

Held June 7,

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CENTERVILLE CITY COUNCIL  
REGULAR MEETING  
JUNE 7, 1976

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, June 7, 1976 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Donald Norvell from the First Penecostal Church and the Pledge of Allegiance to the Flag with Mayor Victor Green presiding. Council Members and City Staff present were as follows:

Deputy Mayor J. V. Stone

Council Members Charles McQueeney

Ralph Spencer

Leonard Stubbs

Nora Lake

Russell Sweetman

Clerk of Council Marilyn McLaughlin

City Planning Garth Reynolds

Service Director Richard Bishop

City Engineer Karl Schab

Director of Parks and Recreation John Dunathan

Director of Finance William Bettcher

Chief of Police William Randolph

Administrative Assistant John Levermann

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

Regular Council Meeting

May 17, 1976

Council Work Session Meeting

May 17, 1976

May 24, 1976

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

Mayor Green brought attention to the following correspondence:

1. A request has been received from the Spanish Village Merchants Association for Council to consider the installation of a traffic signal at Fireside Drive and State Route 48; this would aid shoppers into the center, the Merchants believe a serious traffic problem exists at this location.

2. The Department of the Air Force, Colonel Titus C. Hall, Commander, has requested the City's participation in assisting a survey team from Standford Research Institute who will be conducting a socio-economic survey in our area. These studies are an important asset in developing a comprehensive plan for the Wright-Patterson Air Force Base. The survey team was to arrive approximately June 1, 1976.

3. Resolutions were received from the Miami Valley Regional Bicycle Committee concerning the placement of bikeway signs for maximum effectiveness and road maintenance for maximum safety of cyclists. This matter was referred to Mr. Dunathan.

4. The Exxon Company, U.S.A., has sent a letter of position concerning legislation which could be detrimental to the oil industry; such legislation effects the economy and people of our country.

5. A letter was received from the Dayton Area Chamber of Commerce concerning House Bill 13367 (General Revenue Sharing); the Chamber brings attention to three major last minute additions to the proposal. The Chamber suggests that views be communicated to Congressman Charles Whalen

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prior to House action later the week of June 4, 1976. Mrs. McLaughlin will obtain from Dale Bertsch, Executive Director, MVRPC, statements concerning these issues.

6. A copy of a Memorandum has been received from Dale Bertsch to Montgomery County Commissioners, Mayors and Managers, concerning the Regional Criminal Justice Center. Mayor Green requested that copies of this Memorandum and copies of the letter sent from Mr. Kenning to the Mayors and Managers Association be distributed to Council Members.

Mayor Green briefed Council on his Meeting with President Ford in Columbus two weeks ago, the major item of discussion was the Revenue Sharing Bill. Mayor Green suggested that the City pursue an increase in funds to Centerville. Mr. McQueeney requested a copy or description of the spread sheet concerning changes included in the new Bill.

Mayor Green issued a Proclamation designating June 1976, Burglary Prevention Month in the City of Centerville. He complimented the Police Department on their excellent efforts to alert citizens to detect burglaries.

Mr. Stubbs suggested that the City Manager review the possible installation of a traffic signal at Fireside Drive and State Route 48.

Upon request of Mr. Stubbs, Mr. Dunathan explained the summer recreation program; programs will be provided on six playgrounds, activities have been considerably expanded over 1975.

As questioned by Mayor Green, Mr. Schab reported that first weed notices have been sent, follow ups will be mailed shortly.

### ZONING ORDINANCE AMENDMENT BLACK OAK FOREST REZONING

Mr. Elmer Tate, Chairman of the Planning Commission, reported on their Meeting held May 25, 1976. The Commission unanimously recommended passage of an Ordinance rezoning the property owned by Southwestern Reserve Company, more particularly known as Black Oak Forest, from R-3 to R-1. Mr. Spencer moved that Ordinance Number 35-76, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 89.248 Acres, More Or Less, From Centerville R-3 Classification To Centerville R-1 Classification, be set for Public Hearing on August 2, 1976. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

### PELBROOK FARMS

Mr. Tate reviewed a change in the Preliminary Plan for Pelbrook Farms. The revised Preliminary Plan was unanimously approved by the Planning Commission subject to turn-arounds on the four lots facing Alexandersville-Bellbrook Road; the two end lots having their access way on the side lots and not on Alexandersville-Bellbrook Road, and subject to the finding of the Joint Task Force on the relocation of Wilmington Pike and the alignment of John Elwood Drive with Bellemeade Drive.

