

Centerville City Council
Work Session Meeting
December 6, 2010

TIME: 7:00PM

PLACE: Centerville Municipal Building
Deputy Mayor Doug Cline
Council Members: John Beals
Paul Gresham
Belinda Kenley
James Singer
Assistant Clerk of Council Julia Weaver
City Manager Gregory Horn
Finance Director Steven Hinshaw
Public Works Director Robert James
City Engineer Douglas Spitler
Economic Development Director Nathan Cahall
Human Resources Manager Ginger Yonak
Assistant to the City Manager Jennifer Wilder
Assistant to the City Manager Kristen Gopman
Law Director Scott Liberman
Mayor Kingseed by conference call

Christy Snelling, Kroger
Jonathan Wocher, McBride Dale Clarion

Resident:
Rodney Miller

A clarification of the conditions of the Major Use Special Approval of the development plan for the Kroger Marketplace at SR 48 and Sheehan Road was addressed. Ms. Christy Snelling for Kroger and Mr. Jonathan Wocher of McBride, Dale, Clarion presented to the Council their belief that two conditions recommended by the Planning Commission in July of 2008 had been waived at the Council Meeting of August 18, 2008. One condition concerned the placement of the fueling center, and the other was the negation of the requirement for the construction of a brick screening wall. Neither the minutes of the meeting nor the follow up letter from the City Clerk reflected those changes in the conditions. Mr. Wocher had reviewed a video of the meeting and contended that the motion included the waiver of these two conditions. While the Kroger representatives believed the height of mounding and the landscaping were sufficient for sound deadening and aesthetics, they stated their willingness to substitute plastic fence in place of the chain link fence needed for safety along the loading dock pits. Council is in agreement to address the issue at the December Council meeting.

Mrs. Kenley recused herself for Council's discussion of the Brookstone Terrace Development Plan. Representatives have expressed concern about the number of

conditions set by the Planning Commission and issues raised by staff. Among others, these items include the interspersion of public and private roads, the mingling of condo and fee simple lots, lot sizes, grading, and drainage ways. Although the Public Hearing related to the development plan will not be on Council agenda for December, it may come back to Council at a later time.

Mrs. Kenley returned to the Law Library at this time.

Mr. Cahall gave the background on a resolution to update and expand Centerville's Community Reinvestment Area program that grants tax abatements under certain conditions to homeowners and some commercial areas within the Montgomery County portion of the City of Centerville. These tax abatements are designed to encourage the expansion of businesses and the maintenance of homes over 25 years of age. As part of the program, the City does income tax revenue sharing with the Centerville Schools. This is the second and final amendment allowed under the original pre-1994 rules for the program. Staff is keeping the Centerville Schools informed of the changes. Council concurred to have the resolution on the December agenda.

Dr. Hinshaw reported that there has been no decision on a request submitted to the Montgomery County Budget Commission for a change in the distribution of taxes collected in incorporated Washington Township, i.e. the City of Centerville, that have gone into Washington Township's general fund in the past.

A Business First! Agreement will be on the December agenda. Mr. Cahall explained that shortly after Council passed last month's consent agenda, Montgomery County changed the language dealing with the designations of "contractor" and "subcontractor" in the Business First! Agreement. For this reason, legislation repealing Resolution 45-10 and authorizing the signing of the new agreement will be on the December agenda.

Mr. Tom Ross is bringing an appeal of a decision of the Planning Commission to Council at the December meeting. Mr. Ross is the owner of several properties along Compark Road. His tenants include some renters that did not have building or occupancy permits or did not pass fire inspections when they opened or when changes were made to the spaces. The City is now aware that the existing businesses do not have an adequate number of parking spaces, but Mr. Ross could arrange to have spaces available nearby on his other parcels. He would like to have a variance for less landscaping in these parking areas. His request for a variance for landscaping was denied by Planning Commission in a split vote on October 12. The question at the hearing at the December meeting will be whether to uphold the decision of the Planning Commission.

Miami Valley Hospital South needs to replat its water and sewer easements prior to the start of the construction of a new building on its property at Clyo Road and Wilmington Pike. The request will be on the agenda for the Council Meeting on December 20, 2010.

Mr. Horn and City Engineer Doug Spitler updated Council on developments concerning funding for the widening project for Yankee Street from Spring Valley to Social Row Road. Changes in the requirements for engineering and environmental studies and several changes in the funding splits have made the project very expensive for the City of Centerville without any guarantee of grants or other ways to alleviate the high cost. Mr. Horn will contact the Miami Valley Regional Planning Commission to seek additional financial resources. Applications are in the pipeline, but no awards are expected in a time for making educated decisions about whether to proceed with the projects. Both Phases I and Phase II may have to be dropped or scaled back.

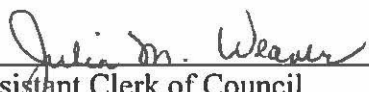
Mr. Spitler explained that the speed limit on Yankee Street is currently not consistent in various sections within the City limits, because new area was annexed after the last speed limit changes in 1998. The City seeks to make the speed limit 45 mph on Yankee Street within the 2010 corporate limits of the City of Centerville. Mr. Spitler is requesting that Council set the ordinance for public hearing in January.

Council concurred to reappoint Barry McClain to the Property Review Commission for a term of three years. They also concurred to appoint Mary Pizza and Phillip McLaughlin as Co-Chairs of the Sister City Committee for a one year term.

In Council Communications, Mr. Singer requested the forwarding of a letter from the Board of Health about mosquito control to Village South residents. He also expects that the Town Crier will carry an article about mosquito control in the spring.

Mrs. Kenley made a motion to convene into Executive Session related to real estate. Mr. Singer seconded the motion. A roll call vote resulted in five ayes. After no official business was conducted, Mr. Beals moved that Council adjourn out of Executive Session. Mr. Singer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Deputy Mayor Doug Cline


Assistant Clerk of Council