

DAYTON LEGAL BLANK CO. 10012

Held May 19,

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, May 19, 1986 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilman James Singer 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 Charles Taylor  
                           James Singer  
                           Bernard Samples  
                           Jeffrey Siler  
                           J. V. Stone

Acting Clerk of Council Constance Cooper  
 City Manager Darryl Kenning  
 City Planner Alan Schwab  
 Service Superintendent Ray Hannah  
 City Engineer Karl Schab  
 Chief of Police William Lickert  
 Acting Municipal Attorney Robert Burns  
 Administrative Intern Michael Haverland

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

Council Meeting - April 21, 1986.  
 Council Work Session Meetings - April 14, 1986.  
   - April 21, 1986.  
   - April 28, 1986.  
   - May 5, 1986.  
   - May 12, 1986.

Town Meeting - April 16, 1986.

Mr. Siler moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Singer seconded the motion. The motion passed unanimously; however, Mr. Siler abstained from the Minutes of the April 16, April 21 and April 28, 1986 Meetings, Mr. Stone from May 5, 1986 and Mr. Taylor from April 16, 1986.

Mayor Heintz advised that a Certificate of Appreciation had been presented to Boy Scout Scott A. Thiele at his Eagle Court of Honor on the 14th day of May, 1986.

Mr. Compton read a Certificate of Appreciation signed by Members of City Council to Board of Architectural Review Member Michael T. Pekarek.

Mrs. Cooper announced the receipt of a Notice of Intent to Appeal and an Appeal filed against a decision rendered by the City Planning Commission during their Meeting on Tuesday, April 29, 1986 to deny an Application for a Variance to erect a 48 square foot wall sign on the south wall of the Kettering Bike Shop, Inc., 895 South Main Street in the Centerville Square Shopping Center. A Public Hearing has been set for June 16, 1986.

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Mrs. Cooper advised that a Notice has been received from the Ohio Department of Liquor Control for a new D5 Permit for Smith & Mayberry, a partnership, DBA Pogos, 101 Alexandersville-Bellbrook Road. This is a Permit to sell spirituous liquor for on premises consumption only, beer and wine for on premises, or off premises in original containers, until 2:30 A.M. No objection to the issuance of this Permit was indicated by City Council

Mayor Heintz announced the issuance of the following Proclamations:

Proclamation designating May 1986 as Mental Health Month in the City of Centerville.

Proclamation designating the week of May 18, 1986 as Small Business Week in the City of Centerville.

Proclamation designating June 14, 1986 as Flag Day in the City of Centerville.

Mr. Samples read a Proclamation issued by Mayor Heintz designating the week of June 1, 1986 as National Safe Boating Week in the City of Centerville. This Proclamation was presented to Mr. William Shade.

Mayor Heintz thanked the City Beautiful Commission, local organizations and the City Waste Department for their cooperation to clean-up and beautify Centerville during the week of May 12, 1986, and for the many plantings put in place along streets and roadway throughout the City of Centerville.

Mr. Kenning advised that the State of Ohio will go for bids on July 15, 1986 for the State Route 48, Whipp Road widening improvement project. This improvement should be completed during the current construction period.

Mr. Kenning reviewed the Planning Commission Meeting held April 29, 1986. Upon recommendation of the Planning Commission the following four items have been set for Public Hearing before Council on June 2, 1986:

Lutheran Social Services of the Miami Valley - Rezoning Request for property located at 6451 Far Hills Avenue. Requested is a change of 83.90 acres from WT R-4 and WT Special Use to Centerville Entrance Corridor (EC) classification.

Lutheran Social Services of the Miami Valley - Conditional Use Request for a portion of the property which is subject to rezoning. This is a proposal to construct garden homes for the elderly.

John G. Black Communities, Inc. - Rezoning Request for property located south of Alexandersville-Bellbrook Road and west of Clys Road. Requested is a change of 46.25 acres from R-O-I to Entrance Corridor (EC) classification.

John G. Black Communities, Inc. - Conditional Use Request for the property which is subject to rezoning. The proposal is to develop a single family detached condominium project.



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## BOY SCOUTS TEMPORARY TENT SALE

Mr. Schwab reviewed a request by Boy Scout Troops 425, 516 and 524 to conduct a temporary tent sale at the Centerville Place Shopping Center on the west side of South Main Street. The sale will be located on the vacant out lot southwest of the main entrance into the Shopping Center and will be held between August 20 - 23, 1986. The Planning Commission unanimously recommended approval of this request to City Council subject to one condition: Prior to the erection of the tent, a City Building Permit and a Permit from the Washington Township Fire Department shall be obtained.

