

HAXTON LEGAL BLANK CO. 10114

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Frederick and Dorothy Shepherd, 5231 Haxton Drive.
 Johannes and Meta Piigert, 44 Tuxworth Road.
 Harold and Jean Mader, 1005 Thorndale Drive.
 Mart and Eleanor Markel, 7405 Forest Brook Boulevard.
 William and Barbara Caulfield, Jr., 384 Blackstone Drive.
 Don and Emma Boggs, 2706 Walford Drive.
 Harold and Florence Madlinger, 9161 Mary Haynes Drive.
 Bob and Joy Jackowski, 520 East Whipp Road.
 Juanita and Charles Burkhart, 27 East Ridgeway Road.
 Mary Higgins, 1350 Brainard Woods Drive.
 David and Barb Homan, 130 Boyce Road.
 Joseph and Jean Ploplis, 5486 Marshall Road.
 Charlene and Ray Schilling, 640 East Whipp Road.
 James and Linda Sutter, 5108 Dobbs Drive.
 Dale and Jeanne Wood, 9189 Stephanie Lane.
 Mike and Lori Fanning, 115 Tuxworth Road.
 Stephen and Dortha Denman, 1058 Princewood Avenue.
 Keith and Leona Atteberry, 1060 Princewood Avenue.
 Marvin and Honey Sease, 5145 Glenmina Drive.
 Kenneth and Hazel Camp, 9011 April Lynne Drive.
 Glenn and Julia Purkey, 1326 Ambridge Road.
 David and Belinda Ratino, 582 East Whipp Road.
 Al and Jana Todd, 1330 Brainard Woods Drive.
 Tony's Centerville Shell, 48 and Spring Valley Road.
 Routsong Funeral Home, 81 North Main Street.
 Paul J. Strieble and Associates, 175 West Franklin Street.
 Bill's Donuts, 268 North Main Street.

Mrs. McLaughlin announced the receipt of a Notice of Intent to Appeal and an Appeal filed by Centre Engraving Company against a decision rendered by the Board of Architectural Review during their Meeting on September 17, 1985 to deny an application to apply vinyl siding on the buildings located at 269 North Main Street in the Architectural Preservation District.

Mayor Heintz advised that a Proclamation had been issued designating Saturday, October 12, 1985 as Centerville Jass - Marching Band Invitational Day in the City of Centerville.

Mayor Heintz reviewed the Centerville Coed's recent visit to Centerville's Sister City, Waterloo, Ontario Canada, during which they marched in the Oktoberfest Thanksgiving Day Parade on October 14, 1985.

Mayor Heintz outlined events which took place during the City of Centerville's Open House on Saturday, October 19, 1985. Several special awards were given to volunteers and a Police Auction was held.

Mayor Heintz advised that she attended the Ohio Municipal League Conference held in Columbus, September 25-28, 1985.

Mayor Heintz brought attention to the development of the Leonard E. Stubbs Memorial Park. She invited the listening

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audience to visit the Park and observe the improvements being made.

Mayor Heintz expressed thanks to the Centerville Police Department for monitoring the bird-flocking situation which recently existed in the Pleasant Hill Plat, the problem has dissipated.

Mayor Heintz announced the formation of a Mayor's Committee on Bicycling. Mr. Siler, the Council Liaison on this Committee, defined their primary goals, being continuous bicycle paths from Centerville to the Dayton Mall and bicycle paths from the northern section of the City to Stubbs Park.

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

An Art Exhibit exists in the Centerville Community Room until November 15, 1985.

Contract street resurfacing and repair is complete for 1985.

He reviewed the status of improvements to Wilmington Pike, Bigger Road and State Route 48 in conjunction with the construction of I-675.

The leaf collection schedule has been published in the Centerville Town Crier. The City has been divided into seven sections, pick-up should occur in each section every two weeks until December 5, 1985.

Mr. Compton reviewed a recent Meeting he attended of the Wastewater Advisory Committee. The inter-connect to bring Dayton water to Centerville and the south suburbs should be completed during the fourth quarter of 1986. Flushing of lines will occur in Centerville during the next several months, residents will be notified as their area is affected.

Mr. Samples, reporting on behalf of the Zoning Task Force, defined their progress; the document should be before City Council in approximately 30 days.

Mr. Singer advised that work has been completed in the Village South Drainage Ditch Project.

