

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *June 19*

20 *06*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, June 19, 2006, at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Don Mershon, Youth Minister at Epiphany Lutheran Church, and the Pledge of Allegiance to the Flag, with Mayor C. Mark Kingseed presiding. Councilmembers and City Staff present were as follows:

- Deputy-Mayor Douglas Cline
- Councilmembers Susan Lienesch
- Paul Gresham
- Robert Corbin
- Brooks Compton
- James Singer

- Clerk of Council Debra James
- Finance Director Mark Schlagheck
- City Planner Steven Feverston
- Public Works Director Robert James
- City Engineer Douglas Spittler
- Assistant to the City Manager Jennifer Wilder
- Municipal Attorney Scott Liberman

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

- Council Meetings - May 15, 2006.
- June 5, 2006.
- Work Session Meetings - May 15, 2006.
- June 5, 2006.
- June 12, 2006.

Dr. Gresham moved that the minutes of the foregoing meetings be approved. Mrs. Lienesch seconded the motion. The motion passed unanimously with Mr. Compton and Mr. Corbin abstaining from the June 5, 2006 Work Session Meeting and the Council Meeting. Mr. Cline abstained from the June 12, 2006 Work Session Meeting.

Mayor Kingseed expressed congratulations to Ryan Versen for his great accomplishment of becoming an Eagle Scout. Ryan is a recent graduate of Centerville High School and he is a third generation Eagle Scout; other family members who have been Eagle Scouts include his two brothers, his father, an uncle, a grandfather and two great uncles. He was presented with a Certificate of Congratulations and a City of Centerville Achievement of Excellence key chain.

Mayor Kingseed explained that one of the initiatives that Council has tried to do in the City over that last several years is to link up the volunteer services that are available through the faith-based organizations in this community with some of the community needs. DASH-E is a great example of this cooperation. Mayor Kingseed introduced the team leaders: Caroline Dunn, Jody McGrath and Lance Yount who represented DASH-E "Dayton Area Students Helping the Environment." DASH-E is a coalition of Christian youth groups coming together to assist the community with services that impact the environment in positive ways. These students volunteered

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held June 19

20 06

to help plant 250 pine seedlings near the Vintage Course #7 Hole at the Golf Club at Yankee Trace. A Certificate of Appreciation was presented to the team leaders and the students were recognized.

Carol Echols, member of the City Beautiful Commission presented the Business Pride Award for the month of June to WesBanco at 6291 Wilmington Pike. Mr. Mark Whitt accepted the award on behalf of WesBanco.

Mike Engler, City Horticulturist, presented to Mayor Kingseed the Tree City USA Award on behalf of the City Beautiful Commission and the National Arbor Day Foundation. A ceremony was held in April, 2006, in Cincinnati, Ohio. This is the 20th consecutive year the City has received this designation. The program is by the National Arbor Day Foundation and every year they recognize cities that have made a commitment to the natural urban resources.

Mayor Kingseed reported the following:

There has been quite a bit of press coverage on the annexation issues dealing with the Dille Property in Sugarcreek Township. The issue is now in front of the Greene County Commissioners and they will be voting to either accept or reject the annexation request at some point over the next month or so. He addressed this in the Mayor's Message in the latest issue of the Town Crier which laid out in some detail why we think this is a good thing for the City. The bottom line is that as long as the property owners want to come into the City of Centerville, this is something that we think would benefit this City greatly. We do intend to go forward with it and as mentioned in the Mayor's Message in the Town Crier, we are fully committed to trying to cooperate with Sugarcreek Township and with Greene County. If this land does come into the City, we do intend to be good neighbors; we do intend to work with the neighboring communities to make sure that this is developed in a way that benefits Sugarcreek Township and Greene County, and the City of Centerville. We are in the middle of legal proceedings at this point and we suspect that process will go forward for some months to come.

