

DARTON LEGAL BLANK CO. 10111

Held October 17, _____ 19 77

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, October 17, 1977 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Philip Conley from the Normandy United Methodist Church and the Pledge of Allegiance to the Flag with Mayor Victor Green presiding. Councilmembers and City Staff present were as follows:

- Deputy Mayor J. V. Stone
- Councilmembers James Singer
 - Leonard Stubbs
 - Russell Sweetman
 - Nora Lake
 - Ralph Spencer
- Clerk of Council Marilyn McLaughlin
- City Manager Darryl Kenning
- Assistant City Manager John Levermann
- City Planner Garth Reynolds
- Service Director Richard Bishop
- City Engineer Karl Schab
- Director of Parks and Recreation John Dunathan
- Chief of Police William Randolph
- Director of Finance William Bettcher
- Municipal Attorney Robert Farquhar

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

- Council Meeting:
 - October 3, 1977.
- Council Work Session Meeting:
 - October 3, 1977.

Mr. Spencer moved that the Minutes of the Foregoing Meetings be approved, as distributed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Stone abstained.

Mayor Green announced the Mayor's Prayer Breakfast to be held Monday, October 31, 1977 at the Convention Center to begin at 7:30 A.M. Councilman Leonard Stubbs will attend.

Mr. Kenning reported the following during his City Manager's Report: The September Activity Report of the Police Department was reviewed. The next Council Outreach Program will be held Tuesday, October 18, 1977 at 12:00 noon at Denny's Restaurant. Work has begun on the Maple Avenue Improvement Project. Approximately \$600.00 was generated for the General Fund resulting from the Annual Police Auction held Saturday, October 15, 1977.

A Representative from the Fire Department advised that, to date, 622 fire hydrants have been inspected (61% of the hydrants in this area), 18 (3% of those inspected) were found to be out of service for various reasons; 25% had one or more defects which hinders their operation. Mr. Sweetman expressed his dissatisfaction with Montgomery County's lack of cooperation with the Fire Department concerning fire hydrant repair. Mr. Kenning will further pursue better cooperation between the Fire Department and the Montgomery County Sanitary Department.

Mr. Sweetman, in making reference to a copy of a letter sent to William Brayshaw, District Deputy Director, Ohio Department of Transportation from Jack Jensen, Executive Director, TCC, concerning another delay in the construction of I-675, suggested that the six southern Cities arrange an audience with Governor Rhodes to pursue the construction of I-675.

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Mr. Russell Dustman, Member of the Citizens for Cooperative and Responsive Government Committee, thanked Council for the cooperation existing between the City of Centerville and Washington Township.

ORDINANCE NUMBER 30-77 REZONING WOODMAN LANES/MEEKER

The Public Hearing was held concerning Ordinance Number 30-77, an Ordinance to rezone approximately 97.4 acres of land from Washington Township R-3 and Centerville I-1 to Centerville R-1, R-3 and R-4 zone classifications. Mr. Reynolds located the subject property on a map; being situated along the east side of Bigger Road, south of Thomas Paine Parkway and north of Alexandersville-Bellbrook Road. Requested is a change of 11.1 acres from I-1 to R-4 multi-family, 11.1 acres from R-3 to R-4 multi-family, 8.2 acres from R-3 to R-3 two-family, and 67.0 acres from R-3 to R-1 single-family. The Planning Commission unanimously recommended approval of this Rezoning.

Mr. Robert Archdeacon, from the Ralph L. Woolpert Company, representing the Applicant Woodman Lanes and David Meeker, reviewed requirements which this Rezoning, if approved, will cause upon the property located at the southeast corner of Thomas Paine Parkway and Bigger Road. At the time the corner lot is improved, screening and a set back of 50 feet from the rear lot line will be required.

Mr. Charles Hager, Attorney for Huber Management, the owner of the corner lot, offered their objection to the Rezoning based upon the screening and set back which will be required, if this Rezoning is granted.

Mr. Archdeacon advised that Woodman Lanes would not object to a variance being granted in the set back required but would object to paying for the buffer. He suggested that the buffer requirement be satisfied through the use of an earth mound on the lot line between these two properties. The mound should be constructed by Huber Management but would be maintained by both parties.

Mr. Stubbs sponsored Ordinance Number 30-77, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 97.4 Acres, More Or Less, From Washington Township R-3 And Centerville I-1 Classification To Centerville R-1, R-3 And R-4 Classifications, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Councilman Ralph Spencer left the Meeting at this time.

