

Held November 5, 19 79

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, November 5, 1979 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 Victor Green presiding. Councilmembers and City Staff present were as follows:

Deputy Mayor Russell Sweetman
 Councilmembers Leonard Stubbs
 James Singer
 J. V. Stone
 Jeffrey Siler
 Nora Lake

Clerk of Council Marilyn McLaughlin
 City Manager Darryl Kenning
 Planner Alan Schwab
 City Engineer Karl Schab
 Service Director Richard Bishop
 Director of Finance William Bettcher
 Lieutenant William Lickert
 Municipal Attorney Robert Farquhar
 Assistant City Manager Joseph Minner

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

Council Meeting: October 15, 1979.

Council Work Session Meeting: October 15, 1979.

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

Mrs. McLaughlin announced the receipt of a letter of resignation from Planning Commission Member Francis Cash and another from Parks and Recreation Board Member Anton Evans.

Mayor Green briefed Council on a Mayors and Managers Association Meeting which he attended in which Mr. Louis Wozar and Mr. Albert Sealy discussed the formation of a Regional Arts and Cultural District. He suggested that this be reviewed during a future Council Work Session Meeting.

Mayor Green advised that he is currently pursuing the replacement of jobs in the Community caused by the closing of MacMillan Bloedel Containers Inc.

Mayor Green introduced and welcomed Cub Pack 616 present during this Council Meeting.

Mr. Kenning reported the following during his City Manager's Report: People in the audience were reminded of Election Day, Tuesday, November 6, 1979.

The 1980 Annual Budget Proposal was transmitted to City Council. The document was referred to the Council Finance Committee for review and a recommendation to Council.

A Management Innovation Award was presented to City Council, received from the International City Management Association in recognition of the Miami Valley Cable TV Council. Mayor Green commended Mr. Sweetman and Mr. Kenning for their outstanding performance on this Council.

ORDINANCE NUMBER 53-79 SUB-DIVISION REGULATIONS

Mr. Kenning reported on the Planning Commission Meeting held October 30,

DAYTON LEGAL BLANK CO. 18124

Held November 5, 1979 continued 19

1979. The Commission unanimously recommended to Council an Ordinance to provide for fees for the preparation of Subdivider Agreements and Performance Bonds and to require same for private streets, and to require private streets be constructed in accordance with Centerville street specifications. Mrs. Lake moved that Ordinance Number 53-79, An Ordinance Amending Chapters 1113, 1115, 1117 And 1121 Of The Centerville Municipal Code By Providing For The Collection Of Fees For Preparation Of Sub-Divider Agreements And Performance Bonds; Providing For Performance Bonds For Private Streets And Providing That Private Streets Must Be Constructed In Accordance With Centerville Street Specifications, be set for Public Hearing on November 19, 1979. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

CENTERVILLE PLACE SITE PLAN AMENDMENT

Mr. Schwab reviewed a proposed amendment to the Site Plan for Centerville Place to provide for a photo booth in the parking area. Centerville Place is located along State Route 48 south of Spring Valley Road and north of Sheehan Road. The proposed structure would utilize 8 parking spaces. The booth is proposed to be located just south of the access drive and west of the planter. The Planning Commission recommended approval of this Site Plan amendment conditioned upon I. Identification signage should be limited to the words "Foto Fair" and "Film Developing" on each of the four faces of the mansard roof. Size should be approximately as depicted on the submitted typical signs on the drawings, 2. The Arby's layout shown on the Site Plan is not a part of this approval.

Mr. Ben Rifkin, representing Foto Fair International, reviewed their request.

Upon question of Mrs. Lake, Mr. Schwab advised that the Beerman Realty Company is aware that there is a total ratio for parking spaces in this Shopping Center.

Mr. Siler moved that the amendment to the Site Plan for Centerville Place to provide for a photo booth in the parking area be approved in accordance with the recommendation of the Planning Commission. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 37-79 REZONING VILLAGER APARTMENTS

The Public Hearing was held concerning Ordinance Number 37-79. Mr. Schwab reviewed the proposed rezoning of approximately 18.369 acres from Centerville EC to Centerville R-4, located approximately 400 feet east of State Route 48, north and south of North Village Drive. This is a City initiated rezoning to streamline the City's administration of the use of the property. The Planning Commission unanimously recommended approval of this rezoning. Mr. Sweetman sponsored Ordinance Number 37-79, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 18.369 Acres, More Or Less, From Centerville Entrance Corridor Classification To Centerville R-4 Classification, 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 39-79 REZONING SR 48 BUSINESS AREA

The Public Hearing was held concerning Ordinance Number 39-79. Mr. Schwab reviewed the proposed rezoning of approximately 16 acres from Centerville EC to Centerville B-2. The property is located along the east side of State Route 48, north and south of North Village Drive, currently used for roadside business. This City initiated rezoning permits all current businesses in the area to become conforming businesses and it reflects development already taken place. The Planning Commission

Held

November 5, 1979 continued

19

unanimously recommended approval of this rezoning to Council. Mrs. Lake sponsored Ordinance Number 39-79, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 16 Acres, More Or Less, From Centerville Entrance Corridor Classification To Centerville B-2 Classification, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 38-79 REZONING DIETZ PROPERTY

