

RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL MEETING

Meeting

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, February 18, 1985 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, Pastor of the Heritage Presbyterian Church and 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 Charles Taylor
- Councilmembers J. V. stone
 - Bernard Samples
 - Jeffrey Siler
 - Brooks Compton
 - James Singer
- Clerk of Council Marilyn McLaughlin
- City Manager Darryl Kenning
- Assistant City Manager Jon Bormet
- 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

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

- Council Meeting - January 21, 1985.
- Council Work Session Meetings - January 21, 1985.
 - January 28, 1985.
 - February 4, 1985.

Joint Meeting: Centerville/Washington Township/School Board
- February 11, 1985.

Mr. Singer moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Compton seconded the motion. The motion passed by unanimous vote; however, Mr. Siler abstained from the Minutes of the January 28 Meeting.

CENTRE ENGRAVING COMPANY

Mrs. McLaughlin announced the receipt of a Notice of Intent to Appeal a decision rendered by the Board of Architectural Review during their Meeting on February 5, 1985 to deny the Application submitted by Centre Engraving Company to erect a sign at 269 North Main Street in the Architectural Preservation District.

Mayor Heintz commended the Service Department for their excellent snow removal during the recent storm. She also expressed thanks to the Police Department and other City Staff involved in rendering services during this storm.

Mayor Heintz reviewed the Joint Meeting held Monday, February 11, 1985 between the Centerville City Council, the Washington Township Trustees and the Centerville School Board, to exchange ideas and plans for the future to benefit our total community.

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Mayor Heintz named the members of the Whipp Road Study Group and expressed thanks for their Final Report.

Mayor Heintz advised that the revision of the Centerville Charter is now available at the Centerville Municipal Building for anyone interested in receiving a copy.

Mayor Heintz reminded the elderly residents of Centerville that the City provides a call-in service to the Centerville Police Department.

Mayor Heintz advised that the renewal of the Centerville Police Levy soon to expire has been discussed by City Council. Mr. Singer, Chairman of the Council Safety Committee, advised that the Committee recommends to Council that this Levy not be renewed at the present time. Mr. Singer moved that the City of Centerville not place the Police Levy renewal on the election ballot this year. Mr. Taylor seconded the motion. The motion passed unanimously.

Mr. Kenning, during his City Manager's Report, expressed his appreciation to the Service Department for their excellent performance during the recent snow fall.

WALDEN PLACE

Mr. Kenning reported on the Planning Commission Meeting held January 29, 1985. Mr. Schwab reviewed the Site Plan submitted for Walden Place, a proposed 15 unit condominium project on approximately 2 1/2 acres of land located at the dead end of Westerly Lane in the Architectural Preservation District. The difference between this Site Plan and ones previously approved for the same property is that Westerly Lane will be cut straight through the development and will be a private street connecting a private lane with a public street. Mr. Schwab reviewed the following recommendations for approval:

Planning Commission:

1. Before any construction begins, a perpetual maintenance agreement between all the property owners on Westerly Lane acceptable to the Centerville Municipal Attorney be legally recorded.
2. A detailed stormwater drainage plan incorporating either retention or detention shall be subject to approval by the City Engineer.
3. The entire length of Westerly Lane to State Route 48 be improved to standards approved by the City Engineer.
4. The water line and fire hydrant plans be approved by the Washington Township Fire Department.
5. The easternmost drive off of Westerly Drive shall be 20 feet wide at its entrance.
6. All drives intersecting Westerly Drive shall have a 15 foot minimum turning radius.

Board of Architectural Review:

1. The window size be in proportion to the shutter size on those windows that have shutters.
2. Engineering drawings be Exhibit A; proposed sign drawing be Exhibit B; and the letter with the building and brick colors be Exhibit C.

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3. The screening be subject to staff approval.

Mr. Ronald Bossi, Developer for Stylecraft Homes Inc. and Contractor for the project, stated his concurrence with all conditions recommended by the Planning Commission and the Board of Architectural Review.

Discussion followed relative to advantages and disadvantages of this roadway being a dedicated street. It was pointed out that the roadway will be constructed to standards approved by the City Engineer but will not be the required width of a public street nor will sidewalks be constructed according to present plans. Mr. Taylor pursued the dedication of this roadway in consideration of the fact that it be used as a public street. Mr. Bossi believes that this would destroy the unique character of a small condominium project; as a private street traffic could be controlled if deemed necessary. Members of Council offered concern with the dedication of a roadway to public use which does not meet City Street Specifications. Mr. Samples pointed out the fact that the Policy Plan prepared by the Zoning Task Force states that all public streets will have sidewalks. Mr. Singer pointed out that no consideration was given to a public street when previous plans were considered for this same property. Mr. Stone moved that the Site Plan submitted for Walden Place be approved as recommended by the Planning Commission and the Board of Architectural Review subject to all conditions, and that the roadway through the development be private rather than a public street. Mr. Singer seconded the motion. The motion passed by a vote of six members of Council, Mr. Taylor voted no.

