

## RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held March 23, 20 09

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, March 23, 2009, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Pastor John Bradosky and the Pledge of Allegiance to the Flag with Mayor Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

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 City Engineer John Sliemers  
 Assistant to the City Manager Jennifer Wilder  
 Assistant to the City Manager Kristen Gopman  
 Economic Development Administrator Nathan Cahall  
 Municipal Attorney Scott Liberman

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

Council Meeting	February 16, 2009. March 9, 2009.
Work Session Meetings	February 16, 2009. March 2, 2009. March 9, 2009.
Council Retreat Summary	February 07, 2009.

Dr. Gresham asked to be excused from the minutes of the work session on March 2, while Mr. Compton asked to be excused from the vote on the minutes of the meetings on February 16. Mr. Singer made a motion to approve the minutes, as distributed. Mrs. Kenley seconded the motion. The motion passed unanimously.

In communications, Mrs. James announced the receipt of a letter of resignation of Shirley Oglesbee from the City Beautiful Commission. The Mayor thanked Mrs. Oglesbee for her service to the City of Centerville.

Mayor Kingseed introduced Bill Serr, CEO and Director of Graceworks Lutheran Services, and proclaimed April to be Bethany Village Month in the City of Centerville. Mr. Serr noted that on April 17, 2009 Bethany Villiage will be hosting a ribbon cutting ceremony to celebrate the completion of its major renovation and expansion.

Mayor Kingseed recognized the following new Eagle Scouts from Boy Scout Troup 516: Philip Coale, Jon Heinrichs, Ted Terhune and Michael Schaerer. The mayor congratulated the young men for achieving their prestigious rank, noted some of their

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accomplishments and described their Eagle Projects. Steve Schaerer accepted the certificate for his son Michael Schaerer.

Mayor Kingseed welcomed German students who are visiting in Centerville as part of the Sister City program. German students are being hosted through Sister City members and students at Centerville High School as part of the German American Partnership Program. Centerville students will visit Bad Zwischenahn this summer. As Kristina Wassman, CHS teacher and member of the Sister City Committee, called names, Mayor Kingseed handed out certificates making the sixteen visitors Honorary Citizens of the City of Centerville.

Since Council wished to commend the work of the many individuals who contributed to the Unified Development Ordinance, members of the UDO Task Force, the Planning Commission and City Staff received certificates of recognition for the extended effort put into updating the guidelines for development with the City of Centerville. Mayor Kingseed and Deputy Mayor Cline presented awards to the following:

**Task Force Members**

- Co-Chair Doug Cline
- Co-Chair Brooks Compton
- John Beals
- Fred Dietrich
- Carolyn Meininger
- Dave Mulay
- Ken Seidl
- Gary Woodley

**Planning Commission Members**

- Paul Clark, Chair
- James Briggs
- James Brunner
- James Durham
- Jeffrey Gammell
- Mark Leonard
- John Palcher

**City Staff**

- |                 |               |              |
|-----------------|---------------|--------------|
| Steve Feverston | Mark Yandrick | Connie Myers |
| Jennifer Wilder | Doug Spitler  |              |
| Ryan Lee        | John Sliemers |              |

Mr. Compton noted the great team effort that went into updating the document. He commended the Unified Development Ordinance as a blueprint for a well-planned and vibrant community.

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

- He attended two ribbon cuttings in the last weeks: State Farm Insurance on Far Hills and Alpha Choice, an urgent care facility across from Bill's Donuts.
- He extended sympathy to Phil McLaughlin and his family at the death of Marilyn McLaughlin who was the Clerk of Council for the City of Centerville for over forty-one years.

Mr. Horn stated the following in the City Manager's Report:

- One of the four projects we submitted to Miami Valley Regional Planning Commission has been recommended for approval as part of the federal economic stimulus package. We are hopeful that the committee that ratifies the final action

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will go forward with the funds for resurfacing Bigger Road from Alex Bell north to the Kettering corporation line.