The Americana Festival will be held on July 3 and 4, 2006, with the concert on Monday, July 3rd, and the parade and fireworks on Tuesday, July 4th.

Mr. Schlagheck was filling in for the City Manager, Greg Horn and reported the following during the City Manager's report:

Appreciation was expressed to the Friends of Benham's Grove for all of their hard work for Garden Fest which was held at Benham's Grove the weekend of June 10, 11, 2006. It was another successful event this year.

Panera Bread in the center of town is scheduled to open in mid July. The parking improvements should be completed in the next couple of weeks.

Mrs. Wilder outlined code violations and resolutions for the month of May, 2006, as well as the community calendar for the coming month.

RECORD OF PROCEEDINGS

 Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

 Held *June 19*

 20 *06*

Mr. Feverston, reporting for the Planning Commission, advised that An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 1.361 Acres, More Or Less, From O-PD, Office Planned Development Zone Classification To R-PD, Residential-Planned Development Zone Classification, has been recommended for consideration by City Council. Mr. Compton moved that said Ordinance be set for Public Hearing for August 21, 2006. Mrs. Lienesch seconded the motion. The motion passed unanimously.

THE HIGHLANDS AT YANKEE TRACE, SECTION 1 RECORD PLAN

Mr. Feverston reported for the Planning Commission. He reviewed the Record Plan for The Highlands at Yankee Trace, Section 1. He located the subject property on a map, being situated on the east side of Paragon Road, south of Legendary Way and south of Hole #6. It involves 3 and a 1/3 acres approximately and 20 units (and these units will be duplex units). The zoning is R-1c single family residential, however, as part of the golf course community - a lifestyle community overlay was placed on this portion of Yankee Trace (east of Paragon Road) which allows for single family attached housing. The Planning Commission, by unanimous vote, recommended approval of this Record Plan to City Council with the following conditions:

1. The Record Plan shall be modified to shift the lot lines between Lots 15-16 and 17-18 to the west placing the side-entry driveways on the east side of each building (buildings #22 and #23 on the construction plans) for improved access subject to approval by the City Planning Department.
2. Lots 19 and 20 shall be modified to provide for a driveway angle of at least seventy-five (75) degrees to Mackenzie Court as shown on the construction plans subject to approval by the City Planning Department.
3. A five (5) foot wide sidewalk shall be constructed along Paragon Road subject to approval by the City Engineering Department.
4. Paragon Road shall be re-stripped by the applicant at the intersection of Mackenzie Court to include a left-turn lane subject to approval by the City Engineering Department.
5. The record plan shall be modified to include a storm sewer easement located on the north side of Lots 3-11, subject to approval by the City Engineering Department.
6. A final grading and stormwater drainage plan shall be subject to approval by the City Engineering Department showing drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the City Stormwater Drainage Control Ordinance.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held June 19

20⁰⁶

- 7. A hard surface roadway capable of providing emergency vehicle access and support at all times for firefighting purposes shall be provided prior to any construction.
- 8. In lieu of construction of the required improvements prior to the recording of this plat, a performance bond in an amount equal to the required public improvements shall be posted by the developer with the City subject to approval by the City Engineering Department and a subdivider's agreement entered into with the City by the developer.
- 9. The applicant shall provide review and inspection fees in the amount of \$423.20.
- 10. The Montgomery County Sanitary Engineering Department is requiring the extension of the sanitary sewer along Paragon Road. The Record Plan shall be modified to include a sanitary sewer easement along Paragon Road from Mackenzie Court to the southern property line, subject to approval by the City Engineering Department.

Mr. Cline moved that the Record Plan for The Highlands at Yankee Trace, Section 1, be approved, subject to the conditions recommended by the Planning Commission. Mr. Compton seconded the motion. The motion passed by unanimous vote.

