

RECORD OF PROCEEDINGS

Minutes of *COUNCIL*

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held *September 19*20 *05*

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, September 19, 2005, 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 of the Epiphany Lutheran Church and City Chaplain, 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	Brooks Compton
	Robert Corbin
	Paul Gresham
	Susan Lienesch
	James Singer

Assistant Clerk of Council Debra James

City Manager Gregory Horn

City Engineer Douglas Spitler

City Planner Steve Feverston

Public Works Director Robert James

Finance Director Mark Schlagheck

Assistant to the City Manager Jennifer Wilder

Assistant to the City Manager Jennifer Kuschnerus

Municipal Attorney Scott Liberman

Waste Supervisor Kenneth Peters

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

Council Meeting - August 15, 2005.

Work Session Meetings - August 15, 2005.

- August 29, 2005.

- September 12, 2005.

Dr. Gresham moved that the minutes of the foregoing meetings, as distributed be approved. Mrs. Lienesch seconded the motion. The motion passed unanimously with Mayor Kingseed and Brooks Compton abstaining from the August 15, 2005 Work Session Meeting and the August 15, 2005, Council Meeting.

Eagle Scout, Michael Boudreau was honored for this great accomplishment and was presented with a Certificate of Congratulations. Mr. Boudreau explained what his scouting experience has meant to him and thanked everyone who had been there to support him over the years.

Mayor Kingseed expressed appreciation to all of the Summer Landscape Award Winners for 2005. City Beautiful Commission Member, Mark Leonard, introduced members of the City Beautiful Commission and explained the many activities the Commission is involved in. Each of the following winners received a decorative stone engraved with *Centerville City Beautiful Summer Landscape Award 2005* for their garden:

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Will and Joyce Garrett, 6700 Crossbrook Drive
 Mike and Jan Novosad, 8281 Station House Road
 Pam and Marshall Goodfellow, 40 Peach Grove Avenue
 Jim and Mary Lynn Mogan, 311 Marsha Jeanne Way
 Tom and Doris Cassley, 220 Glenburn Drive
 Bill and Maureen Brady, 1675 Ambridge Road
 Marcie and Bill Lickert, 41 Glencroft Place
 Ron and Elizabeth Parker, 1031 Wedgescreek Place
 Ted and Carolyn Popoff, 2184 Briggs Road
 Suzie and Steve Wolff, 8017 Park East Court
 Randy and Teresa Mount, 105 Tuxworth Road
 George and Jeanne O'Connor, 1017 Villa Vista Place
 Wayne and Judy Schuler, 850 Kentshire Drive
 Aline and James Stritch, 1445 Delynn Drive
 Judy M. Wenzler, 255 E. Franklin Street
 Brad and Angelia Haber, 6785 Penridge Drive
 Dennis and Lisa McDaniel, 1350 Harewood Court
 Arthur and Alma Miller, 144 Tuxworth Road
 Jim and Suzanne Finke, 9753 Rose Arbor Drive
 Barbara Johnson, 840 Vintage Lake Court
 Wayne and Becky Moore, 6121 Park Ridge Drive
 Nella Dovel, 1235 Deer Run Road
 Geri Weber, 161 Lakeview Drive
 Jerry and Samantha Pressel, 9261 Amchar Court

MAYOR'S AWARD:

Carmine and Marietta D'Amico, 1090 Clintshire Drive

City Council recessed at this time for a short reception with the award winners.

Mayor Kingseed announced the following events which have taken place and will take place in the coming weeks:

The City has received numerous calls from citizens asking how they can help contribute to the victims of Hurricane Katrina. The input the City has been getting is that contributions of cash to the relief agencies; such as the Red Cross, the Salvation Army and many other very fine institutions in the Community are available and that money is converted into supplies and directed to the people that are in dyer need in Louisiana, Mississippi and Alabama. In addition, the City has offered its own services: individuals from the Police Department and Public Works.

Some members of City Council and Staff participated today in the John Kalamam Memorial Golf Tournament which was held at Yankee Trace. Mr. and Mrs. Kalamam have sponsored this tournament and the funds raised are used for young men and women who desire to make law enforcement their career.

Thoughts and prayers go out to the family of Anita Besco. She was the Administrator of Benham's Grove. She had been quite ill the last couple of months and she has passed away. To all of us that knew her she was an extraordinary woman and all of us will miss her enormously. Again our prayers go to her family in their time of sorrow.