ORDINANCE NUMBER 13-85 ZONING ORDINANCE AMENDMENT REZONING
ST. ELIZABETH RETIREMENT CENTER

The Public Hearing was held concerning Ordinance Number 13-85, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance By Rezoning 57.297 Acres More Or Less, From Washington Township R3 Classification To Centerville Entrance Corridor Classification. Mr. Schwab reviewed this Rezoning Request submitted by St. Elizabeth Retirement Center, Inc., for property located north of Alexandersville-Bellbrook Road and west of Bigger Road. Mr. Schwab located the subject property on a map and outlined the adjacent land uses. The Planning Commission voted unanimously to recommend approval of

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this Rezoning to City Council based upon the following rationale:

1. The City Master Plan designates low density single-family residential land for the land west of the subject tract of land. However, this tract of land west of the subject tract of land was rezoned from single-family residential to E-C after the adoption of the Master Plan.

2. The City Master Plan designates low density single-family residential land use for this land. However, the existing E-C zoned land west and adjacent to this tract of land presently has an arbitrary and illogical eastern boundary line. The extension of the E-C eastern boundary line to Bigger Road is more logical.

3. This subject tract of land is relatively small in size for the development of a single-family neighborhood. Also, the land is bordered on three sides by major highways (Alexandersville-Bellbrook Road, Bigger Road and the Clyo Road Extension).

4. The City Policy Plan directs the City to cooperate with administrator/owners of facilities providing for the special needs of elderly citizens. Monitor demographic trends to assure that the City will remain responsive to the needs of an increasing population of older residents.

Mr. Schwab reviewed a Conditional Use Request submitted for the southern 33.5 acres of the property included in the Rezoning. This Application, submitted by St. Elizabeth Retirement Center, Inc., proposes the construction of 358 elderly apartment units, 24 garden homes, and a 60 bed nursing home to later be expanded to 100 beds. The plan includes parking spaces, garages, 3 and 4 story buildings depending upon the topography of the land, and one principal boulevard access off Bigger Road across from the driveway which serves the Charles Ackley property to the east. A tie-in is included on the Plan to Norwich Lane, to be opened only for emergency purposes. Mr. Schwab reviewed the Planning Commission's unanimous vote to recommend approval of this Conditional Use to Council subject to the following conditions:

1. Sixty feet of right-of-way from the centerline of Alexandersville-Bellbrook Road across the front of the property shall be dedicated to the City.

2. The equivalent of one lane of pavement widening shall be added to Alexandersville-Bellbrook Road across the front of the property. This widening shall include curb, gutter, storm drainage, and sidewalk improvements in the public right-of-way along the north side of Alexandersville-Bellbrook Road. These plans shall be subject to the approval of the City Engineer.

3. The centerline of the driveway onto Bigger Road shall match the centerline of the driveway on the east side of Bigger Road approximately across from it. The median on Bigger Road shall be altered at this driveway to provide left-turn lanes to the driveways on each side of Bigger Road at this location.

4. Restricted emergency access shall be provided to Norwich Lane subject to the design being approved by the Washington Township Fire Department; the access to Bigger Road shall be approved as shown; there shall be no access to Alexandersville-

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Bellbrook Road; and the ring road which provides internal circulation shall be designed to allow future access to the north.

5. A minimum 90 foot in diameter turn-around shall be required for the roadway that dead-ends in the rear of the Commons building unless the Washington Township Fire Department agrees to an alternate plan.

6. All proposed street names shall be approved by the Washington Township Fire Department.

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

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

9. The plan for all exterior lighting shall be subject to the approval of the City Planner.

10. Dumpster location and screening shall be subject to the approval of the City Planner.

11. A detailed landscape plan approved by the City Planner shall be submitted.

Mr. Thomas Beckett, Chairman of the St. Elizabeth Retirement Center, outlined the history and search for a suitable location for this proposed retirement development.

Mr. Roger Schutte, Architect for St. Elizabeth, asked for relief from two conditions established by the Planning Commission. He suggested that one lane of pavement along Alexandersville-Bellbrook Road not be put in place at this time, he foresees a potential hazard with one lane of pavement serving no purpose and ending abruptly. He expressed their intent to develop some configuration for the turn-around to be provided where the roadway dead-ends in the rear of the Commons building which would be agreeable to the Washington Township Fire Department.

Mr. Singer sponsored Ordinance Number 13-85, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance By Rezoning 57.297 Acres More Or Less, From Washington Township R3 Classification To Centerville Entrance Corridor Classification, and moved that it be passed. Mr. Compton seconded the motion. The motion passed by unanimous vote of Council.

ST. ELIZABETH RETIREMENT CENTER CONDITIONAL USE

The Public Hearing was held concerning the Conditional Use Application filed by St. Elizabeth Retirement Center, Inc., to develop and construct a continuing care retirement center on the southernmost 33.5 acres of that land included in the preceding Rezoning Request.

Mr. Herbert Brown, President of the Greenbrier Association, expressed their concurrence with the Plan; their one concern, that being public vehicular access to Norwich Lane, has been taken care of by restricting this to emergency use only.

