

CENTERVILLE CITY COUNCIL
WORK SESSION MEETING
MAY 21, 1990

TIME: 7:00 P.M.
PLACE: Centerville Municipal Building, Law Library

PRESENT: Mayor Shirley Heintz
Deputy-Mayor Brooks Compton
Councilmembers J. V. Stone
C. Mark Kingseed
Mark Beasley
Sally Beals
James Singer
City Manager Darryl Kenning
Municipal Attorney Robert Farquhar
Administrative Assistant Michael Haverland
Administrative Assistant Judith Gilliland
Acting Clerk of Council Constance Cooper

Mr. Farquhar was present at this Meeting to discuss with Council concerns relative to the Appeal filed by B. P. Oil Company against a decision rendered by the Planning Commission during their Meeting on Tuesday, March 27, 1990 requiring the Applicant to dedicate to the City of Centerville approximately 30 feet on the Wilmington Pike side of the site and approximately 45 feet on the Clyo Road side of the site for public rights-of-way. This was a condition of approval of a Planning Commission Special Approval Application to construct a Sohio full service station at the southwest corner of Wilmington Pike and proposed Clyo Road. Upon question of Mayor Heintz, Mr. Farquhar advised that, due to the fact that Council has the power to reverse, modify or confirm a decision of the Planning Commission, once an Application is appealed Council has the right to review other specific issues which are of concern to Council. Mr. Farquhar clarified the fact that, at the time of subdivision approval, right-of-way can be required, not when applications of this type are considered. Adopting an Ordinance to require this would be difficult to uphold in Court. He advised that through conversations with Attorneys representing B. P. Oil, the Company evidently does not have a problem with dedicating right-of-way, they do not want it perceived as a dedication. Mayor Heintz suggested that the City consider an impact tax rather than an Ordinance to require right-of-way dedication as exercised by other Municipalities.

Mr. Kenning reviewed for Council a request received from Attorney Barry W. Mancz, on behalf of John G. Black Enterprises, Inc., for an extension of the Subdivider's Agreement executed for Thomas Paine Settlement Number Three - Clyo Road, from June 10, 1990 until December 10, 1990.

Mr. Kenning outlined a request received from the Centerville City School District for their purchase of one used police cruiser from the City of Centerville. As recommended by Mr.


Kenning, Council concurred that one used cruiser be sold to the School District for a purchase price of \$500.00.

Mr. Kenning advised that the new computerized firearms system will be available for Council to view possibly on June 12, 13 or 14, 1990. This new system would be a good defense if used as evidence in Court should the City be sued as the result of a shooting incident.

Council interviewed City Beautiful Commission Applicant Dr. Ralph W. Deger. Council concurred that Dr. Deger be appointed as a Member of the Commission.


Marilyn J. McLaughlin
Clerk of Council

Approved:


Mayo