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Mr. Compton read a Proclamation issued by the Mayor to the Washington-Centerville Public Library, recognizing Woodbourne Library's 25th Anniversary and the Centerville Library's 10th Anniversary to be held on Saturday, September 24, 2005.

Mr. Horn reported the following during his City Manager's report:

Flu Shots will be offered by the Montgomery County Combined Health District on Tuesday, October 18th, at the Centerville Municipal Building, 100 West Spring Valley Road, from 1:30 to 3:45 p.m. This year flu shots will be offered by appointment only - Please call 433-7151.

The City has property for sale located at 43 West Franklin Street, a small two-story framed structure which the City purchased about a year ago. The City purchased this property for a couple of reasons: The City is involved in a parking lot project with the Washington Township Trustees in the Architectural Preservation District that is tied into the new Panera Project (at the northwest corner of Main and Franklin Streets); it will also provide public parking for the area as well as the parking issues at Town Hall. One of the issues was to have a western access point along West Franklin Street. The City is going to take title to a section of this property so that it can provide an entrance way into the public parking lot and this remaining property will be for sale for redevelopment. The proposals are due Monday, October 31, 2005 at 11:00 a.m. and anyone interested in purchasing this building can contact Bill Covell, Economic Development Administrator, at 433-7151. There is a \$50,000 minimum that the City has placed on the building.

North Main Street Lighting between Loop Road and Whipp Road has been delayed, the City is awaiting the ornamental lighting. The underground work has been completed but the actual lighting fixtures and poles have been back ordered. It could take several more weeks before they are installed.

The lot on the west side of Main Street that the City acquired a couple of years ago and where buildings were raised; is the staging area for the work under way at West Ridgeway Drive - the storm sewer work that the City is doing in preparation for the parking lot project. The construction of the Panera building should begin in about 30 days.

Condolences were expressed to the family of Anita Besco, Benham's Grove Administrator, who passed away on August 25, 2005.

There has been some interest expressed in sidewalks on Normandy Lane from West Franklin Street to Paragon Road. A survey is going out in conjunction with Washington Township in the next couple of days.

The City has pledged support for the Hurricane Katrina Relief Effort; in committing resources to the Ohio EMA and made other offers of assistance. Centerville Officials have offered the services of City Police and Public Works personnel as well as certain pieces of City equipment.

The Veterans' Moving Wall is a joint project with Washington Township, the schools and the other public entities that will be taking place Veterans' week this year along with the City's Veterans' Day Ceremony to be held at the Leonard E. Stubbs Memorial Park.

Appreciation was expressed to Bob Daley and Carl Suchomel, Miami Valley Communications Council for their dedication in videotaping the City's monthly Council Meetings.

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Mrs. Wilder outlined code violations and resolutions for the month of August, 2005, as well as the community calendar for the coming month.

Mrs. Lienesch announced that the Property Maintenance Task Force will meet on Wednesday, September 21, 2005, at 7:00 p.m. in the Law Library. This month the areas being discussed are recreational vehicles, boats, trailers and the parking issues associated with them. Last month the Task Force addressed driveway maintenance which entailed a recommendation from the Task Force that the current driveway standards (found on the reverse side of the City's Driveway Permit) be codified by Council. Pictures were shown of RV boats and trailer parking and currently all of these are in compliance with the City's Code. From these pictures - it is apparent why it is necessary to strengthen these Codes.

Mayor Kingseed thanked Mrs. Lienesch and explained that the goal of this Task Force is to maintain property values in existing neighborhoods. There certainly is a balance between maintaining property values and local government getting involved. The end result from this Committee will be a recommendation to tighten up some of the City's Ordinances and to make some changes and the City does want to encourage citizen involvement.

Mr. Singer announced that the Storm Water Drainage Task Force will be meeting on Thursday, October 13th at 7:00 p.m., in the City Building. Mrs. Lienesch and Mr. Singer serve on this Task Force as members from Council, City Staff as well as a number of local residents.

Mr. Cline gave an update on the Unified Development Ordinance Task Force. He explained that this is an initiative that was suggested with the Create the Vision, long range plan. The Committee will be reviewing and revising the commercial and residential zoning codes and Ordinances of the City. The Committee consists of nine members, which is seven citizens and two councilmembers, Brooks Compton and Doug Cline. The Committee plans to meet monthly for the next four to six months.

