform bill. If it should pass the State Senate, it would take another \$700,000 to \$800,000 from the City of Centerville's revenue by changing definitions within the tax code.

He congratulated the three Councilmembers who won the November election. Deputy Mayor Brooks Compton was reelected; JoAnne Rau and John Palcher will begin their terms on January 1, 2014. He stated his appreciation to Joy Brush and Kim Birdseye who also ran.

Mr. Horn reported the following during his City Manager's Report:

Council has reviewed the 2014-2018 Capital Improvement Program and will review the 2014 Operating Budget on December 2.

The Woodbourne Library is moving forward with the egress project to give individuals a safer exit to S.R. 48. He thanked the City's engineering department for its assistance to the Library District on this project. He noted that both the City and Washington Township are providing \$50,000 in funding for the project.

The City has received several calls regarding trees along North Village Drive that were removed. He noted that the trees were cut down because they were infected with the ash borer and that young trees would be planted as construction progressed.

The dedication of the Enhancement of the Veterans Memorial at the Leonard E. Stubbs Memorial Park took place on November 11, 2013. He thanked Virginia Hess, Maureen Russell Hodgson, Kristen Gopman, Rob James and the Public Works crews, Dodd's Monuments, the Centerville Community Band, the Centerville Community Chorus, and the Color Guard from the Washington Township Fire Department and the Centerville Police Department.

Ms. Gopman outlined code violations and resolutions for the month of October, 2013, as well as the community calendar for the coming month.

**PUBLIC HEARING: FINAL DEVELOPMENT PLAN, AMENDMENT #1
CORNERSTONE NORTH, 5300 Wilmington Pike, Cornerstone Developers, Ltd.**

In the report of the Planning Commission, Mr. Feverston presented the Final Development Plan for Phase 1A of the Cornerstone project with Amendment #1 for about 35 of the 100 acres zoned B-PD in the southwest corner of Cornerstone North at 5300 Wilmington Pike. Included were four entries, a section of the internal ring road, one large format retailer and eight outlots. Phase 1A phasing would be expected to start early in 2014, and subsequent sections would follow. Mr. Feverston discussed existing conditions on the property, trees, the demolition of the Dille house, the phasing schedule, drainage, the grading plan, the stormwater detention plan, the location of the building pad, the placement of public streets, access and egress

controls, utilities plans and the general scope of a retaining wall behind the anchor retailer south of the creek. He shared samples of the expected material palettes and discussed four-sided architecture, brick construction, street furniture, street lighting, signage and amenities. He stated that specific signs would need to be reviewed in a separate application.

Mr. Feverston reported that the Planning Commission did approve a site plan for a Costco retail store at its meeting on October 29, 2013. At that same meeting, the Planning Commission recommended approval of the Final Development Plan, Phase 1A with Amendment 1, as submitted October 4, 2013, subject to the following twenty-three (23) conditions explained by Mr. Feverston in his presentation:

1. The public rights-of-way shown for Wilmington Pike and Feedwire Road shall be modified to the full build design dimensions subject to approval by the City Engineer.
2. All access management shall be in accordance with the Centerville Unified Development Ordinance (UDO). All access management notes except note #1 shown on sheet 7 of 68 shall be eliminated.
3. Street intersection design, particularly on Commercial Drive at Entry Drives 2 and 3 shall be subject to approval by the City Engineer. Intersection design shall be modified to reduce the 50 ft. radii proposed at certain intersections for pedestrian accessibility and to reduce speed through the intersection.
4. The developer's engineer shall certify sight distance on the development subject to approval by the City Engineer.
5. The final design of the decorative concrete used for treatment in the intersection areas shall be subject to approval by the City Planner and maintained by the master association or other legal regime yet to be established.
6. The proposed temporary turn-around areas at the ends of the public street labeled as "Commercial Drive" shall have a minimum width of 78 feet with the final design subject to approval by the City Engineer.
7. A final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department showing drainage calculations, water quality and incorporating erosion control during construction in accordance with Article 9.35 of the Unified Development Ordinance (UDO).
8. A geotechnical investigation to identify material properties for design and constructability shall be conducted in accordance with the Ohio Building Code and standard engineering practices by a registered design professional. Construction plans and documents shall include specifications to ensure that proper materials and procedures are used during site grading work in accordance with the provisions of the approved geotechnical report.
9. The final design of the proposed retaining wall shall be subject to approval by the City

Engineer. The developer has indicated that depending on how the land in the southeastern portion of the site is developed, re-grading may be possible to eliminate the retaining wall. In such case, the City Engineer may approve modifications to the grading plans allowing for the removal of the retaining wall.