Upon question of Mr. Taylor, Mr. Beckett advised that they

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have no plans to change the southeastern 4 acres of this property, this area will not be occupied with buildings. They will develop the subject 4 acres in substantial compliance with the Plan as submitted and revised October 1, 1985. Mr. Stone suggested that this become a condition of approval. Mr. Schwab pointed out the fact that if the property owner decides sometime in the future to develop this property, a Conditional Use Application would be necessary at that time.

As questioned by Mr. Singer, Mr. Beckett advised that the portion of the 57+ acres not a part of this Application will be used for expansion purposes in the future.

Following discussion relative to the one lane of pavement on Alexandersville-Bellbrook Road across the front of the subject property, Mr. Schutte, on behalf of St. Elizabeth Retirement Center, and Council agreed that this one lane of pavement widening not be put in place until so requested by the City of Centerville, the cost to be borne by the property owner at that time, and that sidewalk along Alexandersville-Bellbrook Road across the front of the property be constructed at this time.

Mr. Compton moved that the Conditional Use Application submitted by St. Elizabeth Retirement Center, Inc., to construct and develop a continuing care retirement facility at the northwest corner of Alexandersville-Bellbrook Road and Bigger Road, be approved, as recommended by the Planning Commission, including all their recommended conditions and including the following exceptions and additions stipulated as follows:

1. That the one lane of pavement widening shall not be added to Alexandersville-Bellbrook Road across the front of the property until so requested by the City of Centerville, the cost to be borne by the property owner at that time.
2. That sidewalk along Alexandersville-Bellbrook Road be constructed at this time.
3. That the landscaping plan for the southeast corner of the 33.5 acres remain in substantial compliance with the Plan revised 10/1/85.
4. That the turn-around for the roadway that dead-ends in the rear of the commons building be designed as required by the Washington Township Fire Department.

Mr. Samples seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 12-85 REZONING LUTHERAN SOCIAL SERVICES

The Public Hearing was held concerning Ordinance Number 12-85, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance By Rezoning 13.6 Acres More Or Less, From Washington Township R4 Classification To Centerville Entrance Corridor Classification. Mr. Schwab reviewed this Rezoning Request filed by Lutheran Social Services of the Miami Valley, for property located along the west side of State Route 48 opposite the intersection of Fireside Drive and State Route 48. The zoning of adjacent land is residential. The Planning Commission voted unanimously to recommend approval of this Request to City Council based upon the fact that E-C

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classification would allow the area to be developed in conformance with the City's Master Plan and Policy Plan. Mr. Schwab reviewed the Conditional Use Request filed for this same property by the Kiwanis Club of Centerville to operate a Christmas Tree Sales lot on an annual basis. The Planning Commission, by a 5-2 vote recommended approval of the Conditional Use to Council subject to the following conditions:

1. The sign be placed back-to-back so that it meets the provisions in the Sign Ordinance and not exceed 32 square feet per face; or, the sign remain in the "V" configuration, but be reduced to 32 square feet in total area.

2. This approval is limited to the requested sales period of 1985 only.

Mr. Samples sponsored Ordinance Number 12-85, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance By Rezoning 13.6 Acres More Or Less, From Washington Township R4 Classification To Centerville Entrance Corridor Classification, and moved that it be passed. Mr. Siler seconded the motion. The motion passed by unanimous vote of City Council.

KIWANIS CLUB OF CENTERVILLE CONDITIONAL USE

The Public Hearing was held concerning the Conditional Use Request filed by the Kiwanis Club of Centerville to use the area included in the above Rezoning for the annual sale of Christmas trees to raise funds for community projects. Upon question of Mr. Taylor, Mr. Schwab advised that this use will include the construction of a tent. Mr. Stone moved that the Conditional Use Request filed by the Kiwanis Club of Centerville be approved as requested subject to the conditions established by the Planning Commission. Mr. Compton seconded the motion. The motion passed unanimously.

CENTRE ENGRAVING COMPANY

The Public Hearing was held concerning an Appeal filed by Brian Afanador of Centre Engraving Company against a decision rendered by the Board of Architectural Review during their Meeting on September 17, 1985 denying his Application to apply vinyl siding to the buildings located at 269 North Main Street in the Architectural Preservation District. Mr. Schwab located the subject property on a map, being the last property to the north in the Architectural Preservation District on the west side of State Route 48. Requested is permission to apply vinyl siding to the reconstructed home and the new garage. Due to varying opinions of Board of Architectural Review Members, a policy was established by the Board in 1984 prohibiting the use of vinyl siding; denial of this Request was based upon this policy. An opinion rendered by Municipal Attorney Robert Farquhar following the action of the Board of Architectural Review, clarifies the fact that vinyl siding is not prohibited by the AP Ordinance, but siding must be consistent in appearance with adjoining walls and areas, the Ordinance does not prohibit particular materials from being used as siding.

