

## RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL

Meeting

DAYTON LEGAL BLANK CO. 10144

Held

June 2,

19 80

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, June 2, 1980 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilman Leonard Stubbs and the Pledge of Allegiance to the Flag with Mayor J. V. Stone presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor Nora Lake  
 Councilmembers Jeffrey Siler  
                                 Russell Sweetman  
                                 Shirley Heintz  
                                 James Singer  
                                 Leonard Stubbs  
 Clerk of Council Marilyn McLaughlin  
 City Manager Darryl Kenning  
 City Planner Alan Schwab  
 Service Director Richard Bishop  
 City Engineer Karl Schab  
 Director of Finance William Bettcher  
 Chief of Police William Randolph  
 Municipal Attorney Robert Farquhar  
 Assistant City Manager Joseph Minner

The Minutes of the Council Meetings held May 5, 1980, May 12, 1980 and May 19, 1980 had been distributed prior to this Meeting. Mr. Sweetman moved that the Minutes of the before-mentioned Meetings be approved, as distributed. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion; however, Mrs. Lake abstained from the Minutes of the Meeting held May 12, 1980.

The Minutes of the Council Work Session Meetings held May 12, 1980 and May 19, 1980 had been distributed prior to this Meeting. Mr. Stubbs moved that the Minutes of these two Work Session Meetings be approved, as distributed. Mrs. Heintz seconded the motion. A roll call vote resulted in seven ayes in favor of the motion; however, Mrs. Lake abstained from the May 12, 1980 Work Session Meeting Minutes.

Mrs. McLaughlin announced the receipt of a letter of resignation from Board of Architectural Review Member Shirley Althoff.

Mr. Kenning reported the following during his City Manager's Report: The Activity Report for the Service Department for the month of May, 1980 was reviewed.

The Bigger Road Improvement Project previously stayed by the United States Department of Transportation pending resolution of I-675 has now been released, final engineering for the project has begun; construction should begin in 1982.

The Montgomery County Commission has reinstated the restoration of the Wright House in the 1980-81 Community Development Block Grant Program in the amount of \$50,000.00.

The City of Centerville is participating in a pilot project funded through Montgomery County for the recycling of high grade paper products.

Bus service will begin to Centerville June 22, 1980, being an express service from Stroop Road in Kettering to Downtown Dayton. The service will extend south to Sheehan Road.

Upon question of Mrs. Heintz, Mr. Kenning advised that the \$50,000.00 grant for the Wright House will move reconstruction to the interior of the house, work which cannot be accomplished through volunteer help.

Mr. Kenning advised that the traffic signals at Main and Franklin Street



Held June 2, 1980 continued

19

intersection should be completely operational June 3, 1980.

Mayor Stone brought attention to the fact that the \$50,000.00 block grant for the Wright House was dependent upon approval of the Montgomery County Commissioners, he thanked them for their interest and cooperation in this project.

Mayor Stone thanked the DAP Corporation for their donation of caulking and paint for the restoration of the Wright House.

Mayor Stone encouraged electors of the City of Centerville to vote in favor of the police levy June 3, 1980.

#### DOMINO'S PIZZA

Mr. Kenning reviewed the Planning Commission Meeting held May 27, 1980. The Site Plan for Domino's Pizza was approved by the Commission 3 to 2, 2 voting against being concerned with the number of corrections and conditions made to the Site Plan. Mr. Schwab located the proposed Domino's Pizza on a map, being proposed north of East Franklin Street, west of Compark Road and east of the Franklin Plaza Shopping Center. The Site Plan was submitted in two phases: one having two curb cuts with parking in the front, the other adding office use to the west and two curb cuts. The City Staff recommended that the two curb cuts be combined into one two way curb cut with a minimum width of 25 feet and that it be located directly across from the curb cut on the south side of East Franklin Street. Mr. Schwab reviewed the following staff recommendations: only one of the two Site Plans be approved; the existing sidewalk location be unaltered; the western curb cut be deleted; the eastern curb cut be aligned with the existing curb cut across from it on Franklin Street and the curb cut be widened to 25 feet; the eastern curb cut be limited to right in and right out movement or a blister of pavement across the street be added whose design is approved by the City Engineer; the centermost large tree next to Franklin Street within the City right-of-way be preserved; the applicant be permitted to remove the sycamore tree at the southwest corner of the property; the Domino's building be relocated to the western side of the property to preserve a large existing tree on the site; the dumpster be relocated at a 90 degree angle so that the door opening is not visible from Franklin Street and the 6 foot high fencing be wooden or brick surrounding the dumpster; and, a drainage plan for the site be approved by the City Engineer. In addition to these, the Planning Commission also recommended that no signage approval be given as part of this Site Plan and that a lighting plan be detailed on the Plan. Mr. Schwab reviewed a revised Plan submitted by the applicant incorporating most of the recommendations made by the Planning Commission.