Mr Cline also gave an update on the Joint Entities Committee for Cooperative Savings. This Committee was formed at Mayor Kingseed's urging last Spring in recognition of the potential funding crisis that the City faces from the State in terms of the Local Government Fund. Mr. Cline has had the opportunity to serve on this Committee with Gary Smiga, Carol Kennard, Bonnie Mathies and Gary Huff. A formal presentation was made to the Joint Entities Group on August 29, 2005 and the Committee will be issuing a Press Release in the near future. The Committee will continue to meet and will be very involved in consolidating efforts when many of the annual contracts are bid out in 2006 and will continue to look for ways to be more efficient and to do things better cost wise.

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Dr. Gresham reminded everyone that a new video is to be shown regarding the 2004 Sister City Trip to Bad Zwishchenahn. Anyone interested in learning more about the City's Sister City, or taking a future trip will find this video very interesting. It can be seen on Channel 10. Dr. Gresham also thanked the members of the Arts Commission for an outstanding concert series this past summer at the Leonard E. Stubbs Memorial Park.

Mr. Compton gave an update on the Create the Vision Implementation Committee which met on September 14, 2005. Michael Robinette from the Miami Valley Regional Planning Commission gave an excellent presentation that evening. Also the sub-committees will be making recommendations on the web site and citizen comments are welcomed. The next meeting will be held on October 12, 2005 at the Washington Township Fire Headquarters.

Mr. Singer advised that he and Dr. Gresham serve as delegates to the Miami Valley Communications Council; and he announced that Kent Bristol, Executive Director, for the Miami Valley Communications Council will be retiring at the end of this month. Mr. Bristol has served in this position for the past ten years and has done a superb job.

Mayor Kingseed also wanted to briefly explain that in connection with Hurricane Katrina, obviously the issue was government's preparedness. At the local level the City is trying to do everything possible to enhance preparedness for an emergency situation. Council and Staff went through a 2-1/2 hour FEMA Training Program recently and Council will again be updated on the Emergency Operations Plan for the City.

Mayor Kingseed, calling for a motion to consider the Consent Agenda, Mrs. Lienesch moved that the following items be passed. He also brought attention to the reappointment of Marilyn Hoback, a member of the Sister City Committee:

1. Resolution Number 41-05, Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor.
2. Resolution Number 42-05, A Resolution Accepting A Limited Warranty Deed From The Karras Family For The Public Use For Roadway Purposes.
3. Resolution Number 43-05, A Resolution Accepting An Easement From Anthony And Karen Staub Of Montgomery County, Ohio, In Order To Install Street Lights Along North Main Street On Said Property.
4. Resolution Number 44-05, A Resolution Accepting A Permanent Easement From Harlan Hawks For The Installation and Maintenance Of Storm Sewers and Storm Sewer Structures.
5. Resolution Number 45-05, A Resolution Accepting A Permanent Easement From Beyerle Family Partners For The Installation and Maintenance Of Storm Sewers and Storm Sewer Structures.

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6. Resolution Number 46-05, A Resolution Accepting A Permanent Easement From Joseph M. Beyerle And Joan M. Beyerle For The Installation And Maintenance Of Storm Sewers And Storm Sewer Structures.
7. Resolution Number 47-05, A Resolution Accepting A Permanent Easement From John O'Bryan For The Installation And Maintenance Of Storm Sewers And Storm Sewer Structures.
8. Performance Bond Reduction - Yankee Trace, Section Thirty-three.
9. Reappoint Marilyn Hoback as a Member of the Sister City Committee.

Mr. Cline seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 08-05 HOME OCCUPATIONS

The Public Hearing was held concerning Ordinance Number ^{DAY}08-05. Mr. Feverston reviewed this proposed Ordinance and stated that it has been redrafted in its entirety; it is part of the Supplemental Section of the Zoning Code that applies to residential properties. He advised that the Planning Commission, by unanimous vote (4-0), recommended approval of this Ordinance to City Council. This Ordinance eliminates the current ordinance and redrafts a new code to bring it up to compliance with today's lifestyles with methods of which people work as well as correcting some problems in our current Ordinance.

