

Held April 21, 19 86

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, April 21, 1986 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 led by Webelo Cub Scout Pack 148, with Mayor Shirley Heintz presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor Brooks Compton
 Councilmembers Bernard Samples
 Charles Taylor
 James Singer
 J. V. Stone

Clerk of Council Marilyn McLaughlin
 City Manager Darryl Kenning
 City Planner Alan Schwab
 Service Director Richard Bishop
 City Engineer Karl Schab
 Director of Finance William Bettcher
 Chief of Police William Lickert
 Municipal Attorney Robert Farquhar
 Administrative Intern Michael Haverland

Mayor Heintz advised that Councilman Jeffrey Siler would not be present for this Meeting due to a previous commitment. Mr. Singer moved that Mr. Siler be excused from this Meeting. Mr. Compton seconded the motion. The motion passed by unanimous vote of City Council.

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

Council Meetings - March 17, 1986.
 - April 7, 1986.

Council Work Session Meetings - March 17, 1986.
 - March 24, 1986.
 - April 7, 1986.

Joint Meeting - Centerville City Council/Washington
 Township Trustees/Centerville City School
 Board - March 31, 1986.

Mr. Samples moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Singer seconded the motion. The motion passed unanimously; however, Mr. Taylor abstained from the Minutes of the Meeting held March 24th, Mr. Taylor and Mr. Stone from the Meeting of March 31st and Mr. Compton abstained from the Minutes of the Meeting held April 14th.

Mayor Heintz administered the Oath of Office to Centerville Property Review Commission Member Jarred Haney.

Following the introduction of Centerville Police Officer Michael K. Click by Chief Lickert, Mayor Heintz administered the Oath of Office.

Mayor Heintz introduced students present at this Meeting who

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will be involved in Youth in Government Day in the City of Centerville on April 29, 1986.

Mr. Singer read a Certificate of Appreciation presented to Patricia Young by Mayor Heintz, recognizing outstanding contributions to our Community in the field of crime prevention. Mrs. Young has been presented the "1986 Outstanding Citizen Involved in Crime Prevention Award", from the Ohio Crime Prevention Association.

Mayor Heintz announced the issuance of the following Proclamations for specific dates:

May 12 to May 17, 1986 - Clean-Up Week in the City of Centerville.

April 20-27, 1986 - Volunteer Week in the City of Centerville.

April 14, 1986 - Youth Appreciation Day in the City of Centerville recognizing contributions of Alexa Janis, Magsig Middle School; Michael Weil, Tower Heights Middle School; Kim Santurbane, Hadley Watts Middle School; and Candy Stout, Incarnation School.

Proclamation in support of Family and Friends of America's Prisoners of War and Missing in Action in Southeast Asia.

Week of May 12, 1986 - Optimist Bike Safety Week in the City of Centerville.

Mr. Compton read the Proclamation designating Volunteer Week in the City of Centerville.

During her Mayor's Report, Mrs. Heintz brought special attention to the following events which occurred in the City of Centerville:

A Salute to Volunteers Dinner was held April 17, 1986 in appreciation for the many hours contributed by Volunteers in the City of Centerville.

The Grand Opening was held of the State of Ohio, Driver's Testing Station and License Bureau on April 15, 1986. These services are provided in a Municipal facility located directly behind the Centerville Municipal Building.

Youth Appreciation Day was hosted by the Centerville Breakfast Optimist Club.

A Town Meeting was held on April 16, 1986 to provide an overview and receive citizen input relative to a proposed revised Zoning Map and Zoning Ordinance for the City of Centerville.

City Beautification activities will begin soon in the City of Centerville.

Merchants in the Architectural Preservation District recently had a most productive shopping day.

Mayor Heintz pointed out the fact that complaints which have been registered with the Ombudsman during the past year concerning Centerville were not relative to City Government Services.

Mr. Kenning reported the following relative to street improvements in the City of Centerville:

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The improvement of Alexandersville-Bellbrook Road from State Route 48 to Loop Road will be delayed; however, it will be completed within the project time.

The Clyo Road extension is under construction, underground installations are underway.

The 1986 Contract Street Improvement Project has begun on various streets throughout the City of Centerville.

CENTERVILLE STATION SECTION TWO RECORD PLAN

Mr. Kenning reviewed the Planning Commission Meetings held on March 25 and April 8, 1986. Mr. Schwab reviewed the Record Plan for Centerville Station, Section Two, proposed to be located at the northeast corner of Centerville Station Road and Clyo Road, being the three acres of land which surrounds the First National Bank and is zoned Office Service. The Plan proposes the division of this property into two lots and includes thoroughfare improvements to Centerville Station Road. The Planning Commission voted unanimously to recommend approval of this Record Plan to Council with the following conditions:

1. The location of the buildings and parking lots shown on the construction drawings is not being approved as part of this Record Plan.

2. The Record Plan shall dedicate 43 feet of right of way from centerline along Centerville Station Road to the City for public use.

