

RECORD OF PROCEEDINGS

Minutes of

REGULAR

Meeting

Johnson-Watson • Dayton Blank Book—D-2585

Held April 1, 1974

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REGULAR MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, April 1, 1974 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with the Pledge of Allegiance to the Flag with Mayor Paul Hoy presiding. Council Members and City Staff present were as follows:

Deputy Mayor J. V. Stone
 Councilwoman Nora Lake
 Councilmen Charles McQueeney
 Russell Sweetman
 Ralph Spencer
 Leonard Stubbs
 Clerk of Council Marilyn McLaughlin
 City Manager James Smith
 Assistant Service Director Thayer Thompson
 Municipal Attorney Robert Farquhar
 City Engineer Karl Schab
 Director of Finance William Bettcher
 Supervisor of Parks and Recreation Timothy Shroyer
 City Planner Robert Winterhalter
 Chief of Police William Randolph

The Minutes of the Meeting of March 18, 1974 had been distributed prior to this Meeting. Mr. Stone moved that the Minutes of the Meeting of March 18, 1974 as distributed, be approved. Mr. McQueeney seconded the motion. Mrs. Lake advised that in paragraph nine, the vote in Planning Commission should be changed from 4-0 to 4-1, this concerns the Rezoning Request filed by Mid-American Building Corporation. Mr. Stone and Mr. McQueeney agreed to amend their motion to include the change. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Robert Archdeacon, from the Ralph L. Woolpert Company, appeared to obtain the status of the dedication of Fireside Drive. Mayor Hoy advised that Council has requested of the City Staff proof that the roadway meets Centerville Street Standards. Mr. Schab advised that tests have been made in 1971 by Bowser-Morner Testing Laboratories, Inc., copies of these tests will be available for Council's review. Mr. Archdeacon explained improvements and repairs which will be made to bring the street to Centerville Standards. A Plat has been submitted to the City for approval.

Mr. Smith reported the following during his City Manager's Report:

1. Legislation has been received from the Ohio Department of Transportation concerning the upgrading of at-grade railroad crossing approach signs and pavement markings.
2. Income Tax collection has increased by 12.2 percent as compared to this time last year.
3. On March 29, 1974 the City's purchase of approximately 35 acres of land on the north side of West Spring Valley Road at Virginia Avenue was closed.
4. Master keying of the Municipal Building has been completed.
5. The three trucks ordered from Voss Chevrolet should be received around April 15, 1974.
6. Highway warning signs are being changed along State Route 48.
7. The newsletter should be mailed approximately April 19, 1974.
8. The City Beautiful Commission has requested that the City go to bid for trees to be planted on Far Hills Avenue between North Village Drive and Fireside Drive. Mr. Sweetman moved that Council authorize the City

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Manager to go to bid for said trees. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

As questioned by Mr. Stubbs, Mr. Smith advised that bidding will be advertised concerning the City's street resurfacing program for 1974 when the Annual Appropriation Ordinance is passed by Council.

Mr. Winterhalter reviewed items acted upon by the Planning Commission during their March 12, 1974 Meeting. He reviewed the Rezoning Request filed by Mid-American Building Corporation for a change of 8.451 acres, more or less, from S-2 to R-1 zone classification. The property is located at the eastern end of Mapleton Drive. Mr. Spencer moved that Ordinance Number 21-74, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 8.451 Acres, More Or Less, From Centerville S-2 Classification To Centerville R-1 Classification, be set for Public Hearing on May 20, 1974. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Sweetman was absent for this item on the agenda.

