

Centerville City Council
Work Session Meeting
June 20, 2011

TIME: 7:00 P.M.

PLACE: Centerville Municipal Building

Mayor C. Mark Kingseed

Deputy Mayor Doug Cline

Councilmembers: John Beals
Brooks Compton
Paul Gresham
Belinda Kenley
James Singer

Clerk of Council Debra James

City Manager Gregory Horn

Finance Director Steven Hinshaw

City Planner Steven Feverston

Public Works Director Robert James

City Engineer Douglas Spitler

Assistant to the City Manager Jennifer Wilder

Economic Development Administrator Nathan Cahall

Director of Food Service/Yankee Trace Stephan Shaw

Assistant Director of Food Service/Yankee Trace Jason Pajari

Municipal Attorney Scott Liberman

Mr. Feverston reviewed the replat for the Mercedes-Benz and Buick Dealerships located on 1 Loop Road. The purpose of this request is to clean up the lot lines between the two businesses, changing the parcel from three lots to two. This record plan creates a very simple, clean replat. The Planning Commission unanimously recommended approval to City Council.

Mr. Cahall explained that an application had been submitted to the Montgomery County Community Development Office for a 2011 CDBG project. The City applied for a CDBG grant to provide for handicapped building access doors at four city-owned buildings—the Municipal Building, the City's Annex Building that is leased to the Ohio Deputy Registrar and Montgomery County Title Office, The Golf Club at Yankee Trace and the Police Department. The total project cost is \$32,500 and the City is requesting CDBG funding in the amount of \$27,500. If funding is granted, construction would more than likely occur in 2012. At the meeting to follow, Council will vote on a resolution to obtain authorization to enter into subsequent related contracts and agreements.

Mr. Horn advised that the Resolution passed on January 24, 2011, imposing a moratorium on issuing permits allowing the operation of sweepstakes/internet cafes, expires on July 23, 2011. Since regulations have not yet been adopted by the State legislature and/or the Ohio Attorney General's office, the City wishes to extend the moratorium for a period of six months (180 days). A Resolution will be on the Consent Agenda at the following Council Meeting.

Mr. Horn reviewed with Council the proposed rezoning change from I-PD to O-PD along Centerville Business Parkway. This area has developed mainly as a professional medical office park. Currently there are two industrial mixed uses in the area. The proposed zoning change is an attempt to protect the business park property owners and adjoining residential neighborhoods from incompatible heavy industrial uses. The proposed rezoning would create one or more legally non-conforming uses for two property owners. Staff has tried to contact these owners to get their feedback. Staff is still supportive of the rezoning and will report back to Council. Mr. Liberman reported that a recent Court ruling states that non-conforming uses do not expire merely by becoming vacant; the building must be altered to a lesser use or removed before the non-conforming use is eliminated. Staff will further attempt to contact the property owners. Mr. Liberman will continue his research and also come back to Council.

Mr. James entered the meeting at this time.

Mr. Phil McLaughlin will be appointed to the Storm Water Drainage Task Force at the July 18, 2011 Council Meeting.

Mr. Feverston explained that Mr. Donald Tarazano filed an Appeal against a decision made by the Planning Commission denying an application for an accessory structure involving the installation of 53-56 solar panels on his property located at 161 Terrace Villa Drive. The Planning Commission voted denial of the request with a 5 to 1 vote. The solar panels would cover most of the roof surfaces and would be raised off the roof approximately six inches. Mr. Feverston stated that Mr. Bob Cleland of Astrum Solar sent additional information for Council that was included in the Friday Council Packet.

Staff is seeking guidance and Council's perspective, since solar panels have typically been placed in smaller numbers and on rear-facing roofs. The main concerns are whether 53 -56 solar panels are an *accessory use* and whether such a large number of solar panels still constitute a *secondary use*. Planning Commission noted that the solar panels were not aesthetically or architecturally consistent with the character of the house and that they would impact the neighborhood. According to the UDO, the structure must be secondary and incidental to the principal use and not have significant impact on adjacent property. Mayor Kingseed asked that Staff make a recommendation on an ordinance concerning this issue.

Mr. Horn reported that Ms. Nancy Henson had encouraged residents of Yankee Trace to come to the following Council Meeting because they are unhappy with changes at The Gallery at Yankee Trace. He noted that some of the residents were referring to The Gallery Restaurant as closing. Evening hours have been reduced, but the restaurant is not closing. Some individuals who have booked events at Y.T. are calling to ask if Yankee Trace is closing. Mr. Horn believes there will be negative impacts if the misconception continues. Dr. Gresham shared that his office had held a going away party at Yankee Trace. He explained some problems during the event. Mayor Kingseed will meet later in the week with Mr. Horn. Council wants the residents to know that it is taking the matter seriously, and the City wants The Gallery to be a full service restaurant if at all possible. There are some tough issues, but it is important that the City not lose sight of the bigger financial picture, since there is risk in the current economic climate.

The mayor will report back to Council after he meets with Mr. Horn, since it is necessary to come up with a plan quickly.

Mr. Horn noted that there will be two Council Work Sessions with regard to the Preliminary Development Plans for Cornerstone North and South. On July 11 Council will meet with staff, and on August 1 Mr. George Oberer and his representatives will be included.


Debra A. James
Clerk of Council

Approved 
C. Mark Kingseed, Mayor