3. The Washington Township Fire Department shall approve the layout of fire hydrants within the Plat.

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.

Mr. Kenning reviewed the recommendation of the City Engineer that a Performance Bond in the amount of \$10,150.00 be required to assure the installation of improvements and a Maintenance Bond, not to exceed \$1,500.00, for the duration of one year, be required after completion of the improvements.

Mr. Steve Kelly, Woolpert Consultants Engineers and representing the Applicant Dale R. Smith, agreed with all conditions recommended by the Planning Commission.

Upon question of Mr. Singer and Mr. Taylor, Mr. Schab defined the drainage system proposed for this development which is included on the construction drawings. He indicated his concurrence with this type drainage system, it is in accordance with the City's drainage Ordinance.

Mr. Singer moved that the Record Plan for Centerville Station, Section Two, be approved as recommended by the Planning Commission, subject to all the Commission's recommended conditions and subject to the City Engineer's recommendation relative to the Performance Bond and Maintenance Bond. Mr. Compton seconded the motion. The motion passed by unanimous vote.

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CENTER-MET OFFICE COMPANY SITE PLAN

Mr. Schwab reviewed a Site Plan proposed by Center-Met Office Company to construct a medical office on one acre of land located on the west side of North Main Street across from and slightly north of Bradstreet Road in the Architectural Preservation District. Screening is provided along the north and west property lines with a retention pond to the rear of the subject property. Mr. Schwab reviewed the recommendation of the City Staff to the Planning Commission that the Plan be approved with the following conditions:

1. A new traffic signal head shall be installed facing west at the North Main Street and Bradstreet Road intersection. The design shall be approved by the City Engineer and the cost shall be paid for by the property owner.

2. The City Engineer shall approve the exact alignment and design of the curb cut to North Main Street. The goal shall be to locate the centerline of the curb cut onto North Main Street, as close as practical, to exactly opposite the centerline of Bradstreet Road.

3. The City shall encourage the applicant to work with the adjacent property owner to the south to establish joint use of the applicant's curb cut onto North Main Street.

4. The parking lot aisle on the north side and parallel to north property line shall be widened to 19 feet. The parking lot aisle on the south side and parallel to the south property line shall be widened to 22 feet. These changes will result in the elimination of four parking spaces.

5. A fire hydrant at a location approved by the Washington Township Fire Department shall be required.

6. Dumpster locations shall be shown on the Plan and appropriately screened from view.

7. A stormwater drainage plan shall be approved by the City Engineer showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the City Stormwater Drainage Control Ordinance.

Mr. Schwab advised that the Planning Commission, by unanimous vote, recommended denial of this Site Plan based upon the lack of a resolution to a joint driveway with the property owner to the south. The Board of Architectural Review recommended approval subject to lighting being approved by the City Staff.

Mr. Taylor pointed out the fact that the City must permit access to this property, he believes that the driveway is proposed in the best possible location.

Mr. Alex Luge, Atelier Design, Inc., Architects and representing the applicant, indicated no problem with conditions recommended by the City Staff eliminating Number 3; they are all within the realm of possibility.

Mayor Heintz brought attention to a letter received requesting that consideration be given to making the Applicant's driveway a public street to access adjacent properties as well as the Activity Center and that the present access to the Activity

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Center be closed. The Centerville-Washington Park District has indicated their reluctance to the closing of their present access. Mr. Farquhar pointed out the fact that the City could not require curb cuts on other properties to be closed with the construction of a public street; other properties can not be affected by the development of the property in question.

Mr. Stone brought attention to the fact that past oppositions have caused the present undesirable condition at this intersection to exist.

Mr. Taylor moved that the Site Plan submitted by Center-Med Office Company be approved, subject to the conditions recommended by the City Staff eliminating Number 3, the cost of the new traffic signal to be determined by the Wagner-Smith Company, subject to the recommendation of the Board of Architectural Review, and subject to a 3 1/2 foot wide raised grass median separating the two way entrance drive from the property to the south. Mr. Stone seconded the motion. The motion passed by unanimous vote of City Council.

STEEPLE CHASE RECORD PLAN

Mr. Schwab reviewed a Record Plan for Steeple Chase, the development of one lot on 45.4 acres of land located north of Alexandersville-Bellbrook Road at the Clio Road extension. The Plan includes the construction of public roadway and dedicates additional right of way for public street as needed in the future. The Planning Commission, by unanimous vote, recommended approval of this Record Plan to City Council subject to:

1. The Washington Township Fire Department shall approve the layout of fire hydrants within the Plat.
2. 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.

Mr. Schwab reviewed the recommendation of the City Engineer, that a Performance Bond in the amount of \$38,000.00 be posted by the developer and after all improvements are in place and inspected, that a Maintenance Bond, to be in effect an additional year, should be provided in an amount to be determined at that time, but not to exceed \$6,000.00.