Joe Weingarten, 1158 Charter Place, is opposed to this Ordinance as it is currently written. He feels that in this era of internet, e-bay and major corporations having employees work from their home, things have significantly changed to what the picture of a home business or a home office is. He feels that this Ordinance is written for the old economy; and as this Ordinance is written it is defective, misguided, unenforceable and gives a perception of Centerville that he is not sure that Council would want. He feels that this should be returned to the Planning Commission. He requested that Council deny this Ordinance and return it with guidance that it be redone to an enforceable document that makes common sense.

Discussion followed with regard to the modifications and changes that have been made and how it would affect residents with home occupations. Mr. Liberman has reviewed the Ordinance and it is his opinion that it is enforceable. Mr. Corbin moved that this Ordinance be approved. Mr. Compton seconded the motion to vote on it.

Following additional discussion by Mr. Weingarten, Mr. Compton moved to reconsider the issue. Mr. Singer seconded the motion. The vote was 6-1 with Mr. Corbin voting no.

Dr. Gresham moved that Ordinance No. 08-05 An Ordinance Amending Ordinance No. 11-86, The Zoning Ordinance Of The City Of Centerville, Ohio To Amend Sections That Apply To Home Occupations And Land Uses Associated With Home Occupations In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code, be tabled and it be reconsidered at a Council Work Session. Mr. Singer seconded the motion. The vote was 6-1 with Mr. Corbin voting no.

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CINCINNATI BELL WIRELESS CONDITIONAL USE APPLICATION

The Public Hearing was held concerning the Conditional Use Application submitted by Cincinnati Bell Wireless requesting approval to construct a 145' Monopole located at 115 Compark Road. Mr. Feverston located the subject property on a map. The property is zoned I-1, Light Industrial, which permits the location of a tower for telephone communication. The proposed location of the tower would have little negative impact on the surrounding residential neighborhoods. The proposed setback of the monopole is 160 feet which satisfies the requirement of the tower height. The applicant, Mr. Derek McGrew, indicated the monopole has been designed to provide two (2) additional antenna locations. According to the applicant, there is currently a gap in cellular coverage in the subject area and a tower in this vicinity is necessary. The Planning Commission did review this at their meeting, August 30, 2005, and recommended approval of this Conditional Use Application to Council subject to two conditions:

1. Approval by the City shall be required for any new user to be attached to this facility.
2. If service provided by or the operation of this tower ceases for a continuous period of time as outlined in Section 24, Non-Conforming Uses, of the Zoning Ordinance, for whatever reason, the tower shall be considered abandoned and shall be required to be removed by the owner at the owner's expense. CGS Properties, LLC and Cincinnati Bell Wireless, Inc., shall enter into any agreement with the City that guarantees the demolition of this facility should it become abandoned. Such an agreement shall be subject to approval by the City Attorney.

Mrs. Lienesch advised that there is a perspective owner of a property; was the perspective owner east of the proposed cell tower, (on Clyo Road) notified and did they have any comments. Mr. Feverston stated that only property owners within 500 feet of the property would have been notified and since this perspective owner (has an option to purchase) they would not have been notified. Mr. Singer also felt that this information should be conveyed to the perspective owner. Mr. Horn advised that the concern has been raised that the property to the east and north of Centerville Mill, is a piece of ground right now that has a contract on it and the institution that is looking at that has a number of security issues and the question would be if there would be any kind of interference from the monopole. As a courtesy, Mrs. Lienesch asked that the City notify the perspective owner.

Mr. Derek McGrew, for PDH, Inc., an agent for Cincinnati Bell Wireless, wanted to answer their concern regarding access and construction on the property - that once the tower is constructed, it would only be accessed once per month. It would be accessed through the Dayton Wire and Wheel parking area and so the surrounding properties would not be affected. Mr. McGrew also stated that with regard to interference, Cincinnati Bell has purchased and is granted a frequency that no one else can use nor no one can interfere with it.

Mr. Singer moved to table this Conditional Use Application. Mrs. Lienesch seconded the motion. The vote was 6-1 with Mr. Corbin voting no.