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Mr. Brian Afanador, Applicant, expressed his opinion that his Request is consistent with the AP Ordinance, there are other buildings in the Architectural Preservation District which have vinyl siding. Vinyl siding will create the appearance he wishes to create.

Mr. Schwab advised that the Board of Architectural Review has directed the drafting of an amendment to the AP Ordinance, by the City Staff, to prohibit the use of vinyl and aluminium siding in the Architectural Preservation District, in order to clear this matter in the future. Mr. Samples moved that the decision of the Board of Architectural Review concerning the use of vinyl siding on buildings at 269 North Main Street, be reversed and the Appeal be granted. Mr. Taylor seconded the motion. The motion passed unanimously.

ORDINANCE NUMBER 11-85 PERSONNEL

Mayor Heintz advised that Ordinance Number 11-85, An Ordinance To Amend Section Eight, Paragraph B Of Ordinance Number 43-84 To Establish Class Titles, Pay Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, was tabled during the Council Meeting held September 16, 1985. Mr. Compton moved that Ordinance Number 11-85 be removed from the table. Mr. Taylor seconded the motion. The motion passed by unanimous vote of Council. Mr. Compton moved that Ordinance Number 11-85 be placed back on the table for further discussion. Mr. Stone seconded the motion. The motion passed unanimously.

Mr. Adrian Rose, 104 Cushwa Drive, appeared before Council to cite a dangerous situation existing on Alexandersville-Bellbrook Road from State Route 48 to Loop Road. He offered support of the neighborhood for improvement with haste. Mayor Heintz outlined her conversation with Great Lakes Construction and the State of Ohio to resolve this safety hazard as quickly as possible, work should resume momentarily.

RESOLUTION NUMBER 26-85 ARTS AND CULTURAL DISTRICT

Mr. Kenning reviewed a proposed Resolution to extend the existence of the Dayton-Miami Valley Regional Arts and Cultural District to an additional five years, for a total of ten. Other Municipalities involved are proceeding with this extension. Mr. Compton sponsored Resolution Number 26-85, A Resolution Amending Resolution Number 44-80, A Resolution Creating The Dayton-Miami Valley Regional Arts And Curtural District, To Extend Its Existence An Additional Five Years, and moved that it be passed. Mr. Siler seconded the motion. The motion passed by unanimous vote.

ORDINANCE NUMBER 14-85 DRAINAGE

Mr. Singer moved that Ordinance Number 14-85, An Ordinance To Establish Standards, Principles And Procedures To Regulate Earth Disturbing Activities Which Cause Or May Cause Adverse

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Impacts Of Accelerated Surface Water Runoff, Soil Erosion, Or Sediment Deposition, be set for Public Hearing on November 18, 1985. Mr. Singer advised that this proposed Ordinance is a result of discussion and concerns expressed during deliberations of the Drainage Task Force of the City of Centerville. By this legislation, Contractors will have a clear understanding of their expectations.

RESOLUTION NUMBER 27-85 CLYO ROAD EXTENSION


Mr. Kenning reviewed proposed Resolution Number 27-85, the first legal step following the completion of the drawings for the extension of Clyo Road in the City of Centerville. The estimated project cost is \$1,156,861.00, the cost to be borne jointly by the property owners, the City of Centerville and the County of Montgomery. Mr. Siler sponsored Resolution Number 27-85, A Resolution Declaring It Necessary To Improve Clyo Road In The City Of Centerville, From Alexandersville-Bellbrook Road In A Northeasterly Direction Approximately 3650 Feet to Connect With The Existing Clyo Road Extension West Of Bigger Road, By Grading, Draining, Curbing, Paving, Installing Sidewalks, Constructing A Storm Water Drainage System, Installing Two Traffic Signals And Installing Water Mains And Facilities And Appurtenances Necessary And Proper Therefor, and moved that it be passed. Mr. Taylor seconded the motion. The motion passed unanimously.

WALNUT HILLS II SECTION TWO

Mr. Kenning reviewed the recommendation of the City Engineer that the original Performance Bond posted on Walnut Hills II, Section Two, be reduced to \$12,000.00 to cover installation of sidewalks not yet completed. All outstanding construction items have been completed except for the sidewalks. Mr. Stone moved that the Performance Bond posted on Walnut Hills II, Section Two, be reduced to \$12,000.00 as recommended by the City Staff. Mr. Siler seconded the motion. The motion passed by unanimous vote of City Council.

Mr. Stone brought attention to a dangerous situation existing at the intersection of Marshall Road and Rahn Road. Mr. Kenning will bring this matter to the attention of Montgomery County.

There being no further business, the Meeting was adjourned.


Mayor

ATTEST:


Clerk of Council