Mr. Compton moved that the Record Plan for Steeple Chase be approved, as recommended by the Planning Commission and subject to their recommended conditions, and subject to the recommendation of the City Engineer relative to the Performance Bond and Maintenance Bond. Mr. Samples seconded the motion. The motion passed by unanimous vote.

K MART COMPANY

Mr. Schwab reviewed for Council a request submitted by the K Mart Company to locate a temporary garden center at their present location, 8900 Lebanon Pike, to occupy approximately 130 feet of sale area adjacent to the Outdoor Garden Shop and front corner of the main store, requested time May 1 to September 30, 1986. The

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Planning Commission, by unanimous vote, recommended approval of this request to City Council. Mr. Samples moved that the request of the K Mart Company to locate a temporary garden center at their present location, 8900 Lebanon Pike, be granted for the time period specified. Mr. Taylor seconded the motion. The motion passed unanimously.

Mr. Samples expressed appreciation to residents and property owners for their attendance during the recent Town Meeting held to review a new proposed Zoning Map and Zoning Ordinance for the City of Centerville. Speaking as Chairman of the Zoning Task Force, Mr. Samples advised that all suggestions have been considered, and revisions proposed by the Task Force will be before City Council for review during the Work Session scheduled for Monday, April 28, 1986.

Mr. Samples briefly reviewed plans and coordination for the "Youth in Government Day" to be held in the City of Centerville on April 29, 1986.

Mr. Stone, Centerville's Representative on the Miami River Basin Council, advised that they are currently studying water problems of the total area; more information will be forthcoming.

ORDINANCE NUMBER 7-86 PERSONNEL

The Public Hearing was held concerning Ordinance Number 7-86. Mr. Kenning reviewed this proposed Ordinance which grants the City Manager the authority to promulgate personnel rules and regulations for employees of the City of Centerville. The passage of this legislation will speed up amendments to the Personnel Rules and Regulations as necessary from time to time. Mr. Taylor recognizing this authority having the effect of law, stated his concern with granting this authority to the City Manager. Mr. Compton sponsored Ordinance Number 7-86, An Ordinance Amending Chapter 165 Of The Administrative Code Relative To Personnel Rules And Regulations and Repealing All Previous Ordinances, and moved that it be passed. Mr. Stone seconded the motion. Upon request of Mr. Taylor, a roll call vote was taken, resulting in fives ayes in favor of the motion, Mr. Taylor voted no.

BOARD OF ARCHITECTURAL REVIEW CHAIRMAN

Mayor Heintz advised that Board of Architectural Review Chairman Michael Pekarek has moved from the City of Centerville, therefore making it necessary to appoint a new Chairman. Mr. Compton moved that Member B. Scott Feldmaier be appointed as Chairman of the Board of Architectural Review for the remainder of his membership term. Mr. Taylor seconded the motion. The motion passed by unanimous vote.

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ORDINANCE NUMBER 9-86 ZONING ORDINANCE AMENDMENT BETHANY

Mr. Compton moved that Ordinance Number 9-86, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance By Rezoning 83.92 Acres More Or Less, From Washington Township R-4 And Washington Township SU Classification To Centerville Entrance Corridor Classification, be set for Public Hearing on June 2, 1986. Mr. Singer seconded the motion. This Ordinance represents a Rezoning Request filed by Lutheran Social Services of the Miami Valley for property situated along the west side of North Main Street, approximately 50 feet north of the intersection of Loop Road with North Main Street. The motion passed by unanimous vote of City Council.

LUTHERAN SOCIAL SERVICES OF THE MIAMI VALLEY CONDITIONAL USE

Mr. Taylor moved that the Conditional Use Request filed by Lutheran Social Services of the Miami Valley to construct multi-family housing units for the elderly upon the northwestern portion of the property which is the subject of rezoning, be set for Public Hearing on June 2, 1986. Mr. Stone seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 10-86 ZONING ORDINANCE AMENDMENT BLACK

Mr. Compton moved that Ordinance Number 10-86, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance By Rezoning 46.25 Acres More Or Less, From Centerville R.O.I. Classification To Centerville Entrance Corridor Classification, be set for Public Hearing on June 2, 1986. Mr. Samples seconded the motion. This Ordinance represents the Rezoning Request filed by John G. Black Communities, Inc for property situated along the west side of Clyo Road, south of the intersection of Clyo Road with Fallenoak Trace. The motion passed with five voting yes; Mr. Stone abstained.

JOHN G. BLACK COMMUNITIES, INC. CONDITIONAL USE

Mr. Taylor moved that the Conditional Use Request filed by John G. Black Communities, Inc. to construct a condominium development consisting of detached single family units on the property which is the subject of rezoning, be set for Public Hearing on June 2, 1986. Mr. Samples seconded the motion. The motion passed with five voting yes; Mr. Stone abstained.

There being no further business, the Meeting was adjourned.

Approved: _____

Shirley F. Heints
Mayer

ATTEST:

Maile J. Laugel
Clerk of Council