

Centerville City Council  
Work Session Meeting  
March 1, 1999

**TIME:** 7:30 P.M.  
**PLACE:** Centerville Municipal Building, Law Library  
**PRESENT:** Mayor Sally Beals  
Deputy-Mayor James Singer  
Councilmembers C. Mark Kingseed  
Susan Lienesch  
James Reppert  
J. V. Stone  
Douglas Cline  
Clerk of Council Marilyn McLaughlin  
Assistant Clerk of Council Peggy Whisman  
City Manager Gregory Horn  
Assistant City Manager Judith Gilleland  
Public Works Director Steve Weaver  
City Planner Steve Feverston  
City Engineer Norbert Hoffman  
Assistant to the City Manager Kelly Fackel

Resident Robert Looper  
Archbishop Alter High School Student Josh McIntyre

Council interviewed Centerville Arts Commission applicant Robert Cahill and City Beautiful Commission applicant Linda Meily. Council concurred that both be appointed to their respective Commissions.

Council concurred that Lowell Stebbins be reappointed as a member of the Board of Tax Appeals for an additional term of three years.

Distributed to Council prior to this meeting was the report prepared by the Joint Washington Township-Centerville Committee to Review Speed Limits. The report contained recommended changes in both the City and the Township to provide for consistencies between the two entities. Upon concern expressed by Mr. Reppert, Council concurred that additional information is necessary relative to the legitimacy of these changes.

Mr. Feverston outlined for Council the exterior and the interior of the Peter Sunderland House located at 595 East Alexandersville-Bellbrook Road for which a landmark designation application has been filed. The owner of the house, Michael LeMaster, will restore the house for his own use, for office space, or for a meeting place. The zoning of the property upon which the house is located is zoned B-PD, Business-Planned Development. The house dates back to the 1830's. Mr. Feverston explained that Mr. LeMaster plans to remove additions to the house located to the east and west which have no historic significance. Out-buildings located on the

property will also be removed. The Planning Commission has reviewed this proposed landmark designation and has recommended approval to the Board of Architectural Review. A Public Hearing concerning this issue is scheduled before the BAR on Tuesday, March 2, 1999.

Mr. Feverston reviewed for Council the court case involving Spring Valley Investments and Rite-Aid of Ohio, Inc. concerning property located at the northeast corner of South Main Street and Spring Valley Road. He explained the fact that the case before Magistrate Nadine Ballard was a civil suit charging that Rite-Aid violated a parking easement owned by Spring Valley Investments. This is a civil issue in which the City is not a party; however, Mr. Feverston was subpoenaed to testify at a trial held in December, 1999. He explained that Spring Valley Investments, along with the Dayton Sports Foundation, owns a parking easement over the entire parcel of land and have the right of refusal over the elimination of parking spaces within the easement. Rite-Aid purchased an "L" shaped parcel from the Dayton Sports Foundation to be added to their property at the corner to provide for the construction of their facility without the requirement of a Variance from the City. The parking easement is included in the "L" shaped parcel. The site plan for the Rite-Aid building was approved by the Planning Commission with the structure being located in the "L" shaped parcel in order that all setbacks required by the City could be met. The magistrate in this civil case has recommended that the building be torn down because it encroaches on parking spaces of neighboring businesses. Mr. Feverston advised that he has been informed that Rite-Aid will appeal the demolition of the building if that is the decision of Judge David Gowdown. Mr. Feverston reviewed how parking regulations have been changed as amendments have been made to the Zoning Ordinance. Discussion followed relative to the effect parking changes have had on this particular property. The majority of Council concurred that the case between Rite-Aid and Spring Valley Investments and possible involvement by the City be referred to Municipal Attorney Robert Farquhar for an opinion.

The report prepared by the Joint Washington Township-Centerville Committee to Review Speed Limits was again discussed by Council. Mr. Weaver pointed out that changes on County roads would have to be made by Montgomery County in accordance with State Law. Mr. Hoffman explained that this report is a list of speed limits to be reviewed by the City, the Township and the County in more detail. He outlined how the committee arrived at their recommended changes. Following discussion, it was the consensus of Council that the report be accepted and that Montgomery County be encouraged to further study speed limits on County roads in order that better consistency can be maintained on City, Township and County roads.

