

Held

April 15,

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, April 15, 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 Mike Donnally, Paster of the Normandy United Methodist Church, 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 Bernard Samples
 Jeffrey Siler
 Brooks Compton
 James Singer
 J. V. Stone
 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
 Acting Municipal Attorney Gayle Young

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

Council Meeting - March 18, 1985.

Council Work Session Meeting - March 18, 1985.

Mr. Siler moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Singer seconded the motion. The motion was passed by Council with Mr. Stone abstaining.

Mr. Taylor read a Certificate of Appreciation signed by all Members of Council recognizing students from the Centerville High School who have won championships in their respective fields. Mayor Heintz presented these Certificates to the following students:

Aimee Berzins - Ohio Swimming Meet Championships.
 Jenny Polanski - All Around for Girls Gymnastics.
 Mark James - National Forensic League Honor.
 Jim Pearson - Ohio Wrestling Championship.

Mr. Samples read a Certificate of Appreciation signed by Mayor Heintz on behalf of the City of Centerville for Members of the Whipp Road Study Group. Mayor Heintz presented this Certificate to the following Members of said Group:

Mrs. Carol Huesman
 Mr. Dale Flaherty
 Mrs. Virginia Ridinger
 Washington Township Trustee Russell Miller
 Washington Township Service/Street Director Bill Johnson
 City Engineer Karl Schab
 Assistant City Manager Jon Bormet
 Councilman Brooks Compton
 Councilman James Singer

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Mrs. McLaughlin announced the receipt of a Notice from the Ohio Department of Liquor Control of an Application for the Transfer of a D2, D2X, D3 and D3A Permit from Red Coach Inn, Inc., DBA Red Coach Lounge, 29 East Franklin Street to Starboard Side Enterprises, Inc., DBA Arjays, 29 East Franklin Street. No objection to the issuance of this Permit was indicated by Council.

Mayor Heintz briefly reviewed the National League of Cities Conference held in Washington, D.C. in March of this year. This Conference was attended by the Mayor and several Councilmen from the City of Centerville. General Revenue Sharing was the main topic of discussion.

Mayor Heintz reviewed the Legislative Conference held by the Ohio Municipal League in Columbus recently to review Bills being considered by the Ohio State Legislators.

Mayor Heintz announced that the City of Centerville recently hosted the South Metro Chamber of Commerce Board of Trustees Meeting at the Centerville Municipal Building.

Mayor Heintz advised that the City of Centerville was represented at the re-dedication ceremony of Bethany Lutheran Village held April 14, 1985, marking the opening of the most recent addition to their complex for the elderly. Through the issuance of a Proclamation, April 14, 1985, was designated as Bethany Lutheran Village Day in the City of Centerville.

Mayor Heintz announced the issuance of a Proclamation designating the month of April, 1985 as Fair Housing Month in the City of Centerville.

Mr. Singer read a Proclamation issued by Mayor Heintz designating May 4, 1985 to May 11, 1985 as Clean-up Time in Centerville.

Mr. Siler read a Proclamation issued by Mayor Heintz proclaiming April 22, 1985 to April 28, 1985 as Volunteer Week in the City of Centerville.

Mr. Kenning reported the following during his City Manager's Report:

The Police Radio Bay Station changeover is underway in the Police Department. The new transmitter is in operation.

Resurfacing of State Route 48 from Bristol Drive to the South Corporation Line will begin within the next three weeks.

The construction of I-675 continues to advance. Problems are being addressed relative to the diversion of State Route 48, that portion north of Alexandersville-Bellbrook Road.

April 23, 1985 will be Youth in Government Day in Centerville and Washington Township.

K-MART TEMPORARY GARDEN CENTER

DARTON LEGAL BLANK CO. 10114

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Mr. Kenning reviewed the Planning Commission Meeting held March 26, 1985. Mr. Schwab reviewed the request submitted by the K-Mart store located at 8900 Lebanon Pike for a temporary garden center. The proposal is to locate plant displays along the southwest corner of the existing building. The time period requested is from April 1, 1985 through September 30, 1985. The Planning Commission by a unanimous vote 4-0, recommended approval of this request to City Council, as presented. Mr. Samples moved that the request for a temporary garden center by the K-Mart Corporation, 8900 Lebanon Pike, be approved as presented. Mr. Compton seconded the motion. The motion passed by unanimous vote of Council.