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OBERER THOMPSON COMPANY (PRIMED) - MAJOR USE SPECIAL APPROVAL

The Public Hearing was held concerning the Major Use Special Approval Application submitted by the Oberer Thompson Company for the purpose of developing the property on the north side of Clyo Road east of Centerville Business Parkway for professional office users. Mr. Feverston reviewed the proposed Major Use Plan which also includes a site plan for a new, 12,000 square foot medical office building for PriMed on Lot "A" with areas designated for future expansion. The acreage involved is 6.94 acres and is zoned Office Planned Development, O-PD, and is proposed to have a total of three (3) lots.

The PriMed building is to be constructed on the northern portion of the site with future expansion to occur to the east of that building. A private street will be constructed directly from Clyo Road to provide full access to the three (3) lots in the office development. The Planning Commission recommended approval of the Major Use Special Approval application to Council subject to the following conditions:

1. The final design and alignment of the private street shall be subject to approval by the City Engineering Department. The private street shall align with Clyo Road at a ninety (90) degree angle.
2. Additional curb cuts onto Clyo Road shall be prohibited.
3. A sidewalk, five (5) feet in width, shall be constructed along the private street subject to approval by the City Planning Department.
4. All landscape islands within the parking lot shall have a minimum width of nine (9) feet.
5. The walk facing the handicap parking spaces shall have a minimum of six and one-half (6.5) feet.
6. A hard surface roadway capable of providing emergency vehicle access and support at all times for emergency purposes shall be provided during construction.
7. 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.
8. A final screening and landscaping plan shall be submitted for each development parcel at the time approval is sought, subject to approval by the Planning Department. The plan shall identify existing trees to be preserved and a grading limit shall be established at the drip line of those trees. Trees preserved on site may be credited towards satisfying the landscape and screening requirements of the Zoning Ordinance.

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9. A performance bond or other construction guarantee shall be posted by the developer for all landscaping and screening improvements required by the Zoning Ordinance subject to approval by the City Engineer. This bond or guarantee shall be in accordance to the Guarantee of Construction and Installation of Improvements, Inspections Section of Part Twelve, Title Four of the Code of Ordinances.
10. The dumpster shall be screened using materials to match the building subject to approval by the City Planning Department.
11. A final exterior lighting plan shall be subject to approval by the City Planner.
12. The Planning Commission must approve the architectural design of the building to specifically include the use of E.I.F.S. as an exterior siding material and a flat roof.

Mr. Cline moved that the Major Use Special Approval filed by Oberer Thompson Company be approved subject to the conditions as recommended by the Planning Commission. Mr. Compton seconded the motion. The motion passed unanimously.

MEDICAL OFFICE BUILDING (PRIMED) RECORD PLAN

The Planning Commission unanimously voted 7-0 to recommend approval of the Record Plan for the Medical Office Building (Primed) subject to four conditions:

1. An ingress/egress easement for the private street shall be placed on the Record Plan guaranteeing access for all lots to Clyo Road subject to approval by the City Attorney.
2. Covenants shall be recorded to provide for the future private maintenance of all private streets, detention basins, and common areas subject to approval by the City Attorney.
3. As easement shall be placed on the Record Plan that grants the City emergency access to the detention basin subject to approval by the City Attorney.
4. A street name shall be subject to approval by the City Planning Department.

Dr. Gresham moved that the Record Plan for the Medical Office Building be approved subject to the conditions as recommended by the Planning Commission. Mr. Compton seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 09-05 WASTE COLLECTION

The Public Hearing was held concerning Ordinance Number 09-05. Mr. James gave an overview of the Refuse Department which was established in 1970 for the City of Centerville. He

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explained that the City's waste collection service has been discussed over the past several months and that three different alternatives have been considered. 1) Automated System with Containers 2) Privatization and 3) Continue In-House Collection with a Fee Increase. A pilot program by a private company was held in an area of the City; proposals from private companies were requested by the City and a telephone survey was conducted by Wright State University to help aid in the decision making process.

Roger Hanks, 351 North Village Drive, made the comment that he thought it was difficult to determine the quality of service by outside contractors. He moved to Centerville two years ago, and he received service from an outside contractor prior to his moving to Centerville and sees no difference in the service he receives from the City.

Mr. James explained that the City provides an excellent level of Service to City customers; he is not sure that the City would get the same exact level of service from a private hauler, maybe initially, but maybe that would not last for the term of the contract.

