

Centerville City Council
Work Session Meeting
September 9, 2002

TIME: 7:30 P.M.
PLACE: Centerville Municipal Building, Council Chambers
PRESENT: Mayor Sally Beals
Deputy-Mayor C. Mark Kingseed
Councilmembers: Douglas Cline
Paul Gresham
Roger Krass
James Singer
Susan Lienesch
Clerk of Council Marilyn McLaughlin
Assistant Clerk of Council Debra James
City Manager Gregory Horn
Assistant City Manager Judith Gilleland
City Planner Steve Feverston
Public Works Director Robert James
Economic Development Administrator Chris Pozzuto
Police Chief Stephen Walker
City Engineer Norbert Hoffman
Municipal Attorney Robert Farquhar
Assistant to the City Manager Jesse Lightle

Mr. Kingseed secluded himself from the first agenda item due to a potential conflict of interest. His law firm has represented Voss on previous matters.

Mr. Feverston located the Voss Chevrolet/Voss Dodge auto body shop on a map proposed to be located on the north side of Loop Road, east of State Route 48. This building has been approved by the Planning Commission and City Council. He outlined the various applications submitted by Voss and actions taken by both bodies.

Mr. Pozzuto offered any clarification of issues included in a memo dated August 22, 2002 outlining City Staff's recommendation relative to limiting hours of operation for the Voss auto body shop.

Mr. Horn advised that City Staff has reviewed the question of establishing hours of operation and does not recommend that this be accomplished.

Pete Flaherty, 170 South Village Drive, speaking on behalf of the Village South residents, stated that because of the magnitude and uniqueness of this facility, it warrants unique conditions in order to assure that it is compatible and harmonious with the neighborhood and the rest of Centerville. He further stated that residents in Village South are not asking Voss to change hours of operation any different from previous years, but that hours of operation need to be a part of the conditions of this project. Mr. Flaherty pointed out that even though Mr. Voss has informed residents in Village South that they do not intend to change hours of operation, plans change, owners change, the future is unknown. He cited sections of the Centerville Zoning Ordinance

which gives City Council the authority to eliminate potential adverse effects which include hours of operation for this facility.

Attorney David Greer, representing Voss Chevrolet/Voss Dodge, pointed out that hours of operation has been discussed by both Planning Commission and City Council. He stated that Mr. Flaherty and Village South residents have left their zeal go past the realm of rational argument to irrational, to the edge of harassment at this point. He advised that there is no reason to dampen the enthusiasm of businesses coming to Centerville or to accelerate businesses leaving the community. To set hours of operation for this facility different from any other building is not justified, rational or constitutional. He pointed out that there is no reason to justify the setting of hours of operation for this auto body shop. Mr. Greer pointed out that to restrict hours of operation for businesses is an impossible precedent.

There being no motion made, hours of operation for the Voss Chevrolet/Voss Dodge auto body shop died for lack of a motion.

Mr. Krass moved that Council convene into Executive Session in the Law Library to consider property acquisition. Dr. Gresham seconded the motion. A roll call vote resulted in six ayes in favor of the motion. By motion of Dr. Gresham, seconded by Mr. Cline, Council adjourned from Executive Session. Public Works Director Robert James and Police Chief Stephen Walker were not present for this item on the agenda.

Mr. Kingseed returned to the meeting at this time.

Miss Gilleland outlined discussions with Cricket Wireless Communications relative to the installation of 6-12 antennae on the Police Department tower. She outlined conditions which will be included in the contract. Chief Walker advised that the tower was constructed with the possibility for co-location with a private company. Cricket will pay to the City of Centerville an annual fee for the use. Council concurred that prices be tied down and that a contract be prepared for Council's consideration.

Miss Gilleland advised that the first lease agreement for the Asahel Wright House executed between the City of Centerville and the Centerville Washington Township Historical Society will soon expire. She outlined potential changes to a new lease agreement. The Historical Society is very comfortable with the City's proposal. The cost for sewer maintenance and exterior paint have been deleted from the contract, they will be the responsibility of the City. The majority of Council concurred to move forward with the execution of a new lease agreement.

Mr. Kingseed gave an update relative to the Veterans' Memorial for erection in the Leonard E. Stubbs Memorial Park. He outlined various ideas offered and considered by the committee. At a Centerville Veterans' Design Charrette Competition held on Thursday, August 29, 2002, five design groups made presentations. Mr. Kingseed outlined a proposed location for the memorial on a map of Stubbs Park and explained how it would accommodate participants at a ceremony. The Washington Township Trustees are willing to cooperate with this project in the amount of \$50,000.00 if the City of Centerville will contribute \$50,000.00 plus \$100,000.00 in private dollars. Mr. Kingseed stated that hopefully \$200,000.00 will encourage architects to come forth with designs that can be used. Council concurred that the City of Centerville

contribute \$50,000.00, while pointing out that available dollars must be addressed first before the project proceeds.

Mrs. Lienesch recused herself for the next agenda item due to a potential conflict of interest.

Paul Sampson and Jerry Hagan were present at this time to discuss with Council the Planning Commission Special Approval Application for the construction of a Martial Arts Studio on Clys Road east of Bigger Road and south of Thomas Paine Parkway. Proposed is the construction of a 5,000 square foot building on a 1.14 acre parcel of land zoned O-S, Office-Service. Mr. Feverston advised that he discussed with Mr. Sampson Council's concern with certain aspects of the exterior of the building.

Mr. Hagan pointed out that they are losing valuable time with the delay which has been caused by Council's Request for Review of the project. The building must be ready for occupancy by January 1, 2003. He advised that they must have approval by Tuesday, September 10, 2002 in order to proceed with the construction of the building.

Mr. Sampson explained why the windows could not be changed and the reason for their locations. He advised that he would agree to constructing the building in brick. Discussion followed relative to the fact that all requirements of the Zoning Ordinance have been met in this case. The majority of Council concurred that the building be constructed as approved by the Planning Commission.

Mrs. Lienesch returned to the meeting at this time.

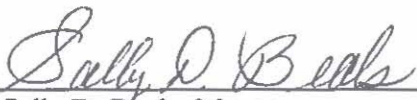
Upon question of Mr. Singer, Miss Gilleland advised that she has had conversation with Doug Galusha relative to the relocation of wildlife from the Village South area.

Mr. Kingseed informed City Council that the Centerville-Washington Park District Board will be discussing locations and whether to proceed with the proposed Dog Park.

Mr. Cline advised that a kick-off meeting was held by the Comprehensive Plan Task Force on Thursday, September 5, 2002. Chairs and Co-Chairs are being established for various committees. He asked Council for input as the project proceeds.

Dr. Gresham advised that he along with Mr. Pozzuto and Washington-Centerville Public Library Director Cynthia Klinck met to discuss improved access along State Route 48 south of Whipp Road.


Marilyn J. McLaughlin, Clerk of Council

Approved: 
Sally D. Beals, Mayor