10. Grades established by this FDP shall be a maximum of 3:1 with a final grading plan subject to approval by the City Engineer.
11. The Landscape and Grading Plans shall be modified to include all required landscape berms along Feedwire Road, Wilmington Pike in accordance with Article 9.25 C, Table 9.6 of the UDO and the PDP subject to approval by the City Planner.
12. Plans for the landscape irrigation system within the landscape easements along Feedwire Road and Wilmington Pike shall be subject to approval by the City Planner.
13. The tree preservation area shall be modified to include the grouping of maple trees north of the existing string line delineation and shown on the Landscape Plan subject to approval by the City Planner.
14. A performance bond or other construction guarantee shall be posted and a cost estimate be determined by the developer for all landscape and irrigation improvements along Feedwire Road and Wilmington Pike in accordance with Article 9.25 C of the UDO subject to approval by the City Planner.
15. All retention ponds shall be benched in accordance with Article 9.35 F 7 g of the UDO.
16. Temporary emergency access easements to the retention ponds established by this Final Development Plan shall be described in a legal description and recorded subject to approval by the Municipal Attorney and City Engineer.
17. Permanent emergency access easements to the retention ponds shall be recorded by subsequent Record Plans having a minimum width of 10 feet and in locations subject to approval by the City Engineer.
18. Detailed plan review comments from the City Engineer shall be incorporated into the construction plans.
19. No sign shall be approved as a part of this application. The signs shown are for illustrative purposes only. Variances must be approved by the Planning Commission for all signs proposed.
20. The exterior lighting fixtures for all outlots shall be consistent with the lighting fixtures proposed for the public roadways and public spaces subject to approval by the City Planner.
21. The exterior lighting fixtures for the large format retail area shall be consistent with the

light fixtures proposed on the Costco Major Site Plan.

22. The material palettes for all buildings shall be noted on the FDP subject to approval by the City Planner.
23. Fire hydrants shall be located in accordance with the fire code subject to approval by the Sugarcreek Township Fire Department.

When Mayor Kingseed opened the Public Hearing, Mr. Oberer of Cornerstone Developers, Newmark Drive, Miamisburg, stated that he had no objections to the conditions. He thanked Council and staff for the progress being made and answered a question from Mr. Beals concerning the preservation of trees. Ms. Hope Taft, 2933 Lower Bellbrook Road and representing the Little Miami River Kleeners, voiced concerns about runoff and stormwater from Cornerstone North changing and polluting the tributaries of the Little Miami River, the water source for ten communities. She noted that new Leeds standards are forthcoming and asked for good stewardship that would look beyond the minimum requirements of the present. Mr. Aaron Rourke, Rivers Unlimited, presented a PowerPoint on the Little Miami River Corridor and also asked for the developer to give consideration to doing more than required to protect the river from the impact of the large parking areas. Bill Schieman, 2486 Stewart Road and a representative of the Ohio Department of Natural Resources, explained that long-term contaminated run-off threatens streams. He asked the developer to partner with the local community to create an Ad Hoc committee to work together to keep the watershed safe.

Discussion followed before Mayor Kingseed suggested that staff look at the new Leeds requirements to determine if updates need to be made to the Unified Development Ordinance.

Mr. Beals made a motion for approval of the revised Final Development Plan for Cornerstone North, Phase 1A, subject to the conditions recommended by the Planning Commission. Mrs. Kenley seconded the motion. The motion passed with six ayes.

In Standing Committee Reports, Dr. Gresham and Mr. Beals gave reports on the activities in which they participated at the National League of Cities Conference in Seattle, Washington.

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 Mayor Kingseed said he is not voting on Item C as he has a conflict of interest. Dr. Gresham sponsored the following items and moved for their approval.

- A. Ordinance Number 15-13, To Amend Ordinance Number 17-12, Adopting All Fees, Rules and Regulations Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals, be set for Public Hearing on December 16, 2013.
- B. Resolution Number 53-13, A Resolution Authorizing And Directing The City Manager To Enter Into A Service Agreement With The Law Office Of The

Montgomery County Public Defender To Provide Legal Services For Indigent Persons Charged With Jailable Offenses Under The City's Local Ordinances.

- C. Motion Requesting a Hearing Before the Ohio Division of Liquor Control on the Advisability of Issuing a Liquor Permit for Transaction and Permit #A TRFO 9043958-0005 for Tres Amigos, Inc., dba MacDiggers Pub.
- D. Appointment of Robert Muzechuk to the Planning Commission for a term of four years.
- E. Reappointment of Norman Plair as Chair of the Personnel Appeals Board.

Mr. Compton seconded the motion for the Consent Agenda. The motion passed unanimously with six ayes.

ORDINANCE 14-13: EMERGENCY ORDINANCE FOR FEES, RULES, REGULATIONS AND COMPENSATION AT THE GOLF CULB AT YANKEE

Mr. Horn stated that Mrs. Wilder had updated Council on the recommended changes at the work session prior to this meeting. She had reported that only minor changes were being requested for the Golf Club at Yankee Trace and had stated that a full report would be given in December.

Mr. Beals sponsored Ordinance Number 14-13, An Emergency Ordinance To Amend Ordinance Number 17-12, Adopting All Fees, Rules and Regulations Associated With The Golf Club At Yankee Trace And Providing Compensation For Golf Professionals, and moved for its approval. Mr. Cline seconded the motion. The motion passed 6-0.

There being no further business, the meeting was adjourned.

Approved: *C. M. S. Keeped*
Mayor

ATTEST: *Debra A. James*
Clerk of Council