ORDINANCE NUMBER 43-77 ZONING ORDINANCE AMENDMENT REZONING

The Public Hearing was held concerning Ordinance Number 43-77, an Ordinance to Rezone certain parcels in the Architectural Preservation District to Centerville R-3 and R-4 zone classifications. Mr. Reynolds located the subject properties on a map and reviewed present uses. Properties in question are situated along the east and west side of Westerfield Drive, north and south side of Country Manor Lane, the north side of White Birch Road and the east side of Virginia Avenue. This City initiated Rezoning was unanimously recommended for approval by the Planning Commission.

Mrs. Robert Desch, owner of property located at 7 Westerfield Drive, wondered whether the alley adjacent to her property would become a major thoroughfare. Mr. Kenning advised that this access is contemplated to be a 16 foot alley, not a thoroughfare. Mrs. Lake explained, however, how the possibility does exist through future years.

Mr. Stubbs sponsored Ordinance Number 43-77, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Rezoning Land Hereinafter Described From Architectural Preservation District To Centerville R-3 And R-4 Classifications, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion

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ORDINANCE NUMBER 42-77 ZONING ORDINANCE AMENDMENT TEXT

The Public Hearing was held concerning Ordinance Number 42-77, an Ordinance to amended Section 32.05 of Ordinance Number 15-61, The Zoning Ordinance, as it relates to nonconforming signs. Mr. Sweetman sponsored Ordinance Number 42-77, An Ordinance Amending Section 32.05 Of Ordinance 15-61 As Amended, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 41-77 ZONING ORDINANCE AMENDMENT TEXT

The Public Hearing was held concerning Ordinance Number 41-77, an Ordinance which establishes procedures for sidewalk sales in the Business and AP Districts.

Upon question of Anthony Nunery, representing Goldmans, Mr. Kenning advised that tent sales on special occasions would be permitted under this proposed Ordinance, pottery sales or sales by free lance operators would not.

Mr. Sweetman sponsored Ordinance Number 41-77, An Ordinance Establishing Procedures Permitting Sidewalk Sales in Business Districts And Amending Ordinance 15-61 The Zoning Ordinance, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 50-77 NORTH MAIN STREET

The Public Hearing was held concerning Ordinance Number 50-77. Mr. Kenning reviewed the proposed Ordinance which is the result of the action of the Assessment Equalization Board concerning the North Main Street Sidewalk Special Assessment Project. Mrs. Lake sponsored Ordinance Number 50-77, An Ordinance Deleting Certain Property From The Improvement Described In Resolution No. 34-76, Determining To Proceed With The Remainder Of Said Improvement, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 51-77 SISTER CITY COMMITTEE

Mr. Sweetman moved that Ordinance Number 51-77, An Ordinance To Appoint James W. Albrecht To The Sister City Committee Of The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on November 7, 1977. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 45-77 APPRECIATION

Mr. Stone read and sponsored Resolution Number 45-77, A Resolution Of Appreciation For The Services Of Susan E. Wells As A Member Of The Arts Commission Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 46-77 APPRECIATION

Mr. Stone read and sponsored Resolution Number 46-77, A Resolution Of Appreciation For The Services Of Donald Ernst As A Member Of The Arts Commission Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 47-77 AMBRIDGE ROAD/ROLLING OAK DRIVE

Mr. Kenning reviewed and recommended acceptance of the one Bid received from the Finke Construction Company for the reconstruction and repair of the Ambridge Road and Rolling Oak Drive intersection at the Bid price of \$25,981.00. Funds are available from the 1977 Bond Levy advance; the Bid exceeds the preliminary estimate of \$19,800.00. The Bid includes a number of

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options that cannot be firmed until the street is opened and the sub-surface inspected. This will have some effect on the total cost of the project, but the total cost cannot exceed the Bid price if the subject Bid is accepted. A Performance Bond will be required from the Contractor to assure completion of the project at or below the Bid price, completion to be either this fall or next spring. Mr. Singer, from an esthetic point of view, expressed his displeasure with patching a concrete street with asphalt surface, but in consideration of the serious traffic condition existing at this location and the fact that concrete would cost, ^{at least,} twice the amount of asphalt, he would be in favor of this improvement as proposed, being made. Mr. Sweetman sponsored Resolution Number 47-77, A Resolution Accepting The Bid Of The Finke Construction Company To Supply Repair Of Roadway - Ambridge Road/Rolling Oak Drive 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. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Sweetman thanked the Centerville Police Department for a fine job performed in the apprehension of a criminal in the City of Centerville near his place of residence.

Mrs. Lake, in consideration of the City Beautiful Commission's proposal to plant trees in front of the State Farm Insurance Building on North Main Street, suggested that pressure be applied upon the Company to provide better landscaping around their structure.

There being no further business, the Meeting was adjourned.

Approved:


 Mayor of the City of Centerville, Ohio

ATTEST:


 Clerk of the Council