Mr. Mark Edgington, representing Boy Scout Troop 516, was present to indicate their concurrence with the condition stipulated by the Planning Commission.

Mr. Samples moved that the request submitted by Boy Scout Troops 425, 516 and 524 to conduct a temporary tent sale at the Centerville Place Shopping Center, be approved as recommended by the Planning Commission inclusive of the one condition. Mr. Siler seconded the motion. The motion passed by unanimous vote of City Council.

## TIFTON GREENS CONDITIONAL USE REQUEST

Mr. Kenning advised that a Conditional Use Request submitted for Tifton Greens, a condominium development proposed to be located south and east of Clyo Road extension and adjacent to Greenbrier Commons, has received Planning Commission's recommendation to be set for Public Hearing before Council. Mr. Compton moved that the Conditional Use Request submitted for Tifton Greens, be set for Public Hearing on June 16, 1986. Mr. Siler seconded the motion. The motion passed by unanimous vote.

## CENTERVILLE STATION SECTION TWO SITE PLAN

Mr. Schwab reviewed a proposed Site Plan for Centerville Station Section Two, to construct two office buildings on each of two lots located on the northeast corner of Clyo Road and Centerville Station Road and surrounding the bank facility located at the immediate corner. The Plan includes a curb cut onto Centerville Station Road and a curb cut onto Clyo Road. The Planning Commission, by unanimous vote, recommended approval of this Site Plan to City Council, subject to the following conditions:

1. Eliminate the raised median shown in the throat of the driveway onto Clyo Road.
2. On each lot the two side-by-side parking bays shall be joined by a two-way driveway at the presently shown dead end.
3. All evergreen heights shown on the plan shall refer to the height at planting. Each evergreen planted shall have a height at maturity exceeding six feet.
4. Dumpster locations and screening shall be approved by the City Planner.
5. All exterior lighting shall be approved by the City



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Planner.

6. The plans for water lines and fire hydrants shall be subject to the approval of the Washington Township Fire Department.

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.

8. No Zoning Certificate shall be issued concerning this application until the Centerville Station Section Two Record Plan approved by the City Council is recorded.

Mayor Heintz defined one additional condition recommended by Mr. Stone during a previous Council Work Session, that the dumpsters be fenced on both sides, the rear, and a gate be placed in the front of each dumpster.

Mr. Robert Archdeacon, Woolpert Consultants Engineers and representing the Applicant, agreed with all conditions.

Mr. Siler moved that the Site Plan submitted for Centerville Station Section Two, be approved as recommended by the Planning Commission including all conditions stipulated both by the Planning Commission and City Council. Mr. Stone seconded the motion. The motion passed unanimously.

#### INTERSTATE EXECUTIVE CENTER RECORD PLAN

Mr. Schwab reviewed the Record Plan submitted for Interstate Executive Center, proposed to be located on the east side of Loop Road opposite the Gold Circle Shopping Center. Thoroughfare improvements to Loop Road and the construction of a public street, Rentz Way are included on the Plan. Rentz Way will intersect Loop Road slightly north of the northernmost curb cut into Gold Circle. Sidewalks will be constructed along Loop Road and on both sides of Rentz Way. A center curb cut will service this area off Rentz Way. The Planning Commission, by unanimous vote, recommended approval of this Record Plan to City Council subject to the following conditions:

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.

3. Detailed stormwater drainage calculations and plans incorporating retention and/or detention and erosion control during construction shall be approved by the City Engineer.

4. If stormwater retention or detention is provided off-site, then a perpetual easement approved by the City shall be recorded to provide for the use and future maintenance of this stormwater drainage system.

Mr. Kenning reviewed the recommendation of the City Engineer that this Record Plan be approved subject to the payment of an Inspection Fee of \$350.00, and receipt of a Performance Bond of \$69,000.00 to cover road and detention basin construction. A



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DARTON LEGAL PLANS CO. 10344

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Maintenance Bond of one year duration shall be posted after acceptance of the improvements.

Mr. Robert Archdeacon, Woolpert Consultants Engineers and representing the developer, agreed with all conditions outlined above. He requested coordination between the City Engineer and the Contractor for the construction of I-675, so that the north/south drainage ditch is cleaned in order to provide proper drainage.

Mr. Singer expressed concern with the continued maintenance of an offsite detention basin in consideration of the fact that ownerships may differ. Mr. Schab explained that an agreement or permanent easement would assure that the detention basin can be used perpetually and maintained by the owners of the Interstate Executive Center even if land ownership changes. Mr. Archdeacon defined this as a condition of approval recommended by the Planning Commission.

