

Held June 7,

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, June 7, 1982 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 United Presbyterian Church and City Chaplain, and the Pledge of Allegiance to the Flag with Mayor J. V. Stone presiding. Councilmembers and City Staff present were as follows:

Councilmembers James Singer

Charles Taylor

Russell Sweetman

Shirley Heintz

Jeffrey Siler

Clerk of Council Marilyn McLaughlin

Assistant City Manager Joseph Minner

Chief of Police William Randolph

Planner Steve Feverston

Service Superintendent Ray Hannah

City Engineer Karl Schab

Director of Finance William Bettcher

Mrs. McLaughlin read a letter of resignation from Councilmember Nora Lake, resignation to be effective June 1, 1982 from City Council. Mrs. Lake's resignation is due to her recent appointment as Executive Director of the Miami Valley Regional Planning Commission. Mr. Sweetman, with regret, moved that Mrs. Lake's resignation from City Council be accepted. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mayor Stone outlined Mrs. Lake's many outstanding contributions to the Centerville Community during previous years.

Mayor Stone advised that previous Applications have been reviewed for the vacancy existing on City Council. Mr. Sweetman moved that Mr. Bernard M. Samples be appointed to fill the vacancy on City Council created by the resignation of Mrs. Nora Lake. Mr. Siler seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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

Council Meeting - May 17, 1982.

Council Work Session Meetings - May 17, 1982.

- May 24, 1982.

Mr. Taylor moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Siler seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Stone administered the Oath of Office to City Council Member Bernard M. Samples. Mayor Stone reviewed Mr. Sample's activities in the City of Centerville during the past eight years as a resident of Centerville. Mr. Samples thanked Council for their confidence evidenced by his appointment to City Council.

Mrs. McLaughlin read a letter received from Mr. Dale R. Smith requesting the withdrawal of his Rezoning Application for property located around the cul-de-sac which is the southern terminus of Marshall Road, property more particularly known as Hidden Hills Plat, Section Two.

Mrs. McLaughlin announced the receipt of a letter of resignation from Sister City Committee Member Sue Gray.

## RECORD OF PROCEEDINGS

Minutes of

Meeting

DIXON LEGAL BLANK CO. 10144

Held June 7, 1982 continued 19

Mayor Stone reviewed his visit to Waterloo on Thursday, May 20, 1982, to celebrate the 125th Anniversary of the City of Waterloo, Ontario, Canada, Founders Day. Mayor Marjorie Carroll was awarded an Honorary Doctorate of Law Degree from the University of Waterloo.

Mayor Stone advised that Assistant City Manager Joseph Minner has accepted a position with the City of Casper, Wyoming, and will terminate his employment with the City of Centerville on June 11, 1982. Mr. Minner was presented with a plaque in appreciation of his many contributions to the Centerville Community. Mr. Minner expressed his appreciation to the City Staff, City Council, Centerville Citizens and to all City Board and Commission Members for his experiences during his tenure with the City of Centerville.

Mr. Minner reviewed the following during his City Manager's Report: The Public Hearing was held in Greene County in consideration of the annexation of land located in Sugarcreek Township, Greene County, to the City of Centerville. This Public Hearing has been continued until July 8, 1982.

Centerville's Street Improvement Program 1982, is progressing as expected.

Mr. Minner reminded the listening audience of the Americana Festival scheduled to be held July 5, 1982 in the center of the City of Centerville.

Councilmen Russell Sweetman and Jeffrey Siler left the Meeting at this time due to a potential conflict of interest in the following agenda item.

## MEDFIRST PHYSICIAN CARE

Mr. Minner reviewed the Planning Commission Meeting held May 25, 1982. He reviewed the Site Plan submitted for MedFirst Physician Care Facility, proposed to be located at the northeast corner of Main Street and Franklin Street, more particularly known as the Way-Lo Property. Proposed is the demolition of the present structure and the construction of a new medical office building. Included on the Site Plan are twenty parking spaces, the number being in excess of those required for such a facility. Also included on the proposed Site Plan are two driveway entrances; one onto Main Street and one onto Franklin Street, the two additional existing curb cuts are eliminated. This proposal, being located in the Architectural Preservation District, was subject to the Board of Architectural Review's approval in consideration of the exterior architectural design, screening materials, signage and exterior colors. The BAR unanimously recommended approval of the Site Plan subject to the following conditions:

