

## REVISED

On Monday, July 29, 1996, the Council of the City of Centerville and the Board of Trustees of Washington Township met in Joint Session at Benham's Grove in the East Meeting Room of the Gerber House at 7:30 P.M. In attendance at this meeting were the following:

### Centerville

Mayor	Sally D. Beals
Deputy Mayor	C. Mark Kingseed
Councilmembers	James Singer
	James Reppert
	Susan Lienesch
Staff Members	Marilyn McLaughlin
	Greg Horn

### Washington Township

Trustee President	Roger Krass
Trustee V. President	Joyce Young
Trustee	Terry Blair
Clerk/Treasurer	Jim Blakeney
Administrator	Gary Huff

### Residents

Barbara Cervay  
Miriam Morrison  
Rion MacConnell  
Pat Gruber

### Representatives from

Channel 2  
Channel 7

Mayor Beals announced the fact that this is a joint meeting between City of Centerville and Washington Township Officials and that no testimony from the audience would be taken; however, residents were invited to contact any member individually or a joint meeting could be called to discuss a particular issue.

The minutes of the joint meeting held March 25, 1996 were approved by consensus.

Mr. Kingseed advised that the Public Health and Safety Council Committee has met and considered information received from residents, the Centerville Chief of Police William Lickert and from the Washington Township and the City of Centerville Satellite Juvenile Court concerning a curfew for the Centerville/Washington Township community. He reported that the committee does not believe it is necessary to establish a curfew in Centerville, because there should be a reason before a curfew is established. The committee, in analyzing the issue, is not convinced that there is a clear link between juvenile crime, the use of drugs and alcohol, and a curfew. However, it was pointed out that a curfew is a tool against juvenile violent crime but not a tool against drugs and alcohol. Mr. Krass reported that the Township has not had an opportunity to discuss this issue in a Work Session Meeting. He stressed the importance of the decision being unified between both legislative bodies. Mayor Beals pointed out the fact that the City Council as a whole has not formally taken a position relative to this issue. Mr. Singer suggested that information be received relative to curfews and/or positions relative to curfews in other south of Dayton jurisdictions.

Barbara Cervay, Miriam Morrison, Rion MacConnell, Pat Gruber, and the Representatives from the media left the meeting at this time.

Trustees Joyce Young and Roger Krass advised that the next Joint Entities Meeting has been scheduled for Monday, September 30, 1996 to begin with a reception at 6:30 P.M. and dinner at 7:00 P.M. It will be held at Cozymel's Restaurant. Mayor Beals stressed the importance of substantial discussions at these meetings, i.e. the announcement and scheduling of proposed bond issues and levies by the various entities so that some coordination relative to the election ballot can take place.

Members of City Council and the Township Trustees agreed that Beggars Night in 1996 in Centerville and Washington Township should be Thursday, October 31, 1996.

Mr. Krass advised that the Township will place no levies on the election ballot in 1996; however, in 1997 a road and bridge levy may be placed on the ballot, with no increase anticipated at this time. Mayor Beals indicated the City has no intention to place a bond issue on the ballot in the immediate future.

Upon question of Mr. Singer, Mr. Huff reported that the Spring Valley Road Improvement Project was slated for completion before school begins in the fall. Various issues have caused a delay relative to this projection.

Following discussion, it was concurred that the next City/Township meeting would be held at the Hithergreen Senior Center on Monday, October 14, 1996 to begin at 7:30 P.M. with a presentation by Seniors Inc. of Centerville/Washington Township concerning Seniors' Long Range Plan. Other items may be added to the agenda as time permits. This date and location is pending confirmation by Mrs. Young with Seniors, Inc Executive Director Cynthia Fraley.

Mr. Singer expressed concern with drainage problems and the status of suits filed in Washington Township. Mr. Krass pointed out that in the case of drainage involving property located at Nutt Road and Atchison Road between Normandy Pointe Associates and Woolpert, the Township was not a party in this particular suit. Mr. Krass outlined the chain of events relative to this issue and explained the development of a Master Plan in order to protect future development.

Mr. Krass also advised that the court cases involving Diamonds have not yet been resolved.

Upon question by Mr. Reppert, Mr. Blair explained that the value of the Township being made aware of an annexation before filing would provide time for the issue to be discussed to perhaps find some common ground. Mr. Reppert advised that discussion can always follow the filing of a petition; a petition can always be withdrawn if after filing good reason has been given. Mr. Kingseed pointed out that the filing of a petition for annexation is not a reality until it has been filed with the Board of County Commissioners Montgomery County; it is an action of property owners.