THROCKMORTON BROTHERS TEMPORARY GARDEN CENTER

Mr. Schwab reviewed a request submitted by Throckmorton Brothers, Inc. for a temporary garden center to be located on the northwest corner of East Franklin Street and Compark Road. The vacant building on the site will be utilized for storage and sales. The two curb cuts closest to the intersection will be closed. The time period requested is from April 16, 1985 through June 30, 1985. The Planning Commission voted unanimously to recommend approval of this request to City Council. Mr. Compton moved that the request for a temporary garden center by Throckmorton Brothers, Inc. for the northwest corner of East Franklin Street and Compark Road, be approved as recommended by the Planning Commission. Mr. Singer seconded the motion. The motion passed unanimously.

KROGER FOOD STORES TEMPORARY GARDEN CENTER

Mr. Schwab reviewed a request submitted by Kroger Food Stores to locate a temporary garden center in the parking area in front of their store on South Main Street in the Centerville Place Shopping Center. The area to be used will cover an area of approximately ten parking spaces. Requested time period to extend from April 1, 1985 through July 31, 1985. The Planning Commission unanimously recommended approval of this request to City Council. Mr. Compton moved that the request submitted by Kroger Food Stores to locate a temporary garden center in the Centerville Place Shopping Center, be approved as presented. Mr. Samples seconded the motion. The motion passed by unanimous vote of Council.

STATION HOUSE ACRES RECORD PLAN

Mr. Schwab reviewed the Record Plan for Station House Acres, a residential development plan to be located south of Centerville Station Road and east of Southbury Drive. Proposed are 33 residential lots on 20 acres of land zoned R-1 classification. Thoroughfare improvements will be made to Centerville Station Road. A walkway will be provided between lots 18 and 19 to access the park land and a stormwater retention area will be provided on lot #16. This retention area will be the responsibility of the property owner but an easement will be retained in order for the City to enter the area if necessary. Sidewalks will be constructed on both sides of the interior streets and on the south side of Centerville Station Road. The Planning Commission

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recommended approval of this Record Plan subject to the following conditions:

1. A covenant be added between lot owners #1 and #27 and the City of Centerville permitting access drives only to Station House Road.

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

3. 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.

4. A storm sewer easement agreement over park property is executed by the developer.

Mr. Victor Griemann, Developer of the project, was present to answer any questions relative to this Record Plan. He stated his concurrence with all conditions recommended by the Planning Commission.

Mr. Kenning reviewed the recommendation of the City Engineer that this Record Plan be approved subject to receipt of a Performance Bond in the amount of \$235,650.00 for streets and storm sewers and a \$39,550.00 Performance Bond for sidewalks. Mr. Samples moved that the Record Plan for Station House Acres be approved as recommended by the Planning Commission including all conditions and subject to the receipt of the Performance Bonds as recommended by the City Engineer. Mr. Taylor seconded the motion. The motion was passed unanimously by City Council.

Mr. Samples gave Council a brief summary of progress being made by the Zoning Task Force. A tentative draft of the residential zoning portion of the Zoning Ordinance will be available for Council and Planning Commission review by June 1, 1985. The complete draft should be available before the end of this summer. Mr. Samples recommended and so moved that Mr. David Blum be appointed as a Member of the Zoning Task Force. Mr. Compton seconded the motion. The motion was passed unanimously.

Mr. Siler was excused from the next agenda item due to a potential conflict of interest.

HUNTINGTON BANK SIGN APPEAL

The Public Hearing was held concerning an Appeal filed by Blommel Sign Company on behalf of Huntington Banks, against a decision rendered by the City Planning Commission during their Meeting on February 26, 1985. Mr. Schwab reviewed the Variance Application considered by the Planning Commission to erect a sign 18 feet in height, 96 square feet total sign area, at 60 Loop Road in the City of Centerville. The zoning of the property is B-2. A sign 16 feet high, 50 square feet total sign area would be permitted in accordance with the Centerville Zoning Ordinance. Mr. Schwab pointed out the fact that there is presently no signage on the front of the building and the sign proposed would replace the current freestanding sign. The Planning Commission unanimously voted to deny the Variance Application based upon the absence of adequate grounds to grant the Variation. They further agreed that Council should decide the issue in consideration of previous negotiations at the time the Site Plan for Huntington Bank was approved.

OPTIONAL FORM NO. 10111

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Mr. Singer, recognizing discussion at a previous Council Work Session Meeting at which time this matter was discussed, moved that the decision of the Planning Commission be reversed and modified to permit the erection of a sign 36 square feet per face (double faced) at a

height of 18 feet. Mr. Stone seconded the motion. Mr. Taylor encouraged a maximum height of 16 feet in consideration of the fact that 16 feet is the maximum height permitted for a sign in both the existing Zoning Ordinance and the proposed Zoning Ordinance. Mr. Stone and Mr. Singer believes that the proposed sign height is justified due to the height of other signs in the immediate area.