- We have engaged the services of a landscape architect to guide the improvements along SR 48 at I-675 and also the city-owned property at the corner of Alex Bell Road and SR 48.
- The bidding for the contract to construct the new public works building should occur within the next thirty days.
- He thanked citizens for their patience with the street cuts required for repairing some twenty-five water line breaks over the course of the winter. As soon as the weather is more favorable, permanent patching of those areas will take place.

Mrs. Gopman outlined zoning and property maintenance code violations and their resolutions for the month of February 2009, as well as the community calendar for March and April 2009.

UPDATED MASTER PLAN FOR ST. LEONARD'S

Mr. Feverston came forward to give the report of the Planning Commission regarding a Major Use Special Approval application by St. Leonard's Senior Living Community at 8100 Clyo Road. Mr. Compton asked to be recused and left the Council Chambers at this time. Mr. Feverston then explained the updated Master Plan for the two hundred ninety-six acre parcel which is zoned R-PD. The main chapel, the bell tower and walkway are focal points and will be preserved. The master plan reflects previously constructed homes and structures as well as buildings which are to be completed in a future phase. Currently, a new building for skilled and nursing care, a wellness and community center, a facility with independent living apartments, and a maintenance building are to be placed along a new ring road which connects the existing entrances and buildings with the new construction. Following a Public Hearing at its January meeting, Planning Commission on February 17, 2009, unanimously recommended approval of the application subject to the following sixteen conditions:

1. The applicant shall submit a construction schedule that details when infrastructure including the streets, detention basins, sidewalks, grading and buildings are to be built.
2. All private streets shall be constructed to City standards excepting street width and stormwater drainage subject to approval by the City Engineer.
3. The driveway and parking lot designs shall provide minimum turning radii for emergency fire apparatus access subject to approval by the City Engineering Department.
4. All street names shall be subject to approval by the City Planner. Either the street name Provincial Way or St. Francis Drive shall be eliminated.
5. All parking lot landscape islands shall be curbed subject to approval by the City Planner.

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- 6. Sidewalks shall be constructed along St. Francis Drive/Provincial Way to connect the Independent Living Building to the Wellness Center subject to approval by the City Planner.
- 7. Pedestrian crosswalks shall cross streets and drives perpendicularly at intersections and be clearly delineated on the pavement subject to approval by the City Planner.
- 8. The sidewalk around the proposed retention pond shall be placed at the distances and slopes required by Section 1460.03 G of the Centerville Code of Ordinances subject to approval by the City Engineer.
- 9. A final grading, stormwater drainage and erosion control plan shall be subject to approval by the City Engineer showing drainage calculations and incorporating detention and erosion control during construction in accordance with the City Stormwater Drainage Control Ordinance.
- 10. An easement shall be recorded allowing emergency access to all retention/detention basins by the City.
- 11. Fire hydrant locations shall be subject to approval by the Washington Township Fire Department.
- 12. The building architecture of the proposed Wellness Center shall be modified to incorporate wall openings or false windows along the northern building wall subject to approval by the City Planning Department.
- 13. The proposed drop-off canopies for the Independent Living Building, Wellness Center, and Chaminade entryway shall provide a minimum clearance for emergency purposes of 14 to 15 feet subject to approval by the Washington Township Fire Department.
- 14. A final exterior lighting plan shall be subject to approval by the City Planner.
- 15. A final signage plan shall be subject to approval by the City Planner.
- 16. The mechanical room on the east end of the Independent Living Building and the north wing of the Skilled Nursing Building shall be redesigned and approved by the Planning Department.

Tim Dressman, Executive Director at St. Leonard, stated that the name of the complex is simply St. Leonard—no longer the Franciscan at St. Leonard. The updated plan is designed to meet new trends in senior care and to foster social interaction using the town square concept. The wellness center will be available to everyone over 55 in the Centerville area.

Mr. Cline asked about bringing the buildings closer to the main streets as recommended in Create the Vision. Mr. Feverston stated that primary interest in the senior complex is making it pedestrian friendly, while giving it the feel of an overlay district. Mr.

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Beals commended the beauty of the project and buildings and thanked St. Leonard's Senior Living Community for its investment in the community. Dr. Gresham moved for approval of the application for a Major Use Special Approval to amend the Master Plan, subject to the sixteen conditions recommended by the Planning Commission. Mr. Singer seconded the motion. The motion passed with seven ayes.

