

Centerville City Council  
Work Session Meeting  
October 7, 2013

TIME: 7:00 P.M.

PLACE: Centerville Municipal Building

Mayor C. Mark Kingseed

Deputy Mayor Brooks Compton

Councilmember: John Beals

Belinda Kenley

James Singer

Clerk of Council Debra James

City Manager Gregory Horn

Finance Director Steven Hinshaw

City Planner Steve Feverston

Assistant City Planner Andrew Rodney

Public Work Director Robert James

City Engineer Douglas Spitler

Assistant to the City Manager Jennifer Wilder

Economic Development Administrator Nathan Cahall

Municipal Attorney Scott Liberman

Citizens: Joy Brush

Rodney Miller

John Palcher

Jack Wysong

Mrs. Kenley made a motion to convene into Executive Session regarding Personnel. Mr. Compton seconded the motion. A roll call vote resulted in four ayes. Mr. Singer entered the meeting during the Executive Session. After no official business was conducted, Mr. Compton moved to adjourn out of Executive Session. Mr. Singer seconded the motion. A roll call vote resulted in five ayes.

Mayor Kingseed requested that the applications of the six applicants interested in serving on the Planning Commission be put in Council packets on Friday as well as the application for the Board of Architectural Review. Council concurred to reappoint Patty Kraft to the City Beautiful Commission and Robert Vines to the Sister City Committee. Mrs. James will contact Ms. Stone as to whether she would like to continue on the Board of Architectural Review.

Mr. Feverston gave background information on an Appeal that was filed by Mr. Dave Paxton of Buschur's Home Improvement against the decision of the Planning Commission denying a variance for a patio room to encroach three feet into the required twelve foot setback on property owned by Martha Williams at 791 Kentshire Drive. The Hidden Hills neighborhood has a number of irregular shaped lots, including this corner lot that has two side yards of reasonable size and a small very narrow back yard. The homeowner wants to put a patio room where her deck is currently in the back yard. The deck that encroaches six feet into the setback would be removed; the patio room is actually more narrow than the existing deck. Mr. Feverston noted that the Planning Commission

denied the variance request with a 3-3 vote. Several neighbors had written letters in support of Ms. Williams' patio room.

Mr. Feverston reviewed a Record Plat for a lot split, filed by Oscar and Brenda Badgley and located at 6935 Abington Green Court, to create a new building lot for a single-family home in the subdivision of Nestle Creek. The zoning of the subject land is R-1c Single Family Residential. The Planning Commission recommended approval of this Record Plan to City Council, subject to the following three conditions:

1. A protective covenant shall be placed on this record plan which prohibits any further subdivision of Lot #24. Such language shall be approved by the City Attorney.
2. All protective covenants and restrictions of Nestle Creek, Section One as listed on Montgomery County, Ohio Plat Book 159 Page 32 shall remain in effect.
3. Detailed plan review comments from the Engineering Division shall be incorporated into the record plan document subject to approval by the City Engineer, which include:
  - a. The C1 chord bearing may be wrong;
  - b. C3 is not shown.

It was noted that the property cannot be subdivided again after this replat. The landowner lives in the farm house next to the subject property.

Mayor Kingseed recused himself from the following agenda item.

Mr. Feverston explained the rezoning of a parcel of land (13.8 acres) along Paragon Road, which is being annexed from Washington Township. He showed a map to locate this property that has frontage on Paragon Road and Yankee Trace Drive. The property is just north of Vintage Green Way. The requested rezoning was from Washington Township A, Agriculture, to City of Centerville R-1c, Single-Family Residential, which is the most appropriate zone for the area. The developer also submitted an application for a Residential Cluster Development Plan that does not exceed a density of two units per acre. The Planning Commission, by a vote of 5-0, recommended approval of this rezoning to City Council. Mr. Feverston noted that the owner intended to create a new section of the Yankee Trace Golf Community, emulating the look and feel of the original subdivision and connecting the public street to Yankee Trace Drive.