1. The architecture include a 7/12 roof pitch with black asphalt shingles and the brick to be a colonial red mixture. The corners of the building would include stone quoins.
2. The fake windows be screened by the use of evergreen shrubbery to be planted in front of each such "window" area.
3. The exterior wall-mounted lighting be those submitted and that the exterior pole-mounted lighting be subject to final staff approval as to height, fixture style, color and "spill" of the lamp.
4. The signage is to be a yard arm mounted sign with a 3' x 4' sign face, the mounting height to the top of the yard arm not exceed 6', and that the colors and letter style be those submitted.
5. The dumpster screening to be brick walls with wooden gates.
6. The colors of the building be subject to final staff approval, utilizing the approved APD color chart.

Mr. Minner reviewed the action of the City Planning Commission relative to this proposed Site Plan, on May 25, 1982. The motion of the Planning Commission to disapprove the Site Plan, resulting in a 3-3 vote, was made for the following reasons:

Held June 7, 1982 continued 19    

1. Building setback is too far from the street.
2. Traffic circulation has numerous conflicts.
3. The dumpster location is not accessible.

Mr. Minner reviewed a Site Plan for this corner facility prepared by the City Staff, a Plan believed to be more in keeping with the design review criteria in the Architectural Preservation District, with setback requirements, rear yard parking and to provide better traffic flow pattern through the development.

Mr. Taylor expressed concern with the lack of measurements on the Site Plan submitted to Council by the Applicant, in consideration of the building setback.

Mr. John Preiksats, Attorney for Humdeco, Inc., introduced Mr. Brad Barger, Designer; Mr. Gary Greenwell, Director of Construction, Mr. Larry Stein, Real Estate Broker and Mr. Dennis Hoertt, present owner of the property.

Mr. Barker reviewed for Council the Site Plan they propose, the setback of the building and the traffic flow as they foresee it through the development. They are willing to locate the dumpster pad on the property wherever the City requests, however, they believe their proposal is best.

Mrs. Heintz solicited additional green space between the drive area and the curb at the corner of Main Street and Franklin Street.

Mr. Taylor again expressed concern with traffic circulation and with the use of the alley to the north, in consideration of its narrow width. The Developer agreed to dedicate land to widen the alley if this was the desire of City Council.

As questioned by Mrs. Heintz, Mr. Barker advised that one Doctor will utilize the building at a time, except for overlaps.

Upon question of Mr. Taylor, Mr. Feverston reviewed the four concerns expressed by the City Staff relative to traffic circulation with the proposed Site Plan: one way traffic in alley due to its narrow width, the traffic flow from the Main Street entrance to the parking lot in the rear of the building, conflicting maneuvering options upon entering the property from Franklin Street, and a potential traffic problem due to the narrowness of the canopy.

Mr. Larry Stein, Larry Stein Realty Company, believes that the City Staff has over-reacted to the use of this property, the use will not generate an excess amount of traffic. He believes this proposal will be a great asset to the City of Centerville.

Mr. Robert Perkins, Member of the Board of Architectural Review, spoke in favor of the Plan proposed by the City Staff, he does not believe that the Developer's Plan meets the design review criteria for the Architectural Preservation District. Mr. Preiksats advised that Humdeco is not willing to turn the building around in accordance with the Plan proposed by the City Staff; the interior of the building has been designed to provide view from the waiting room of the "hub of activity".

Mayor Stone pointed out that additional questions need answering concerning this proposal, he suggested that additional time be utilized to consider alternatives discussed during this Meeting. Mr. Taylor moved that consideration of the Site Plan for the MedFirst Physician Care Facility be tabled until the Council Meeting scheduled for Monday, June 21, 1982. Mrs. Heintz seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mr. Samples voted no.

Mr. Sweetman and Mr. Siler returned to the Meeting at this time.