SOUTHMONT BUILDING

Mr. Schwab reviewed a Site Plan for a new office building to be located at 93 West Franklin Street, being on the north side of Franklin Street just west of the home of the Centerville Historical Society and located in the Architectural Preservation District. The proposal has been submitted by Southmont Realty to construct a two-story building with red brick with two stucco chimneys on each end. The present building and that which is proposed to be replaced was the victim of damage by an unattended truck which rolled into it in December, 1983. Mr. Schwab reviewed the following recommendations for approval by the Board of Architectural Review and the Planning Commission:

Board of Architectural Review

1. The building setback be increased by eight feet, the front entrance of the building shall project a minimum of one foot from the wall, the colors shall be; Chesapeake Standard Red brick, Putnam Ivory and Gloucester Sage trim, the roof shall be dark brown and the sign shall be submitted to the Board of Architectural Review for approval.
2. All building colors shall be subject to Staff approval.
3. The chimneys shall be faced with brick.
4. A minimum of a five foot wide area shall be provided along the north property line for screening.
5. Wood gates shall be installed on the dumpster fence.
6. A detailed lighting plan showing all exterior lamps including landscape, parking lot, sign and wall lamps, detailing the location, lamp type, beamsread, and intensity shall be submitted subject to Staff approval.

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7. Sign face materials and color shall be subject to Staff approval.

8. A limestone retaining wall shall be constructed along the east property line from the northeast corner of the property to the rear wall of the building.

Planning Commission

1. The building shall be setback 20 feet from the public right-of-way (this will accommodate the eight feet recommended by the BAR).

2. A detailed stormwater drainage plan incorporating either retention or detention shall be subject to approval by the City Engineer.

3. A four foot wide planting area and entrance walkway shall be provided at the rear of the building.

4. Bumper blocks shall be required for all parking spaces.

Mr. Gary Gunnoe, Attorney for Southmont Realty and David Sarber, expressed their concurrence with all alterations and changes to the proposed Site Plan as recommended by the Board of Architectural Review and the Planning Commission. He pointed out the fact that the building has been designed in accordance with the City's Design Review Criteria for the Architectural Preservation District. Upon question of Mayor Heintz, Mr. Gunnoe advised that the limestone wall will be at grade, it will not rise above grade level.

Martha Boice, Landmark Chairman for the Centerville Historical Society, expressed concern with the size of this building, she compared it with the building located on the northwest corner of Main and Franklin Streets.

Gloria Klaus, Vice President of the Centerville Historical Society, expressed the Society's concern with the size and mass of the proposed building and its incompatibility to the neighborhood, this area being listed on the National Register of Historic Places.

Mr. Stone stated that, in his opinion, the building conforms to all standards as required by the Architectural Preservation Ordinance. Mr. Compton moved that the Site Plan for the Southmont Building, 93 West Franklin Street, be approved as recommended by the Planning Commission and the Board of Architectural Review including all conditions as previously outlined. Mr. Stone seconded the motion. The motion passed by unanimous vote of Council. Mr. Samples thanked Mrs. Boice for her concern with this development.

ST. LEONARDS, INC. CONDITIONAL USE

The Public Hearing was held concerning the Conditional Use filed for St. Leonards, Inc. to construct 86 single family cottages on approximately 14 acres of land located along the east side of Cloyo Road approximately 670 feet from the intersection of Cloyo Road with Centerville Station Road. Mr. Schwab reviewed this request to build cottages for the elderly being a combination of one and two bedrooms, with and without garages, one story brick duplex and quadruplex. The present zoning classification is E-C. The Planning Commission, by unanimous vote, recommended approval of this Application to City Council with the following conditions:

1. This approval shall only pertain to the Site Plan submitted for the 14 acres.

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~~BARON LEGAL BLANK CO. 10112~~

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2. Strong consideration of improvements to Clyo Road and the entrance drives to St. Leonards shall occur with the submission of plans to develop the next phase of St. Leonards following development of this 14 acre portion of the property.

3. A detailed stormwater drainage plan incorporating detention or retention and erosion control during construction shall be approved by the City Engineer prior to issuance of a zoning permit.

4. A maximum of 86 dwelling units shall be constructed on the 14 acre parcel of ground.

5. City Staff may approve minor changes to the architecture, layout, and dwelling unit mix in each building; however, Staff may not approve any increase in the number of dwelling units.

6. All driveways shall be a minimum of 20 feet in length.

7. Street names shall be approved by the City Staff.

8. If the entire loop street is not constructed at one time, then a temporary turn-around 90 feet in diameter shall be constructed at each unjoined leg of the loop street longer than 300 feet in length.

9. Additional walkways linking the walk surrounding the lake to this section of the development and future surrounding development shall be required subject to City Staff approval.

10. The City agrees to waive the required 75 foot building setback requirement and a provision be made by the Franciscans to create a 75 foot setback area around the north, south and east borders subject to the approval by the Municipal Attorney.

