

# RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL

Meeting

DAYTON LEGAL BLANK CO. 10144

Held August 17,

19 87

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, August 17, 1987 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Preston Dawes, City Chaplain, and the Pledge of Allegiance to the Flag with Mayor Shirley Heintz presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor Brooks Compton  
Councilmembers J. V. Stone  
Bernard Samples  
Charles Taylor  
Jeffrey Siler  
James Singer  
Clerk of Council Marilyn McLaughlin  
City Planner Alan Schwab  
Chief of Police William Lickert  
Municipal Attorney Robert Farquhar  
Administrative Assistant Stephen King

The Minutes of the following Meetings had been distributed prior to this Meeting:

Council Meeting - July 20, 1987.  
Council Work Session Meetings - July 13, 1987.  
- July 20, 1987.  
- July 27, 1987.  
- August 10, 1987.

Mr. Siler moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council; however, Mr. Taylor and Mayor Heintz abstained from the August 10 Minutes and Mr. Siler from the July 27 Meeting Minutes.

Mr. Tom Poulton and Mrs. Carolyn Miller, representing the FADE Committee, presented to Mayor Heintz a plaque in appreciation for her service as Chairperson of the 1986-87 Drug Attack Committee in the Centerville-Washington Township area.

Mayor Heintz announced the issuance of a Proclamation designating August 7, 1987 as Jonathan Dayton Day in the City of Centerville.

Mayor Heintz outlined the trip and events which took place in Centerville's Sister City Bad Zwischenahn during a recent visit by 42 guests from Centerville. The City of Centerville was presented with a flag and plaque representing Bad Zwischenahn.

Mr. King brought the listening public's attention to the fact that area schools will begin session during the coming weeks. He reminded motorists to drive with caution.

Mr. King advised that the 1987 Road Improvement Program is proceeding on schedule. Alternatives are now being completed.

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## ZONING ORDINANCE AMENDMENT REZONING SEXTON COMPANIES

Mr. King reported on the Planning Commission Meeting held July 28, 1987. The Planning Commission, by unanimous vote, recommended to Council approval of the Rezoning Request submitted by Sexton Companies to rezone a 8.051 acre tract of land located on the northwest corner of Alexandersville-Bellbrook Road and Clyo Road from O-PD to R-PD. Mr. Compton moved that An Ordinance Amending Ordinance Number 11-86 Dated September 16, 1986, The Zoning Ordinance, By Rezoning 8.051 Acres More Or Less, From Centerville Office Plan Development Classification To Centerville Residential Plan Development Classification, be set for Public Hearing on September 21, 1987. Mr. Samples seconded the motion. The motion passed unanimously.

## PLEASANT WOODS RECORD PLAN

Mr. Schwab reviewed a Record Plan submitted for Pleasant Woods, the development of a five acre tract of R-1d zoned land into 11 lots. The property is located along Zengel Drive immediately south of Zengel Court and adjacent to the property owned by the Dayton Power & Light Company occupied by a sub-station. An off-site retention area is proposed to be located on the Dayton Power & Light Company property. A parkland fee is required as a part of this Record Plan. Mr. Schwab reviewed the Planning Commission's unanimous recommendation for approval of this Record Plan to City Council subject to the following conditions:

1. Sidewalks shall be constructed on the south side of Zengel Drive and on both sides of Pleasant Woods Court.
2. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.
3. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer. Appropriate easements for off-site retention be obtained from the Dayton Power & Light Company by the property owner and appropriate legal provisions be obtained for maintaining that off-site storage facility. Those agreements shall be satisfactory to the City Attorney prior to their recording.
4. In lieu of completion of the required improvements prior to the recording of the plat, a Performance Bond in an amount acceptable to the City Engineer shall be posted by the developer with the City of Centerville.
5. Prior to the signing of the Record Plan by the City, the developer shall pay the fee-in-lieu of parkland dedication in accordance with the provisions of City Ordinance 15-86, the City Parkland Dedication Ordinance.