Mrs. Lienesch gave an update on the Property Maintenance Code Task Force which has met since June, 2005, and they have studied model legislation to enhance our Code and Ordinances to meet the ever growing wants of our community. The Public Hearing is scheduled for July 17, 2006 to adopt the International Property Maintenance Code and our recommendations will be incorporated into this Code. She wanted to publicly thank Staff and those in the community who have helped work on this task force.

Mr. Cline gave an update on the Unified Development Ordinance Task Force and stated that a Joint Meeting was held with the Planning Commission and City Council on June 5, 2006. It was an educational session and brought everyone up to speed with the progress that the UDO Task Force has made with regard to the design of the document. The Task Force has been meeting since the fall of 2005. He feels that the UDO Task Force will be finishing their responsibilities later this fall and will bring the finalized plan to the Planning Commission and to City Council at that time.

Mr. Compton reported on the Open House for Create the Vision which was held on June 14, 2006. He and Tom Zobrist (Fiscal Officer for Washington Township) co-hosted the event. It was held at Rec West (next to the Recreation Center). There was a presentation of what had taken place over the course of the last year or so for Create the Vision. An Executive Summary of the status of Create the Vision and a full annual report will be available in mid July. There was a nice turn out of citizens at the Open House. He thanked Council for their strong support and Staff, especially Mrs. Angie Tapogna and Mr. Steve Feverston, for their efforts related to the Open

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held June 19

20 06

House.

Dr. Paul Gresham expressed appreciation to the Friends of Benham's Grove for Garden Fest which was held June 10th and 11th. He also thanked the Arts Commission for the concerts that are held in Stubbs Park throughout the summer months. He encouraged everyone to attend.

Mr. Cline gave a brief overview of their trip to Slidell, Louisiana with one of the faith based initiative groups during the week of June 10th-17th. It was a group of 12 people representing the City of Centerville, South Brook Church, Fairhaven Church, Incarnation Church and Hope United Methodist Church. They were involved in a disaster relief effort under the name of Operation Blessing, a faith-based organization. He reported that it was very arduous work but rewarding. This was the second trip down to Slidell and there has been dialogue with their Mayor, with setting up an ongoing relationship - not a sister city but a neighbor city. There is still a long road of recovery in that part of the country. He congratulated Maureen Russell Hodgson as she has been the driving force/organizer for both trips.

Mayor Kingseed explained the Consent Agenda which contains procedural administrative matters. Approval of these issues will be as a group with one motion being made. He brought attention to the appointment of Jeanie Weidlick to the Sister City Committee and the reappointment of Paul Clark as Chairman to the Planning Commission for an additional year to be made by the passage of the Consent Agenda. Mr. Corbin moved that the following items be passed.

1. Ordinance No. 16-06: An Ordinance Of The City Of Centerville, Ohio Adopting The 2006 Edition Of The International Property Maintenance Code, Regulating And Governing The Conditions And Maintenance Of All Property, Buildings And Structures; By Providing The Standards For Supplied Utilities And Facilities And Other Physical Things And Conditions Essential To Ensure That Structures Are Safe, Sanitary And Fit For Occupation And Use; And The Condemnation Of Buildings And Structures Unfit For Human Occupancy And Use, And The Demolition Of Such Existing Structures In The City; Repealing Of Title Eight Of The Centerville Municipal Code And All Other Ordinances And Parts Of Ordinances In Conflict Therewith, be set for Public Hearing on July 17, 2006.
2. Ordinance No. 17-06: An Ordinance Approving The Editing And Inclusion Of Certain Ordinances And Resolutions As Parts Of The Various Component Codes Of The Codified Ordinances; Providing For The Adoption And Publication Of New Matter In The Updated And Revised Codified Ordinances; And Repealing Ordinances And Resolutions In Conflict Therewith, be set for Public Hearing on July 17, 2006.