The Public Hearing was held concerning Ordinance Number 38-79. Mr. Schwab reviewed the proposed rezoning of approximately 0.25 acres from Centerville R-0-I to Centerville R-4, located along the south side of Alexandersville-Bellbrook Road approximately 1200 feet west of the intersection of Clyo Road and immediately east of the Penn Central Railroad Tracks. This is a City initiated rezoning to bring this property more compatible with property to the east. The Planning Commission unanimously recommended approval to City Council. Mrs. Lake sponsored Ordinance Number 38-79, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 0.25 Acres, More Or Less, From Centerville R-0-I Classification To Centerville R-4 Classification, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 40-79 REZONING MOUNT VERNON ESTATES

The Public Hearing was held concerning Ordinance Number 40-79. Mr. Schwab reviewed this proposal to rezone approximately 152.25 acres from Washington Township R-4 to Centerville R-1, being that property otherwise known as Mount Vernon Estates. The City has initiated this rezoning to zone this land in accordance with Centerville's Zoning Regulations. There is no difference between Washington Township R-4 and Centerville R-1. The Planning Commission unanimously recommended that this rezoning be approved. Mr. Sweetman sponsored Ordinance Number 40-79, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 152.25 Acres, More Or Less, From Washington Township Residential 4 Classification To Centerville R-1 Classification, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 36-79 ZONING ORDINANCE AMENDMENT TEXT

The Public Hearing was held concerning Ordinance Number 36-79, an Ordinance to increase the Membership of the Board of Architectural Review to seven and to change the requirement for a quorum. Mr. Kenning advised that this Ordinance comes to Council with a unanimous vote of approval from the Planning Commission. Mr. Siler sponsored Ordinance Number 36-79, An Ordinance Amending Ordinance Number 15-61, The Zoning Ordinance, As Amended By Ordinance Number 80-71, By Increasing The Membership Of The Board Of Architectural Review From Five (5) Members To Seven (7) Members, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 50-79 BOARD OF ARCHITECTURAL REVIEW

The Public Hearing was held concerning Ordinance Number 50-79. Mr. Sweetman sponsored Ordinance Number 50-79, An Ordinance Appointing Stanley E. Swartz To The Board Of Architectural Review For The City Of Centerville, Ohio, And Establishing Term Of Office, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Held November 5, 1979 continued 19

ORDINANCE NUMBER 51-79 CODE OF ETHICS

The Public Hearing was held concerning Ordinance Number 51-79. Mr. Kenning reviewed this proposed Ordinance which comes from the Council Legislative Committee and represents a major step forward in putting what has been the general practice of City Council into documentation. Mr. Singer sponsored Ordinance Number 51-79, An Ordinance Enacting Sections Of Chapter 121 Of The Centerville Municipal Code To Approve, Adopt And Enact A Code Of Ethics For Elected And Appointed Public Officials Of The City Of Centerville, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 52-79 MAIN AND FRANKLIN

The Public Hearing was held concerning Ordinance Number 52-79. Mr. Kenning reviewed this proposed Ordinance which dedicates the right-of-way needed for the intersection improvement at Main and Franklin Streets. Mr. Stubbs sponsored Ordinance Number 52-79, An Ordinance Accepting The Dedication Of Public Right-of-way As Hereinafter Described, and moved that it be passed. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 50-79 CITY PROPERTY

Mr. Kenning reviewed a proposed Resolution to authorize a Lease Agreement between the City of Centerville and the Centerville-Washington Township Chamber of Commerce to lease space in the South Suburban Annex Building. The Chamber will ultimately reside in the Wright House when restored, but until then, it needs space. Mr. Sweetman sponsored Resolution Number 50-79, A Resolution Authorizing And Directing The City Manager To Enter Into A Space Rental Agreement With The Centerville-Washington Township Chamber Of Commerce, and moved that it be passed. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ROSE ESTATES SECTION TEN

Mr. Kenning reviewed the recommendation of the City Engineer for the release of the Performance Bond posted on Rose Estates, Section Ten. Section Ten has recently been inspected and the condition of the road surface is acceptable, no significant settlements have occurred and all corrections have been made satisfactorily. Mr. Sweetman moved that the Performance Bond posted on Rose Estates, Section Ten, be released. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 54-79 CITY PLANNING COMMISSION

Mr. Sweetman moved that Ordinance Number 54-79, An Ordinance Appointing Robert K. Chappell As A Member Of The City Planning Commission For The City Of Centerville, Ohio, To Fill The Unexpired Term Of Francis G. Cash, be set for Public Hearing on November 19, 1979. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 55-79 PERSONNEL APPEALS BOARD

Mr. Siler moved that Ordinance Number 55-79, An Ordinance Appointing Lester R. Stauske As A Member Of The Personnel Appeals Board For The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on November 19, 1979. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Green wished the incumbents well on Election Day, November 6, 1979.

Held November 5, 1979 continued 19

Mr. Stubbs announced the Council Finance Committee Meeting scheduled for Saturday, November 10, 1979 to begin at 8:45 A.M. in the South Suburban Conference Room.

There being no further business, the Meeting was adjourned.



Mayor of the City of Centerville, Ohio

ATTEST:



Clerk of the Council