Mr. Horn reviewed for Council information supplied by Mr. Weaver relative to roadway improvements along Clio Road and Centerville Station Road in conjunction with developments at The Franciscan at St. Leonard. The thoroughfare plan includes a five lane section on Clio Road and a three lane section on Centerville Station Road along The Franciscan at St. Leonard frontage. In view of current development and possible additional development to the south, Mr. Weaver considers a three lane section along Clio Road to be sufficient for the foreseeable future. Mr. Weaver recommended that the Master Plan for The Franciscan at St. Leonard be approved subject to the following:

1. The City of Centerville agrees to share 50% in the cost of the pedestrian bridge along Clio Road if that is constructed solely for the purpose of the hiker/biker trail.

2. The City of Centerville will assume the widening costs of Clio Road south of the corporation line in order to provide for the turn lane at the top of the hill. The Franciscan at St. Leonard will assume responsibility for the costs of the turn lane at their property, similar to other developments.
3. As the development starts in the south of the property, the hiker/biker trail should be installed from the main entrance on Clio Road, south to the corporation line along Clio Road.
4. As the areas defined on the Master Plan are developed: a) to the extent of at least fifty percent of total area; or b) any development along the frontage; or c) if at least fifty percent of the frontage is developed, then The Franciscan at St. Leonard will be responsible for completing the frontage improvement for that particular section.
5. The City of Centerville will assume the installation of the storm drainage along Centerville Station Road and provide outlet points for the future development. All future development will be required to provide for stormwater management. The Franciscan at St. Leonard will be responsible for the drainage features needed to complete the roadway improvement, i.e., catch basins, inlets, etc.

As a result of discussions concerning these conditions, Council concurred that number four should read as follows: As the areas defined on the Master Plan are developed to the extent of at least fifty percent of total area, The Franciscan at St. Leonard will be responsible for completing the frontage improvement for that particular section.


Mr. Horn advised that he will discuss these recommendations with Executive Director of The Franciscan at St. Leonard Brian Forschner to receive his concurrence prior to the Public Hearing on the Master Plan. Mr. Singer suggested that correspondence be sent to Montgomery County Engineer Joseph Litvin informing the County of the City's intention to widen Clio Road. In response to a concern expressed by Mr. Cline, Mr. Horn suggested that a time for build out at The Franciscan be specified, perhaps a build out in five years. Upon request of Mr. Singer, Mr. Feverston will prepare a comparison between required setbacks in Washington Township and the City of Centerville for Council's review prior to the Public Hearing scheduled for March 15, 1999. Mr. Feverston advised that the Centerville-Washington Park District has asked that the required parkland dedication of approximately 3 ½ to 4 acres be added to the Bill Yeck Park. Mr. Feverston will prepare historical data relative to the dedication of parkland or fee in lieu of by The Franciscan at St. Leonard required with developments in previous years.

Upon question of Mr. Reppert, Mr. Horn advised that Realtors and City and Washington Township representatives were present at the Joint Image Campaign Continental Breakfast held on Wednesday, February 24, 1999.

Mr. Reppert expressed concern with the preparation of food at The Castle located at 133 North Main Street. Mr. Weaver explained that limitations were placed on the use of the facility when the original occupancy was granted. The City of Centerville appealed the local appeals board decision to permit the use of the facility as a use rather than an assembly. The service of food is permitted for that use as long as it meets State requirements. Following discussion, Council concurred that this matter be referred to Municipal Attorney Robert Farquhar to determine whether the City should appeal the decision rendered by the Board of Building Standards. Mr. Kingseed emphasized the need for a substantial reason for the City to proceed

with the appeal process in this case.

  
Marilyn J. McLaughlin  
Clerk of Council

Approved:   
Mayor