Mr. Theodore Arnovitz, Secretary for Western Ohio Pizza, Inc., reviewed the revised Plan and explained the operation of this Pizza establishment. He does not visualize the traffic problem as anticipated by the City Staff along East Franklin Street resulting from this operation.

Mr. Sweetman expressed concern with additional curb cuts in the future. Mr. Farquhar advised that this would be controlled when other Site Plans are considered. Discussion followed concerning the preservation of a tree during construction, gate on dumpster enclosure, signage, the set back and architecture of this structure in consideration of adjacent buildings. Mr. Singer moved that the amended Site Plan for Domino's Pizza be approved with loose ends worked out and subject to the blister design being worked out to the satisfaction of the City of Centerville, signage not being a part of the approval, subject to the submission of a lighting plan to the Planning Commission, a drainage plan to be approved by the City Engineer, that positive action be taken to protect the tree in the front center of the lot and subject to the erection of a gate on the dumpster enclosure. Mrs. Heintz seconded the motion. Mrs. Lake expressed concern with the set back of this building being different from that of adjacent structures. Mr. Stubbs



DARTON LEGAL BLANK CO. 19144

Held June 2, 1980 continued

19

suggested that this building be in line with the Sohio Service Station to the east of the subject property. Upon request of Mr. Sweetman, Mr. Schwab outlined permitted sign area for this applicant in accordance with zoning regulations. Mr. Stubbs moved that the previous motion be tabled until the City Planner can review the set back and determine the feasibility of aligning this building with the Service Station. Mrs. Lake seconded the motion. A roll call vote resulted in five nays against the motion; Mr. Stubbs and Mrs. Lake voted yes. A roll call vote on the main motion resulted in five ayes in favor of the motion; Mr. Stubbs and Mrs. Lake voted no.

Mr. Robert Richards, 76 West Ridgeway Road, appeared before Council concerning a drainage problem onto his property from properties along the north side of West Franklin Street. Mr. Cecil Hartis, 58 West Ridgeway Road, explained a similar drainage problem onto his property. Upon request of Mayor Stone, City Staff will give this matter full attention and make recommendations to Council during the Work Session Meeting June 9, 1980.

## ORDINANCE NUMBER 35-80 CITY BEAUTIFUL COMMISSION

The Public Hearing was held concerning Ordinance Number 35-80. Mr. Sweetman sponsored Ordinance Number 35-80, An Ordinance Appointing Lois Dowlar As A Member Of The City Beautiful Commission For The City Of Centerville, Ohio, And Establishing A Term Of Office, and moved that it be passed. Mrs. Heintz seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## THOMAS PAINE SETTLEMENT NUMBER THREE PRELIMINARY PLAN

Mr. Schwab reviewed the Preliminary Plan for Thomas Paine Settlement Number Three previously rejected by the Planning Commission showing no improvements to Clyo Road and a revised Preliminary Plan ultimately worked out during Council Work Session Meetings including dedication and construction of Clyo Road and including all other requirements of City Council. The number of units has increased from 162 to 201 in the total development. Mr. Robert Archdeacon, Woolpert Consultants and representing John G. Black Enterprises, Inc., reviewed this revised Preliminary Plan and requested that Council release the covenants placed on the Deed in 1973 limiting the total units to 162. Mr. Siler moved to reverse the decision of the Planning Commission relative to the Preliminary Plan for Thomas Paine Settlement Number Three and to approve the revised Preliminary Plan with modifications in accordance with paragraph four of the Deed which modifies paragraph one to the extent of 201 total units. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## RESOLUTION NUMBER 32-80 APPRECIATION

Mayor Stone read Resolution Number 32-80, A Resolution Of Appreciation For The Services Of Virginia Krymow. Mrs. Heintz sponsored Resolution Number 32-80 and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Siler suggested that legislation be considered to restrict the emptying of dumpsters to a specific period of time. A draft will be prepared by City Staff.

## ORDINANCE NUMBER 36-80 CITY BEAUTIFUL COMMISSION

Mr. Stubbs moved that Ordinance Number 36-80, An Ordinance Appointing Melba Eichinger As A Member Of The City Beautiful Commission For The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on June 16, 1980. Mrs. Heintz seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Held June 2, 1980 continued 19  

There being no further business, the Meeting was adjourned.

Approved: 

Mayor

ATTEST:

  
Clerk of the Council