11. A fire hydrant plan approved by the Washington Township Fire Department shall be required prior to the issuance of a Zoning Permit.

In Mr. Schwab's review of this Conditional Use Application, he brought attention to the following notations:

1. This Site Plan, which includes the entire acreage owned by the Franciscan's within the City, is being considered as a Concept Plan for discussion purposes only and no approval is being given for this Plan.

2. The City recognizes and supports the long-standing plan by the Centerville-Washington Park District to acquire for park purposes the woods at the southeast corner of the Franciscan's land and, also, the Franciscan's land to the south including the land along the Sugar Creek. The existence of this Concept Plan showing residential development of this proposed park land shall in no way alter the commitment of this City to work with the Park District and the landowners to achieve the preservation of this land for public park purposes.

Dr. Brian Forschner, Executive Director for St. Leonards, Inc., was present to review his request. He stated his concurrence with all recommendations of the Planning Commission and City Staff. Mr. Siler moved that the Conditional Use Application submitted for St. Leonards, Inc., to construct 86 single-family cottages at 8100 Clyo Road in the City of Centerville be approved as recommended by the Planning Commission including all conditions as outlined during this Public Hearing. Mr. Compton seconded the motion. The motion passed unanimously.

RESOLUTION NUMBER 3-85 EKDER-BEERMAN REVENUE BONDS

Mr. Kenning reviewed a proposed Resolution to authorize the issuance of Economic Development Revenue Bonds by the State of Ohio, Department of Development. These Bonds are to finance and equip

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Elder-Beerman Stores Corporation with "point of sale" data and information systems, including cash registers to be installed in the Elder-Beerman Department Store located at 1095 Lebanon Pike in the City of Centerville. This procedure is required by State Code. The Centerville Community Improvement Corporation has certified that the project is in accordance with the "plan". This procedure in no way obligates the City of Centerville with respect to such Bonds or such project. Mr. Taylor sponsored Resolution Number 3-85, A Resolution Authorizing A Written Request To Be Directed To The Director Of The Department Of Development For The Issuance By The State Of Ohio, Acting By And Through The Director Of The Department Of Development Of Not To Exceed \$650,000 Economic Development Revenue Bonds To Finance The Equipping Of Commercial Facilities Located Within The Incorporated Limits Of The City Of Centerville, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by unanimous vote of Council.

RESOLUTION NUMBER 4-85 DEFERRED COMPENSATION

Mr. Kenning reviewed proposed Resolution Number 4-85 to broaden the availability of the Deferred Compensation Plan through the International City Management Association Retirement Corporation to include Elected Officials of the City of Centerville. Mr. Singer sponsored Resolution Number 4-85, A Resolution Amending Resolution Number 76-78 To Make Available The Deferred Compensation Plan Through The International City Management Association Retirement Corporation, To Elected Officials, and moved that it be passed. Mr. Siler seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 3-85 STATE ROUTE 725

Mr. Kenning reviewed preliminary legislation necessary to provide for bridge replacement on State Route 725, located in the valley between Loop Road and Clyo Road in the City of Centerville. This project will be in cooperation with the Federal Government, State of Ohio and Montgomery County. Costs will be divided 80% Federal Government, 10% State, and 10% local with Montgomery County bearing the majority of the local share. Mr. Taylor sponsored Ordinance Number 3-85, An Emergency Ordinance Enacted By The City Of Centerville, Montgomery County, Ohio, In The Matter Of The Hereinafter Described Improvement And To Request Cooperation By The Director Of Transportation, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 4-85 STATE ROUTE 725

Mr. Singer moved that Ordinance Number 4-85, An Ordinance Enacted By The City Of Centerville, Montgomery County, Ohio, In The Matter Of The Hereinafter Described Improvement And To Request Cooperation By The Director Of Transportation, be set for Public Hearing on March 18, 1985. Mr. Siler seconded the motion. The motion passed by unanimous vote of Council.

WHIPP ROAD STUDY GROUP REPORT

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Mr. Compton reviewed activities of the Whipp Road Study Group since its inception in October 1984: design problems recognized and remedies discussed. Mr. Singer outlined the Group's recommendation: that in October 1986, traffic counts should be made on Whipp Road, west of Marshall Road, by the City of Centerville, and determinations be made at that time relative to improvements necessary to Whipp Road. Mr. Taylor moved that the Report of the Whipp Road Study Group be accepted for review and study. Mr. Siler seconded the motion. The motion passed unanimously.

SISTER CITY COMMITTEE

Mayor Heintz advised that the term of Sister City Committee Member Ronald Helms will soon expire, however, he is interested in continuing his service. Mr. Samples moved that Ronald Helms be reappointed as a Member of the Sister City Committee for the City of Centerville. Mr. Compton seconded the motion. The motion passed unanimously.

There being not further business, the Meeting was adjourned.

Shirley F. Heintz
 Mayor

ATTEST:

Marie J. Laughlin
 Clerk of Council