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. 10131

Held June 7, 1982 continued 19

RESOLUTION NUMBER 17-82 THREE MILE JURISDICTION

Mayor Stone reviewed a Resolution proposed to revoke the City's authority to review the subdivision of plats within the three mile limits of the City of Centerville. Mr. Taylor sponsored Resolution Number 17-82, A Resolution Repealing Resolution Number 38-73 And Revoking The Authority Of The City Of Centerville Pursuant To Section 711.09 Ohio Revised Code To Review And Approve All Plats And Plats Of Subdivision Of Land Within Three Miles Of The Corporate Limits Of Centerville, Limited, However, To Those Portions Of Washington Township, Montgomery County, Ohio, Lying Within Said Three Miles, and moved that it be passed. Mrs. Heintz seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Singer voted no.

RESOLUTION NUMBER 18-82 POLICE VEHICLES

Mayor Stone reviewed the following two Bids received for the purchase of four Police Vehicles for the City of Centerville:

Eastgate Ford	\$37,003.00
Interstate Ford	36,500.00

Mr. Minner reviewed City Staff's recommendation that the Bid of Interstate Ford, Inc. be accepted, in the amount of \$36,500.00. Mr. Singer sponsored Resolution Number 18-82, A Resolution Accepting The Bid Of Interstate Ford Inc. To Supply Four Police Vehicles To The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mrs. Heintz seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 19-82 INCOME TAX

Mr. Minner reviewed a proposed Resolution to assure the proper distribution of Income Tax receipts among various funds; this Resolution is necessary due to revised estimated Income Tax receipts. Mr. Sweetman sponsored Resolution Number 19-82, A Resolution Amending Resolution Number 47-81 Authorizing And Directing The Allocation Of Income Tax Receipts Among The General Fund, Capital Improvements Fund, Debt Retirement Fund, Street Construction And Maintenance Fund And The Central Vehicle Purchase Fund Of The City Of Centerville For Budget Year 1982, and moved that it be passed. Mr. Taylor seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 20-82 WASTE PACKER

Mr. Minner reviewed a proposed Resolution requesting the Fiscal Officer to certify the maximum maturity for the retirement of debt for the 1980 refuse packer truck and radio. Mrs. Heintz sponsored Resolution Number 20-82, Resolution Requesting Fiscal Officer To Certify Maximum Maturity Of Bonds And Notes, and moved that it be passed. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 13-82 WASTE PACKER

Mr. Minner reviewed a proposed Emergency Ordinance to provide for the retirement of debt for the refuse packer truck and radio purchased in 1980. Mrs. Heintz sponsored Ordinance Number 13-82, An Ordinance Providing For The Issuance Of \$24,050 Of Notes Of The City Of Centerville, Ohio, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying Upon Redemption, Together With Other Lawfully Available Funds, A Bond Anticipation Note Heretofore Issued For The Purpose Of Paying The Cost Of Acquiring A 1980 Refuse Packer Truck And Radio, And Declaring An Emergency, and moved that it be passed. Mr. Taylor seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Held June 7, 1982 continued 19    

## COUNCIL RULES

Mayor Stone advised that Rules of Procedure for City Council have been reviewed and revised. Mr. Sweetman moved that Council approve the Rules of Procedure for City Council as revised. Mr. Siler seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Samples abstained.

## TAX BUDGET 1982

Mr. Siler moved that the proposed Tax Budget for the City of Centerville for the year 1983 to be submitted to the Montgomery County Budget Commission, be set for Public Hearing on June 21, 1982. Mrs. Heintz seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## TCC REPRESENTATIVE

Mayor Stone advised that a replacement is necessary for Mr. Minner as Centerville's Alternate Representative on the Transportation Coordinating Committee; City Engineer Karl Schab has been suggested as this replacement. Mr. Singer moved that Karl Schab be appointed to replace Joseph Minner as Centerville's Alternative Representative to the Transportation Coordinating Committee. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## CABLE TV

Mayor Stone advised that it has been recommended that City Manager Darryl Kenning be appointed to replace Joseph Minner on the Board of Trustees for the Miami Valley Cable Television Council. Mr. Sweetman moved that the Council of the City of Centerville recommend to the Miami Valley Cable Television Council that Darryl Kenning be appointed to replace Joseph Minner on the Board of Trustees. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Sweetman complimented Joseph Minner for his outstanding service as a Member of the Miami Valley Cable Television Council, Board of Trustees.

There being no further business, the Meeting was adjourned.

Approved: 

Mayor

ATTEST:

  
Clerk of the Council