In Standing Committee Reports, Mrs. Kenley stated that the Centerville Arts Commission is to be commended for its sponsorship of the recent family-friendly comedy show by Robert Frost that was held at Yankee Trace.

Mr. Beals, Dr. Gresham and Mr. Singer reported on their trip to the National League of Cities Conference in Washington in mid-March. Mr. Beals stated that they heard from top Obama administrators concerning the economic stimulus package. Dr. Gresham noted that the three had gone to Capitol Hill to meet with Mike Turner and had presented to him the NLC legislative priorities for 2009. Mr. Singer reported on a collaborative effort of 12 counties in Upstate New York in which university leaders and business leaders cooperate to foster an entrepreneurial environment that attracts creative people and additional jobs.

Mayor Kingseed explained that the Consent Agenda contains procedural and administrative matters that have been discussed during Work Sessions. Approval of these items will be as a group with one motion being made. Councilmembers read the titles of the legislation as follows:

- A. Resolution 8-09, A Resolution Accepting The Bid Submitted By Gillam Lawncare & Landscaping For The Landscape Management Of Benham's Grove And Authorizing The City Manager To Enter Into An Agreement In Connection Therewith.
- B. Resolution 9-09, A Resolution Accepting The Bid Submitted By Christy's Construction For Black Oak South Improvements-Phase 3A, For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
- C. Resolution 10-09, A Resolution Declaring Specific Equipment And Vehicles No Longer Utilized By The City Of Centerville As Surplus Property And Authorizing The City Manager To Dispose Of Said Surplus Property In Accordance With The Guidelines As Stated Herein.
- D. Resolution 11-09, A Resolution Accepting The Bids Submitted By Green Velvet Sod Farms, Lesco, Inc.-John Deere And Turfgrass, Inc. For The Purchase Of Fertilizer For The Golf Club At Yankee Trace And To Authorize The City Manager To Enter Into A Contract In Connection Therewith.
- E. Resolution 12-09, A Resolution Accepting The Bids Submitted By Century Equipment, Green Velvet Sod Farms, Lesco, Inc.-John Deere, And Turfgrass, Inc. For The Purchase Of Chemicals For The Golf Club At Yankee Trace And To Authorize The City Manager To Enter Into Contracts In Connection Herewith.

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- F. Appointment of Pam Cima as a Member of the Centerville City School District Personnel Appeals Board.
- G. Appointment of Sierra Kelley as a Member of the Arts Commission.
- H. Reappointment of Heidi Miller as Chair of the Board of Architectural Review.
- I. Reappointment of Patty Kraft as Chair of the City Beautiful Commission.

Mr. Compton sponsored the above legislation and made a motion for approval of the Consent Agenda. Mr. Cline seconded the motion. The motion was passed unanimously.

### RESOLUTION NUMBER 13-09: CLYO ROAD EXTENSION RIGHT-OF-WAY AGREEMENTS

In new business, the Council addressed the issue of two different agreements related to the right-of-way for the extension of Clyo Road in Greene County. Mr. Horn briefly reiterated the history of the annexation of the Dille properties from Sugarcreek Township and the litigation that had followed. He noted the ruling of the magistrate in favor of Centerville. The resolution before the Council states that the right-of-way permit for the extension of Clyo Road will be granted as long as Sugarcreek Township does not appeal the decision of the Greene County Common Pleas Court upholding the annexation. The second agreement is enabling legislation for the right-of-way permit with Greene County. The matter of tax increment financing is still an issue. Dr. Gresham sponsored Resolution 13-09, A Resolution Authorizing And Directing The City Manager To Enter Into A Clyo Road Project Right-Of-Way And Construction Agreement With Greene County And The Greene County Engineer And A Separate Agreement With Sugarcreek Township Finalizing The 94± Acre And 173± Acre "Dille Annexations", Greene County, Ohio, and moved for its approval. Mr. Compton seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: 

Mayor

ATTEST: 

Clerk of Council