Discussion followed relative to the 8.222 acres of land petitioned for annexation to the City of Centerville by H.R. Investments, property located along the west side of Dayton-Lebanon Pike and south of Sheehan Road. Mr. Blair expressed his concern with this annexation in consideration of its development in relation to the 20 adjacent acres and the surrounding property owners. He pointed out that Meijer Stores has approached landowners in this particular area. Upon question by Mr. Blair, Mr. Reppert explained how the City of Centerville listens to testimony from adjacent property owners (City and Township residents) when a rezoning or development plan is presented to City Council for consideration. Mayor Beals pointed out that Meijers does not build on 8.2 acres of land.

Briefly discussed was the difference between City and Township government, the possibility of both entities becoming one government sometime in the future, and the sentiments of residents in the unincorporated area of Washington Township relative to this issue.

Discussion resumed relative to the annexation of 8.222 acres of land to the City of Centerville recently approved by the Montgomery County Commissioners. Mr. Krass advised that Washington Township has filed a motion for appeal with the Common Pleas Court of Montgomery County to stay this annexation until the matter could be discussed at this joint meeting and perhaps an agreement reached relative to this particular property and perhaps to other properties in the future which are proposed for annexation. Mr. Kingseed pointed out that no promises or decisions can be reached relative to rezonings of properties proposed to be annexed until the annexation is complete and all issues have been analyzed and testimony received and considered from adjacent property owners. Mr. Blair advised that their fear of loss of control and protection for surrounding residents are reasons for their opposition to the 8.222 annexation petition. Mr. Kingseed explained that the City would look at the development of this land in the same manner as the Township would when a rezoning was requested. Much discussion followed relative to information received that Meijer's was looking for property to purchase on the Dayton-Lebanon Pike south of Sheehan Road. Mr. Kingseed pointed out that if

the 8.222 acres were annexed to the City of Centerville and Meijer's did purchase said acreage plus the 20 acres adjacent, the fact that the property is located in two entities could make it more difficult to develop and that the City would apply the same standards as the Township. The importance of giving consideration to what is best for the total community was stressed when looking at annexations, developments, and rezonings. Members of Council stressed the fact that annexations are petitioned by property owners; City Officials must consider their rights and desires.

Mayor Beals expressed the City's concern with empty boxes; the City will not look lightly upon rezonings to provide for potential empty boxes. Mr. Singer advised that the City has received sample legislation from Fort Collins, Colorado, which establishes regulations for large retail establishments. The sample ordinance requires specific architectural features, provides for common areas, requires that a percentage of other tenants occupy the establishment, and requires different exits and entrances to set the building up for reuse contrary to the traditional strip mall. Mr. Horn identified this sample ordinance as legislation to place the City in a more defensive mode if the main anchor pulls out. He advised that this type of legislation will be considered by City Staff and given to the Township.

Mr. Krass advised that the Township will make a decision relative to their notice of appeal filed in the Montgomery County Common Pleas Court relative to the annexation of 8.222 acres from the unincorporated area of Washington Township to the City of Centerville during their next Work Session Meeting.

Mr. Krass recognized this meeting as being very successful due to input received from the Staff present. Discussion followed relative to the inclusion of Staff at these joint meetings. Mayor Beals expressed her dissatisfaction with the fact that the decision to include Staff at this meeting was made without communication between the two entities. Mr. Singer stated his satisfaction with progress made in prior meetings without staff, because officials sorted issues based on own knowledge. Mrs. Young expressed her desire for Staff to be in attendance. Mayor Beals suggested that this issue be resolved individually and jointly prior to the next joint meeting.

Mayor Beals pointed out that both entities must jointly agree that unification is in the best interest of the total community and residents must be educated before it can happen. Mr. Krass explained how that which hurts the City also hurts Washington Township. He outlined what the Township is doing in order to keep the community intact. He believes that if a merger is to take place, the two entities must come together to form a third government. Mr. Reppert saw no need for a third government, why try to fix something that is not broken. Mayor Beals explained that discussions concerning annexation and unification go hand in hand.

Mr. Blair asked that if the 70.328 annexation petition submitted by St. Leonard's is approved and development of the land takes place, the creek which flows upstream not be disturbed.

Following additional discussion relative to annexations and upon suggestion of Mr. Kingseed, it was the general consensus of both entities that advantages and disadvantages of each annexation petition be discussed on their own merit by the entire group.