Mr. Reynolds located the subject property on a map, being 19 acres, 33 lots west off Wilmington Pike and on the south side of Alexandersville-Bellbrook Road. Mr. Robert Archdeacon, from the Ralph L. Woolpert Company and representing the property owner, advised that Covenants will be instituted in the Final Plan to provide turn-arounds or back-arounds in the rear yards of the four lots off Alexandersville-Bellbrook Road.

Mr. Richard Pavlak, 7540 Cloverbrook Park Drive, pointed out a dangerous crest on Alexandersville-Bellbrook Road at the proposed location of the curb cuts. Mr. Tate explained the fact that State Route 725 will be improved in the next few years, hopefully before this Plat is developed.

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The revised Plan is an improvement over the Preliminary previously approved.

Mrs. Lake moved that Council approve the revised Preliminary Plan for Pelbrook Farms as per motion of the Planning Commission, "subject to the turn-arounds on the four lots facing Alexandersville-Bellbrook Road; the two end lots having their access way on the side lots and not on Alex-Bell Road, and subject to the findings of the Joint Task Force on the relocation of Wilmington Pike and the alignment of John Elwood Drive with Bellemeade Drive." Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Sweetman expressed his concern with another delay in the construction of Interstate 675. He suggested that a Community Committee be developed to apply pressure for the construction of this roadway. Mayor Green will contact elected officials of other affected Municipalities to solicit their aid and assistance. He suggested that answers be requested from Congressman Charles Whalen concerning the delays in this project.

#### GEORGE CARTER ASSOCIATES SIGN APPEAL

The Public Hearing was held concerning the Appeal filed by George C. Carter against a decision rendered by the Board of Architectural Review in denying the erection of a sign to be located on the south side of the Centerville Pharmacy building.

Mrs. George Carter, representing the Association, showed pictures of the proposed sign and explained it's proposed location on the building, she believes the sign is necessary to attract business to the Franklin Plaza.

Mr. Hanny Van Velthoven, President of Continental Florist, explained their problem in attracting people to the Plaza.

Mr. Spencer questioned the usefulness of a sign on the side of the Centerville Pharmacy building, perhaps better advertising in front of the Plaza would be more effective.

Mayor Green suggested that advertising through other cooperate ways be pursued.

Mr. Reynolds fears the setting of a precedent as this type sign is not permitted in any other zoned district in Centerville.

Mrs. Lake does not believe it is Council's responsibility to make a business venture a success.

Mr. McQueeney suggested that this matter be further studied to develop some way to help these businessmen. Mr. McQueeney moved to table this Appeal to provide time for Mr. Reynolds to meet with the Merchants to review alternatives. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Stubbs moved no.

#### ZONING ORDINANCE AMENDMENT HAVERSTICK REZONING

The Public Hearing was held concerning the rezoning request filed by Ned J. Haverstick to rezone 6.3 acres of land from R-4 and O-S to B-2 zone classification.

Mr. Reynolds located the subject land on a map and reviewed adjacent zoning, property being located at the north east corner of Centerville Station Road and Clyo Road.

Mr. Robert Archdeacon, representing the applicant, reviewed their request, the zoning change would provide for a neighborhood shopping center, right-of-way will be dedicated along Centerville Station Road and Clyo Road to provide for future widening plans. Development would not take place for at least 1 to 1 1/2 years from now.

Mr. Ned Haverstick reviewed for Council their past achievements in the Community; he asked Council to consider long range benefits from this type shopping center.

Mrs. Patricia Harootyan, 7805 Raintree Road, submitted to Council a Petition signed by 39 residents objecting to the erection of a supermarket

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at the northeast corner of Centerville Station Road and Clys Road.

Mr. Richard Pavlak, believes that it is premature at this time to increase traffic flow in the area in question.

Mr. Stubbs moved that Council table this request until further action can resolve the traffic problem and street construction of Centerville Station Road and Clys Road. Mrs. Lake seconded the motion, however, she sees the traffic problem and rezoning as two separate issues. She emphasized the need for the City to consider the desires and wants of the citizens of Centerville before increasing business zoning. Mr. McQueeney believes tabling is in order for Council to be absolutely sure the right decision is made in consideration of the total Community. A roll call vote resulted in five ayes in favor of the motion; Mr. Spencer and Mrs. Lake voted no.