Mr. Corbin expressed concern with retaining the service and raising the fee. He is concerned about the future financial integrity of the City regardless of its present condition which is excellent. He believes that in the future all levels of government are going to suffer and be hard pressed to maintain the tight fiscal integrity that we are enjoying today. Because of that he felt that it was worth looking into contracting it out to get rid of the expenses, and the capital investment. From a fiscal standpoint, he has some reservations.

Dr. Gresham stated that he would have to agree with Mr. Corbin. He feels that the City will be back in three years needing to increase the rates again. Now is the ideal time with some attrition in the Waste Collection Department to privatize this service.

Mr. Cline moved to approve Ordinance Number 09-05 An Ordinance Amending Section 1060.05 Of The Municipal Code Of The City Of Centerville, Ohio To Set Fees For Municipal Waste Collection Services. Mrs. Lienesch seconded the motion. The vote was 5-2 with Mr. Corbin and Dr. Gresham voting no.

Joseph Koussa, 1537 Beaver creek Lane, asked that troops come home safely and urged everyone to pray for our troops; for the victims of hurricane Katrina and for our country.

Dr. Stephanie Studebaker, a veterinarian and long term resident of Centerville, brought to Council's attention four issues that are going to be on the November ballot. 1) Issue 2 - will allow people to vote 35 days prior to an election via an absentee ballot without any reason at all. 2) Issue 3 - to get big money out of our political system. The current contribution level for an individual is now at \$10,000.00. This Issue 3 would decrease the level down to \$2,000.00. 3) Issue 4 - is a redistricting issue. This issue would make an independent redistricting commission to draw up the legislative districts in the State of Ohio. 4) Issue 5 would empower nine member non-partisan board to oversee the election process. She asked City Council to consider endorsing all four of these issues prior to the November election.

ORDINANCE NUMBER 10-05 LOCATION OF BUILDING ON THE FRONT YARD

Mr. Feverston stated that this Ordinance comes to Council from the Planning Commission as part of the implementation strategy of Create the Vision where the City is trying emphasize buildings and de-emphasize parking in some of those other facilities in the APD. This Ordinance

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makes a minor amendment to the Architectural Preservation Section of the Zoning Ordinance. Mr. Cline moved that Ordinance Number 10-05, An Ordinance Amending Ordinance No. 11-86, The Zoning Ordinance Of The City of Centerville, Ohio, To Amend Section 17, APD, Architectural Preservation District That Apply To The Location Of Buildings On The Front Yard On A Lot In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code, be set for Public Hearing on October 17, 2005. Dr. Gresham seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 48-05 THE GREATER DAYTON COMPACT PRINCIPLES - MVRPC

Mr. Horn reviewed briefly the principles approved by the Miami Valley Regional Planning Commission (over the course of a year) during a series of open sessions on where we were headed as a region, what our vision is for the region and what needs to take place in light of what they called a crossroads with regard to economic issues. They arrived through consensus, that a series of broad based principles that they wanted to guide the region going forward. Now they are asking for buy-in from the various political entities throughout the region. Mr. Compton sponsored Resolution Number 48-05, A Resolution Endorsing The Greater Dayton Compact Principles As Approved By The Board of Directors Of The Miami Valley Regional Planning Commission, and moved that it be passed. Mr. Cline seconded the motion. The motion passed by unanimous vote.

RESOLUTION NUMBER 49-05 SEXUAL OFFENDER

Mr. Horn reported that the Staff has had an opportunity to discuss this issue. It is felt that Staff needs City Council's support so that it is not a case by case situation and how the City is going to deal with sexual offenders and notification of residency in the future and that it is automatic that the City has a standard to follow. Mr. Liberman stated that the County Prosecutor's Office has taken the lead on informing municipal attorneys and the Chief of Police of a municipality. The County is encouraging the municipal attorneys to take the lead after they give the City the notice of someone living in the area. Mr. Corbin sponsored Resolution Number 49-05, A Resolution Authorizing And Directing The Municipal Attorney To File Actions For Injunctive Relief Against Any Sexual Offender Residing Within The City And Within 1000 Feet Of Any School As Defined By Section 2950.01(R) Of The Ohio Revised Code, and moved that it be passed. Mr. Cline seconded the motion. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Approved: *C. Mark Kenney*

Mayor

ATTEST: *Debra A. James*
Assistant Clerk of Council