Mr. Schwab also reviewed a recommendation made by the City Engineer which included the following:

1. A legal document should be prepared by the developer and approved by the City Law Director which will assure that:
  - a. The detention area will be located within an



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easement granting access to the lands on which it is located (for emergency repairs by City crews if needed) and

b. That the perpetual maintenance of the detention area is assigned to the owner of the lands (DP&L and its successors).

2. A Performance Bond in the amount of \$71,500.00, and an inspection fee of \$370.00 be required. A Maintenance Bond for the duration of one year shall be posted after completion of the project, the amount of same to be recommended by the Engineer at that time.

Mr. Singer moved that the Record Plan for Pleasant Woods be approved, subject to the recommendations of the Planning Commission and the City Engineer as outlined by Mr. Schwab during his presentation. Mr. Taylor seconded the motion. The motion passed unanimously.

## ORDINANCE NUMBER 14-87 LIQUOR CONTROL (KEG ORDINANCE)

The Public Hearing was held concerning Ordinance Number 14-87. Mr. King reviewed this proposed legislation, more particularly known as the Keg Ordinance. Section 529.02(i) of the Centerville Municipal Code automatically expires and stands repealed on August 19, 1987, the second anniversary of the Keg Ordinance. Ordinance Number 14-87 replaces the Keg Ordinance, incorporates the new state law provision and will expire on its second anniversary. This sunset provision has been incorporated so that the Ordinance will be reviewed and revisions made as necessary.

Mrs. Carolyn Miller, 7859 Millerton Drive, speaking as a resident, as the Substance Abuse Coordinator for the Centerville City Schools and as a Member of the FADE Committee, stressed the necessity for the coordination of children control between the schools, churches and parents. She outlined the effectiveness of this Key Ordinance in our community during the past two years and endorsed the reenactment of the Keg Ordinance.

Mr. Tom Poulton, 464 Peachcreek Drive, Member of the Centerville Board of Education and a Member of the FADE Committee, listed the various methods by which people in the entire Centerville-Washington Township area have become more involved in efforts to reduce chemical abuse in our Community.

Upon question of Mr. Singer, Mr. Poulton advised that the FADE Committee continues to work with State Legislators pursuing this same type legislation on the State level.

Chief Lickert outlined the effect the Keg Ordinance has had in Centerville during the past two years.

Mr. Taylor sponsored Ordinance Number 14-87, An Ordinance Amending Chapter 529 Of The Centerville Municipal Code Relative To Liquor Control, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

## BOARD OF ARCHITECTURAL REVIEW CHAIRMAN

Mayor Heintz advised that the term of B. Scott Feldmaier as

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Chairman of the Board of Architectural Review will expire on September 15, 1987. Mr. Singer moved that Mr. Feldmaier be reappointed as Chairman of the Board of Architectural Review for an additional year. Mr. Siler seconded the motion. The motion passed by unanimous vote.

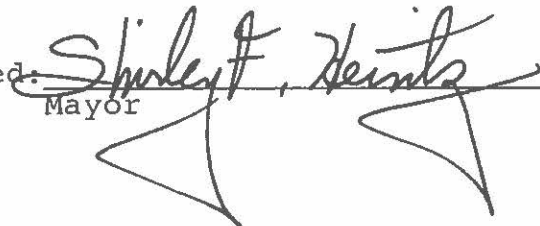
PLANNING COMMISSION CHAIRMAN

Mayor Heintz advised that the term of Elmer C. Tate as Chairman of the Planning Commission will expire on September 15, 1987. Mr. Siler moved that Mr. Tate be reappointed as Chairman of the Planning Commission for an additional year. Mr. Taylor seconded the motion. The motion passed unanimously.

SISTER CITY COMMITTEE

Mayor Heintz advised that Mr. Raymond Johnson was recently appointed as a Member of the Sister City Committee to fill an unexpired term; this term will expire on September 19, 1987. Mr. Siler moved that Mr. Johnson be reappointed as a Member of the Sister City Committee for a term of three years. Mr. Samples seconded the motion. The motion passed by unanimous vote of City Council.

There being no further business, the Meeting was adjourned.

Approved:   
Mayor

ATTEST:   
Clerk of Council