Mr. Scott Smith, representing Blommel Sign Company and Huntington Bank, concurred with erecting a sign at a maximum height of 16 feet. Mr. Singer amended his motion to include a sign height of 16 feet. Mr. Stone seconded the motion. The motion passed unanimously. The motion on the main motion also passed unanimously by City Council (sign 36 square feet per face, total height 16 feet).

Mr. Siler returned to the Meeting at this time.

CENTRE ENGRAVING COMPANY

Mr. Stone, due to his absence from the Council Meeting held March 18, 1985 at which time the Appeal filed by Centre Engraving Company was considered, and in consideration of the fact that the result ended in a tie vote, moved that this matter be reconsidered and placed on the table. Mr. Siler seconded the motion. The motion passed unanimously. Mr. Stone moved that the decision of the Board of Architectural Review to deny the Application by Centre Engraving Company to erect a 35 square foot sign at 269 North Main Street be reversed and the sign be approved as requested. Mr. Taylor seconded the motion. Mr. Compton emphasized the need for the passage of the proposed Sign Ordinance for the City of Centerville as soon as possible. A roll call vote resulted in five ayes in favor of the motion; Mayor Heintz and Mr. Compton voted no.

BOARD OF ARCHITECTURAL REVIEW CHAIRMAN

Mr. Kenning advised that the term of Mr. Stanley Swartz as Chairman of the Board of Architectural Review will soon expire. Mr. Stone moved that Mr. Swartz be reappointed Chairman of the BAR to expire with the expiration of his term as a Member of said Board. Mr. Siler seconded the motion. The motion passed by unanimous vote of Council.

RESOLUTION NUMBER 6-85 ROAD IMPROVEMENTS 1985

Mr. Kenning reviewed the following Bids received for Road Improvements in the City of Centerville for 1985:

Republic Asphalt Paving Company	\$200,429.25	Asphalt streets
TdM Construction Company, Inc.	490,225.39	All elements of the invitation to Bid
Trojan Asphalt, Inc.	390,417.00	Asphalt and concrete streets
R. E. Holland Excavating, Inc.	128,953.03	Sidewalk and SR 48 widening

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TRIASCO

231,025.50 Asphalt streets

Mr. Kenning recommended that to coincide with 1985 Budget appropriations, quantities be limited and that the City accept the Bid of TdM Construction Company, Inc. in the following amounts:

\$395,000.00 for concrete street repair, resurfacing of asphalt streets and the widening of South Main Street from Edenhurst Drive to Westerly Lane.

\$30,000.00 for sidewalk improvement.

Following discussion, Council concurred with the recommendation of the City Manager but perhaps will consider additional appropriation as work continues through the project. Mr. Taylor sponsored Resolution Number 6-85, A Resolution Accepting The Bid Of TdM Construction Company, Inc., For 1985 Road Improvements For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Stone seconded the motion. The motion passed unanimously by Council.

RESOLUTION NUMBER 7-85 SIDEWALK IMPROVEMENTS 1985

Mr. Siler sponsored Resolution Number 7-85, A Resolution Accepting The Bid Of TdM Construction Company, Inc., For 1985 Road Improvements For The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Taylor seconded the motion. The motion passed unanimously.

Mr. Singer encouraged the operation of a disaster emergency exercise in the City of Centerville currently and then on an annual basis.

RESOLUTION NUMBER 8-85 SPRING VALLEY ROAD/STATE ROUTE 48

Mr. Kenning reviewed for Council proposals received from six engineering firms for the pre-engineering of proposed improvements to Spring Valley Road and State Route 48 in the City of Centerville. Following the City's interview with each of these six firms, Mr. Kenning recommended the acceptance of the proposal received from Lockwood, Jones and Beals in the amount of \$11,952.00. Mr. Stone sponsored Resolution Number 8-85, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract By And Between The City Of Centerville, Ohio, And Lockwood, Jones And Beals To Provide Preliminary Engineering, Analyze Traffic Conditions And Define Street Improvements To South Main Street And Spring Valley Road, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

Mr. Compton reviewed the 50 year anniversary celebration attended by himself and Mr. Stone on Sunday, April 14, 1985 of the Far Hills Baptist Church.

There being no further business, the Meeting was adjourned.

Approved:


 Mayor

RECORD OF PROCEEDINGS

Minutes of

Meeting

DATTON LEGAL BLANK CO. 10111

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ATTEST:

Maile W. Laughlin
Clerk of Council