Mr. Compton moved that the Record Plan submitted for Interstate Executive Center, be approved as recommended by the Planning Commission including all conditions and subject to the recommendation of the City Engineer dated May 19, 1986. Mr. Stone seconded the motion. The motion passed by unanimous vote of City Council.

## STATE ROUTE 48 STREET DEDICATION

Mr. Schwab reviewed a plan for State Route 48 Street Dedication, a part of a Record Plan to extend the access drive to provide a second access to McDonald's Restaurant on South Main Street. The majority of this Plat is outside the Corporate Limits of the City of Centerville. The Plan includes thoroughfare improvements, additional curb cut, signalization and striping to State Route 48. The Planning Commission, by unanimous vote, recommended approval of this Street Dedication to City Council, subject to the following conditions:

1. An additional twelve (12) feet of pavement shall be added to the width of the approach area of the access drive to allow for a dedicated left turn lane onto State Route 48.
2. The alignment of the access drive shall be subject to approval by the City Planner.
3. A striping plan shall be submitted subject to approval by the City Engineer.
4. All traffic signalization shall be installed at the cost of the developer subject to approval by the City Engineer.
5. A stormwater drainage plan, pertaining only to roadside stormwater disposal, shall be submitted subject to approval by the City Engineer.
6. The Washington Township Fire Department shall approve the layout of fire hydrants within the plat.
7. 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 \$7,000.00 be required to



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assure proper construction of the described improvements.

Mr. Robert Archdeacon, Woolpert Consultants Engineers and representing the developer, agreed with all conditions outlined above. He advised that this will improve access into the McDonald's Restaurant as well as other areas in the vicinity.

Mr. Singer moved that the Street Dedication for State Route 48, be approved as recommended by the Planning Commission, including all conditions and subject to the recommendation of the City Engineer. Mr. Taylor seconded the motion. The motion passed by unanimous vote.

#### WILLIAMSBURG SOUTH RECORD PLAN

Mr. Schwab reviewed for Council a Record Plan for Williamsburg South for a portion of the property located on State Route 48 across from Sheehan Road. The only portion of this Plan located in the City of Centerville is the dedication of right-of-way along State Route 48, no additional improvements are necessary. The Planning Commission recommended approval of this Record Plan to City Council, unanimously with the following conditions:

1. The City approval shall be conditioned upon the addition of a plat covenant to the Record Plan approved by the City Attorney incorporating the following provisions:

a. The plat covenant shall specifically prohibit direct vehicular access from the lot number 1 of the Record Plan to State Route 48 unless approved by the City of Centerville.

b. The City of Centerville shall be included as a party to this plat covenant and the approval of the City shall be required before this restriction may be waived or modified.

Mr. Robert Archdeacon, Woolpert Consultants Engineers and representing the developer, agreed with all conditions, a proposed plat covenant has been presented to the City Planner and will be incorporated on the Record Plan.

Mr. Siler moved that the Record Plan for Williamsburg South, be approved in accordance with the recommendation of the Planning Commission including their stipulated conditions. Mr. Singer seconded the motion. The motion passed unanimously.

Mr. Compton advised that a Petition signed by residents of the City of Centerville has been received by City Council for the reduction of the speed limit on Clyo Road from 45 to 35 MPH. This matter has been referred to the City Manager.

#### RESOLUTION NUMBER 11-86 BUILDING RENTAL

Mr. Kenning reviewed a proposed Resolution to ratify action taken by the City Manager to enter into a lease agreement between the City of Centerville and the State of Ohio, Deputy Registrar for use of part of the building to the rear of the Municipal Building as a driver's testing station. Mr. Siler sponsored Resolution Number 11-86, A Resolution Ratifying The Action Taken To Execute A Contract Between The City Of Centerville And The Deputy Registrar Dawn E. Smith For The Use of a Business Type

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OPTIONAL FORM NO. 10144

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Building Located At 100 West Spring Valley Road, Centerville, Ohio, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote.

THOMAS PAINE SETTLEMENT NUMBER THREE

Mr. Kenning reviewed a request received on behalf of John G. Black Communities, Inc., for the extension of the Subdivider's Agreement posted regarding the extension of Bigger Road, that portion between Bigger Road and Wilmington Pike, for a term of six months from June 10, 1986 to December 10, 1986. Mr. Stone moved that this request be granted. Mr. Singer seconded the motion. The motion passed by unanimous vote of City Council.

There being no further business, the Meeting was adjourned.

Approved: Shirley F. Deints  
Mayor

ATTEST:

Wanda J. Saunderson  
Clerk of Council