Mayor Kingseed re-entered the meeting at this time.

Mr. Feverston explained the first text amendment to the Unified Development Ordinance is a clean-up ordinance. It would enable the Planning Commission to table matters for more than sixty days, would allow a sidewalk next to a building to be used as a curb stop if it is a minimum of 6.5' in width, and would allow businesses with more than one frontage to divide the allowable area for wall signs on the main frontage between two frontages and would redefine *Building Frontage*. This ordinance will be set for Public Hearing at the December 16 Council Meeting.

Mr. Feverston explained a second text amendment that would update references in the Unified Development Ordinance (UDO) to food vending vehicle legislation in the Municipal Code. It is an administrative change. Council recently passed Ordinance No. 8-13, dated July 15, 2013, repealing parts of Chapter 836 Peddlers and Solicitors, and creating a new Chapter 844, Food Vending Vehicles, in the Municipal Code to regulate the operation of mobile food vending vehicles. References to Chapter 836 and Chapter 844 need to be cited correctly in the UDO. The Public Hearing is set for the October 21, 2013 Council Meeting.

Mayor Kingseed requested that the Solicitation Ordinance be an agenda item for Council's Work Session of October 14.

Mr. Horn updated Council that he had received a phone call from Mr. Greg Stout, of Voss Chevrolet, regarding the proposed inventory lot project. Council approved the site plan with conditions, and CBC Engineers & Associates is scheduled to do the required geotechnical testing. One of the conditions was for the applicant to obtain a geotechnical study to the satisfaction of City staff before construction could begin.

Voss has requested a letter from City Staff allowing them to resume work on the site. The City has been specific to be notified in order to have a staff member present and Mr. Stout has agreed and stated that he will call Mr. Feverston ahead of time. Voss has expressed concern about the shortness of the construction season remaining this fall. Staff has issued a release of the stop work order for the purposes of geotechnical testing by CBC Engineers.


Before Voss is able to move dirt, staff has to sign off on it. Mr. Spittler stated that staff needs more detailed specifications on existing fill in order to make sure the slopes are stable. There were remaining questions with regard to the 2:1 slope, the compaction level of the topsoil and the seeding. Mr. Horn noted that staff would keep Council apprised of the testing. Mr. Rob James stated his confidence in CBC, the testing company. Once the City has signed off on the testing, then Voss can move forward with parking lot construction in accordance with their Final Development Plan.

Mr. Horn briefed Council with regard to the extension of the Iron Horse Trail. The Park District is pursuing options for the extension of the Iron Horse Trail through the City and working in conjunction with ODOT and a citizen committee. A meeting is scheduled for Tuesday, October 8 with ODOT representatives in Sidney where the possibility of a tunnel under I-675 is being discussed. Mr. Horn has concerns about the practicality of a tunnel and the sources for the required funding. The route that is being discussed would be charted through the Chardonay property and the Zengel property to the Rod and Reel Club. Mr. Horn asked staff to look at some other options for viable alternatives with a more reasonable cost. Stein Pederson, a representative from Creating Community Connections Committee, will be attending the Council work session on November 4.

Mr. Beals made a motion to convene into Executive Session to consider confidential information related to economic assistance involving public infrastructure improvements for an economic development project. The Executive Session is necessary to protect the interests of the expenditure of public funds to be made in connection with the economic development project. Mr. Compton seconded the motion. A roll call vote resulted in five ayes. At such time, after no official

business was conducted, Mrs. Kenley moved that Council adjourn out of Executive Session. Mr. Compton seconded the motion. A roll call vote resulted in five ayes.

Mayor Kingseed called a Council Retreat for Wednesday, October 16, 2013 to discuss economic development. The meeting will be held in the Law Library and will be from 3:00 – 5:00 p.m.

  
Debra A. James  
Clerk of Council

Approved   
C. Mark Kingseed, Mayor