

Centerville City Council
Work Session Meeting
May 13, 2013

TIME: 7:00 P.M.

PLACE: Centerville Municipal Building

Mayor C. Mark Kingseed

Deputy Mayor Brooks Compton

Councilmembers: John Beals

Doug Cline

Paul Gresham

Belinda Kenley

Jim Singer

Clerk of Council Debra James

City Manager Gregory Horn

Finance Director Steven Hinshaw

City Planner Steve Feverston

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

Municipal Attorney Scott Liberman

Residents: Jack and Diane Wysong

Phil Whittaker

Mr. Horn stated that Mr. Liberman has made some changes to the draft of the Solicitation Ordinance. The Do Not Solicit List has been omitted as there were some issues and concerns that Council had regarding free speech and canvassers requesting contributions to register with the City. A canvasser for political or religious purposes would not have to register as they are not requesting a monetary contribution. An individual could still put a no solicitation sign on the door that would apply to everyone. If a resident makes a complaint and the Police Officer finds that an individual is not registered, the department would have a tool for enforcement procedures. Dropping a leaflet/pamphlet at a place of residence would be allowed, as well as soliciting on commercial property. Council concurred for Mr. Liberman to prepare the ordinance.

Mr. Feverston discussed new rules for mobile food vendors. He explained that the topic of Mobile Food Vendors has been listed under the Solicitation and Peddling Ordinance of the Centerville Municipal Code. A new ordinance is being prepared to establish a new chapter that would regulate mobile food vendors/ice cream trucks with licensing requirements and license fees. These rules would apply to food vending trucks in the right-of-way. Council

concurrent to move forward on this ordinance. It will be on the Council Consent Agenda for Monday, May 20, 2013 to be set for public hearing in June.

Mr. Horn stated the need for a new resolution for Electric Generation Supply agreements authorizing the City Manager to be able to enter into new agreements with the lowest and best competitive proposals more quickly. This resolution would supersede Resolution No. 15-13 that was just passed on March 18, 2013. This legislation is more generic and allows the City Manager to enter into agreements in order to meet market pricing requirements and deadlines. The City is one of eight municipalities participating in the Miami Valley Communications Council which has authorized its Executive Director to act as a procuring agent. This legislation will be on the Consent Agenda, May 20, 2013.

Mrs. Wilder announced that the Farmers Market begins this Thursday, May 16, and runs through October and gave an update. This season will have six new vendors, for a total of 15. She explained a situation in which a vendor has been negative concerning the City to citizens and business owners. She apprised Council of a situation with a farmers market vendor who has a local retail shop and had applied to sell his products after the city had received and approved a similar vendor. According to the market guidelines, the city entertains applications that enhance the variety of products at the market and has made it a practice to approve new vendors that do not directly compete with existing vendors due to the limited amount of space at the market. City staff worked with the local shop owner and was able to approve his participation to sell other specific products that were not in direct competition with the previously approved vendor, in order to adhere to the market's guidelines, and yet still allow him to participate and represent his local business. The local shop owner has contacted other entities and asked that they encourage the city to reconsider his application to sell all of his products.

Mr. Feverston provided an update on the Walt Minch property concerning the public hearing for rezoning 65.7 acres from R-1c to R-1c Residential Zoning with the Lifestyle Community Overlay. He explained that if this property is rezoned with the overlay, the developer would have to meet all the requirements under the Unified Development Ordinance that have been required for the current Yankee Trace communities, including density. He would have to provide 10.5 acres for golf-related amenities such as an irrigation lake, hiking trails, active play, driving range and open space for views.

He noted that a retirement community is a permitted use for the Lifestyle Community Overlay. This would include independent living, assisted living and nursing care. The developer is proposing to put a retirement facility on the southern 35 acres. Commercial uses may be permitted (such as a medical office) provided they are incidental to the retirement community.

If the rezoning is passed, Mr. Minch would have to demonstrate that his preliminary development plan is compatible with the golf course community and provides amenities, high quality, an appropriate design theme, similar street lamps, etc. If the rezoning isn't approved, the property retains its R-1c zoning classification, pending the outcome of the referendum in November.

Mr. Feverston has talked to Mr. Minch and has gone over this information and the requirements. The future residents of Walt Minch's property would not be a part of the Yankee Trace Home Owners' Association unless something is worked out with the HOA; a majority vote of the homeowners would be required.

Mr. Feverston further explained that detached homes would be permitted up to forty feet in height. There are homes in Yankee Trace at the maximum. A community building could be a maximum height of forty-five feet. Mr. Minch has been made aware that the community building would have to model the theme and elements of Yankee Trace. The Yankee Trace Clubhouse was used as an example of architectural style that is acceptable. A phasing plan for roadway improvements would be implemented. Mr. Minch has asked about Special Assessment Financing, as was used in Yankee Trace for public improvements

The modification of the rezoning request to R-1c with a Lifestyle Community Overlay is much more stringent and less dense than the R-PD zone classification the Planning Commission voted not to recommend to Council. The R-1c zoning with the Lifestyle Community Overlay maintains the look, feel and density of what is currently in place at Yankee Trace.

Mayor Kingseed had asked Council to review a letter he is proposing to submit as his Mayor's Message in the *Town Crier*. He is proposing to set up an Advisory Committee among the Joint Entities. He strongly believes the Advisory Committee would create a mechanism for better cooperation between the five joint entities. Right now there is minimal communication, and each entity is doing its own thing. The hope would be to avoid having 3 levies on the ballot at one time. After some discussion, Mayor Kingseed will make revisions and submit the article to the *Town Crier*.


Debra A. James
Clerk of Council

Approved 
C. Mark Kingseed, Mayor