RECORD OF PROCEEDINGS

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held June 19

20 06

- 3. Resolution No. 30-06: A Resolution Adopting The Solid Waste Management Plan For The Montgomery County Solid Waste Management District.
- 4. Resolution No. 31-06: A Resolution Declaring Specific Equipment 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.
- 5. The following appointment be made:
Jeanie Weidlick to the Sister City Committee.
- 6. The following reappointment be made:
Paul Clark, Chairman, to the Planning Commission for an additional year.

Mrs. Lienesch seconded the motion. The motion passed unanimously.

ORDINANCE NO. 9-06 ZONING ORDINANCE AMENDMENT
REZONING 1.214 ACRES FROM WT-A TO R-1C

The Public Hearing was held concerning the Rezoning Request. This is an area of the City that was recently annexed back in February/March of this year. It is a small 1.213 acre parcel just south of Shawnee Trail and Rose Estates, and it is ultimately to be developed as part of The Highlands at Yankee Trace. It currently carries a Washington Township Agricultural zone and will be rezoned to R-1c, Single Family Residential matching all of the zones that are currently in place for The Highlands at Yankee Trace as well as Yankee Trace in its entirety. The Planning Commission, by unanimous vote, recommended approval of this Rezoning Request to City Council. Mr. Compton moved that Ordinance Number 9-06, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 1.214 Acres, More Or Less, From Washington Township Agriculture Zone Classification To Centerville R-1C, Single Family Residential Zone Classification. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

ORDINANCE NO. 10-06 ADOPTING THE 2005 SOUTHWEST OHIO
FIRE SAFETY COUNCIL

The Public Hearing was held concerning Ordinance Number 10-06. Chief Ken Parks from the Washington Township Fire Department reported that the State of Ohio adopted a new fire code last September, 2005. This is to bring the chapters of the Southwest Code which is shared by this area down through Cincinnati and bring that forward so that we can enforce those codes locally rather than have to go through Columbus. Fire Marshall Mike Long was here to answer any questions. Dr. Gresham moved that Ordinance Number 10-06, An Ordinance Amending Chapter 1611, Centerville Municipal Code By Adopting The 2005 Southwest Ohio Fire Safety Council Unified Standards In Lieu Of The 1994 Edition Thereof By Reference.

RECORD OF PROCEEDINGS

Minutes of COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held June 1920 06

Mrs. Lienesch seconded the motion. The motion passed by unanimous vote.

ORDINANCE NO. 12-06 ADOPTING COURSE RULES AND REGULATIONS
THE GOLF CLUB AT YANKEE TRACE

The Public Hearing was held concerning Ordinance Number 12-06. Mr. Schlagheck reported that there was a staff report at the May meeting as it was passed as an Emergency Ordinance. Mrs. Lienesch moved that Ordinance Number 12-06, An Ordinance Repealing Ordinance No. 35-94 And Adopting Course Rules And Regulations For The Golf Club At Yankee Trace. Mr. Compton seconded the motion. The motion passed by unanimous vote.

Mr. Joseph Koussa, 1537 Beavercreek Lane, Kettering, Ohio, asked that troops come home safely. He explained that for the past six years he has gone from one City Council Meeting to another and wanted to comment that he was born and raised in Beirut, Lebanon. He came to this country in May of 1966. He became a U.S. citizen in 1971. He is proud to be an American citizen.

ORDINANCE NO. 18-06 RESIDENTIAL RENTAL UNIT MANDATORY
INSPECTION REQUIREMENT

Mr. Schlagheck reported that this is an amended version and there is already one set for public hearing for July 17, 2006. This amended version drops the registration requirement. There will be a full staff report at the July meeting. Mr. Singer moved that Ordinance Number 18-06, An Ordinance Enacting A Residential Rental Unit Mandatory Inspection Requirement, be set for Public Hearing on July 17, 2006. Dr. Gresham seconded the motion. The motion passed by unanimous vote.

There being no further business, the meeting was adjourned.

Approved: *C. Mark Kengseed*
Mayor

ATTEST: *Debra A. James*
Clerk of Council