Mr. Winterhalter explained the Record Plan for Carriage Square, Section Two. He reviewed the Fire Department's concern: width of streets, visibility of house numbers and turn radii. The Fire Department by letter dated March 21, 1974 is acceptable to 24 foot streets; a 50 foot radius has been required on all turns and street numbers will also be placed on the rear of the condominiums; these conditions have been agreed to by the Ralph L. Woolpert Company representing the Developer. All resolutions of the Planning Commission and the Fire Department have been resolved. Mr. McQueeney stressed the need for developers to construct at least 27 foot streets in plats in the future. Mr. McQueeney moved that Council accept the Record Plan for Carriage Trace, Section Two, as outlined on the map dated February 18, 1974. Mr. Sweetman seconded the motion. Discussion followed concerning the amount of Bond to be required. Mr. Schab advised that the Ralph L. Woolpert Company has been advised that some grades within the building site are barely within the minimum required by Centerville. Additional area drains will be required if problems develop. Mr. McQueeney and Mr. Sweetman withdrew their motion. Mr. McQueeney moved that Carriage Square (Trace), Section Two, be approved subject to the receipt of a \$1,800.00 Bond. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Winterhalter reviewed the Curb Cut Application submitted by Danners Inc., for the Cambridge Inn Cafeteria located on the east side of Far Hills Avenue north of the Steak and Ale Restaurant. Requested is one 51 foot Curb Cut onto the Access Road parallel to Far Hills Avenue. Mr. Sweetman moved that Council approve this Request for a Curb Cut. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Winterhalter explained the Record Plan for Whipp Road Estates, Section Two. Sidewalk has been recommended by the Planning Commission on both sides of all streets; the Plan contains an addition to the Iron Horse Park. Mr. Valdis Lapsins, Chief Engineer for the John Judge Engineering Company and representing the Developer, explained his recommendation for no crossing across the railroad tracks to the park, people will go to the Village South Park without crossing the tracks. The Planning Commission by a 5-0 vote recommended no easement across the tracks to the park. Mr. Stone moved that Council approve the Record Plan for Whipp Road Estates, Section Two, subject to the receipt of a Performance Bond in the amount of \$95,000.00, an Inspection Fee of \$324.60 and sidewalk on both sides of all streets in this Section. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mr. Sweetman voted no. Mr. Sweetman's no vote indicates his concern for people crossing the tracks

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in conjunction with the proposed high speed transit system.

The Public Hearing was held concerning Ordinance Number 19-74. Mr. Spencer sponsored Ordinance Number 19-74, An Ordinance Providing For The Issuance Of \$178,000 Of Park And Recreational Real Estate Acquisition Bond Anticipation Notes By The City Of Centerville, Ohio, In Anticipation Of The Issuance Of Bonds, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 20-74 was held. Mr. Stubbs sponsored Ordinance Number 20-74, An Ordinance Appointing Dianne W. Vezza As A Member On The Centerville Arts Commission And Fixing A Term Of Office, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Farquhar briefed Council on the Conditional Use Request filed by Warehouse Beer Systems Company, Inc., Mr. E. H. Swaim President, to sell beer on the west side of North Main Street. Discussion followed concerning the fact that the building is proposed to be built where the extension of Wythe Parish has been intended. Mr. Stubbs moved that this Request for Conditional Use be denied. Mayor Hoy seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mr. Spencer voted no.

Mr. Smith advised that the new Municipal Code is ready to go to press, it should be received in approximately one month. Mayor Hoy questioned the completion time in the Contract, he requested that a copy of the Contract be enclosed in the next Council packet.

Mr. Winterhalter explained the Bowling Alley and Small Retail Shops proposed by Be-Am-Co, Inc., for the east side of Bigger Road just south of proposed I-675. He explained the location and reason for the loop road in this area as recommended by the Planning Commission. Mayor Hoy reminded Council that the question being considered is whether to require the construction of the loop road and if so where it should be located. Mr. Robert Archdeacon, representing the Developer, advised that the State will construct a by-pass to meet Centerville Street Standards except for width if and when I-675 is built which will then provide access to property to the north of this property. Mr. Norman Fear, a Realtor, explained Mr. Grillo's displeasure in being required to construct this access road to benefit someone else if the Interstate is not constructed. Mr. Stone moved that Council waive the requirement that the Developer construct the loop or access road in the event that the State elects not to construct I-675. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion, Mrs. Lake voted no.