## ORDINANCE NUMBER 33-76 PARKS AND RECREATION

The Public Hearing was held concerning Ordinance Number 33-76. Mr. Sweetman sponsored Ordinance Number 33-76, An Ordinance Appointing Nicholas Rachford And William Sowder To The Parks And Recreation Board of the City Of Centerville And Establishing Terms Of Office, 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 34-76 PARKS AND RECREATION

The Public Hearing was held concerning Ordinance Number 34-76. Mr. Sweetman sponsored Ordinance Number 34-76, An Ordinance Amending Section 555.14 Of The Centerville Municipal Code By Adding Regulations Relating To The Erecting And Attaching Signs, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## CUSTOM TERRARIUM CURB CUT

Mr. Reynolds located on a map the location of a proposed curb cut for Custom Terrarium, being the property at the north west corner of East Ridgeway Road and Maple Avenue. The Board of Architectural Review recommended approval of the cut as submitted by Gregg Harris. Mr. Schab located improvements proposed to Maple Avenue in relation to the property in question. From an engineering standpoint, he recommended approval of the curb cut off Maple Avenue and that the existing cut off Ridgeway Road be closed. Mr. Spencer questioned whether a tenant can request a curb cut. Discussion followed concerning whether Council can require that the curb cut onto Ridgeway Road be closed. Mr. Sweetman moved to table this matter until the property owner is contacted and an opinion is received from Mr. Farquhar as to what action Council can take and this item become an agenda item again very quickly. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Harris asked for a decision on this curb cut as soon as possible.

## ORDINANCE NUMBER 36-76 WASTE COLLECTION

Mr. Spencer moved that Ordinance Number 36-76, An Ordinance Providing For The Issuance Of \$40,479 Of Notes Of The City Of Centerville, Ohio, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying The Cost Of Certain Solid Waste Collection Equipment, be set for Public Hearing on June 21, 1976. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## ORDINANCE NUMBER 37-76 ARTS COMMISSION

Mr. Sweetman moved that Ordinance Number 37-76, An Ordinance Appointing Virginia Siler And Arthur Foland To The Arts Commission Of The City Of Centerville, Ohio And Establishing A Term Of Office, be set for Public

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Hearing on June 21, 1976. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 23-76 PARKS AND RECREATION

Mr. McQueeney sponsored Resolution Number 23-76, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract With The Centerville-Washington Park District For A Summer Playground Program On Parks Within The City, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 24-76 COMPENSATION

Mr. Sweetman sponsored Resolution Number 24-76, A Resolution Authorizing A Salary Increase For The Clerk Of Council, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 25-76 APPRECIATION

Mr. Stubbs sponsored Resolution Number 25-76, A Resolution Of Appreciation For The Services Of Chet Bauch As A Member Of The Arts Commission Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 26-76 APPRECIATION

Mr. McQueeney sponsored Resolution Number 26-76, A Resolution Of Appreciation For The Services Of Bruce H. Baker As A Member Of The City Planning Commission Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

SOUTH SUBURBAN COMMERCIAL AREA SECTION TWO

Mr. Schab reviewed his recommendation to release the Performance Bond posted on South Suburban Commercial Area, Section Two; all corrections in construction have been made. Mr. Sweetman moved that the Performance Bond on South Suburban Commercial Area, Section Two be released subject to the receipt of a Maintenance Bond in the amount of \$1,100.00. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 27-76 GASOLINE CALENDAR

Mr. Levermann reviewed the five bids received for materials, art work and printing of the 1976/77 Annual Report Calendar. It was recommended that Council accept the bid of the Brown and Kroger Company in the amount of \$4,990.00 less than that of a Centerville printing Company. Mr. Sweetman would like to see business stay in Centerville when feasible. Mr. Stone sponsored Resolution Number 27-76, A Resolution Accepting The Bid Of Brown And Kroger Company To Supply Materials, Art Work And Printing Of The 1976/77 Annual Report Calendar 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. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved: Victor A. Green  
Mayor

ATTEST:

Marilyn J. Laughlin  
Clerk of the Council