Mr. Schab explained the proposed improvements along East Franklin Street. Sidewalk in the Architectural Preservation District will be brick construction. Improvements are estimated to cost approximately \$39,000.00. Bids received on East Whipp Road improvement will be reviewed before a firm cost estimate is made.

Mr. Sweetman briefed Council on the activities of the TCC Annual Meeting held on March 29, 1974.

Mr. Sweetman advised Council of the CATV South of Dayton Committee Meeting held on March 28, 1974. A Public Hearing has been scheduled for April 18, 1974 at 7:30 P.M. at the Kettering Government Center concerning a CATV Franchise. Mr. Sweetman invited all Centerville residents to attend this Hearing, Centerville must now take a positive stand on this matter.

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Mayor Hoy suggested that the Municipal Attorney ascertain whether a Resolution endorsing the Public Hearing is necessary, and if so, that it be prepared for the April 15, 1974 Council Meeting.

Mrs. Lake reported on the Miami Valley Regional Planning Commission Meeting held March 27, 1974. She requested that the Chief of Police respond to the Gun Control Proposal. This item will be on the agenda for the next Council Meeting.

Mr. Sweetman sponsored Ordinance Number 22-74, An Emergency Ordinance Appointing William McCrabb III To The Centerville Planning Commission For The Unexpired Term Of William F. Murphy, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in four ayes in favor of the motion, Mrs. Lake, Mr. Stone and Mr. Stubbs voted no.

Mr. McQueeney moved that Ordinance Number 23-74, An Ordinance Appointing William McCrabb III To The Centerville Planning Commission For The Unexpired Term Of William F. Murphy, be set for Public Hearing on April 15, 1974. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Smith reviewed proposed Ordinance Number 24-74. Mr. McQueeney sponsored Ordinance Number 24-74, An Emergency Ordinance To Amend Ordinance 4-74, To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1974, and moved that it be passed. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Stubbs stated his dissatisfaction with not having more time to review these appropriations.

Mr. Sweetman moved that Ordinance Number 25-74, An Ordinance To Amend Ordinance Number 4-74, To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1974, be set for Public Hearing on April 29, 1974. Mr. Spencer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. McQueeney sponsored Resolution Number 14-74, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract With The Centerville-Washington Township Park District For A summer Playground Program On Five Parks Within The City, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

As the Poll of Council was taken, the following comments were received:

Mr. McQueeney made reference to a letter received from the Montgomery County Commissioners in reference to Waste Incineration. He suggested that a Centerville Representative be appointed to the Task Force concerning this matter.

As questioned by Mr. Sweetman, Chief of Police William Randolph advised that some traffic problem relief has been provided at Main and Franklin Street.

Mr. Stubbs suggested that consideration be given to residents of Centerville growing vegetation on the City owned 35 acres of land on West Spring Valley Road.

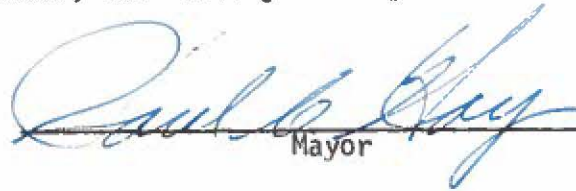
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As suggested by Mr. Stubbs, the City Staff will review the possibility of the City providing residents with a sticker designating a certain trash can just for papers. This sticker should contain the collection day.

Mr. Stubbs moved that Council accept Fireside Drive as a dedicated street in accordance with the City Engineer's recommendation dated March 15, 1974. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Hoy explained the cause for delay in the passage of the Personnel Ordinance. It should be in best form in the very near future.

There being no further business, the Meeting was adjourned.



Mayor

ATTEST:



Clerk of Council