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## SPECIAL MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session on Monday, June 18, 1973 at 8:00 P.M. at the Centerville High School, South Building. The Meeting was opened with the Pledge of Allegiance to the Flag with Mayor Paul Hoy presiding. Councilmen present were as follows: Russell Sweetman, John McIntire, Charles McQueeney, Leonard Stubbs, J. V. Stone, John Davis, City Manager James Smith, City Engineer Karl Schab, Municipal Attorney Robert Farquhar, Director of Finance William Bettcher and Clerk of Council Marilyn McLaughlin.

Mr. John Slack, 701 Clareridge Lane, appeared before Council questioning what violations are apparent in the Clareridge Manor Apartment Complex. Mr. Smith advised that some violations have been found, contact will be made with the Developer after further consultation with the Municipal Attorney.

Mrs. Susan Erion, 7855 Raintree Road, appeared wondering whether there are any plans for curbing the boulevard portion of Rahn Road. Mr. Smith pointed out that this is a matter of consideration by the City Beautiful Commission.

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

1. The Personnel Appeals Board has met with employees of the Street and Waste Collection Departments, a future Meeting will be held between the City Manager and the Personnel Appeals Board.
2. The City's Summer Recreation Program began this date, June 18, 1973.
3. Overtime in the Waste Collection Department will be in excess of the anticipated Budget for 1973, reason being an increase in tonage and in home occupancy. Mr. McIntire pointed out the fact that there is no need for a rate increase in Waste Collection this year in the City of Centerville regardless of the County Incinerator's effort to obtain an increase in their tonage fee.
4. Specifications have been prepared for the resurfacing of certain streets throughout the City. The application of slurry seal was discussed by Council. Mr. Schab explained how slurry seal has value to good streets.
5. Strip Drains on Rolling Oak Drive and Ambridge Road in Black Oak Estates II are being reworked.

The Oath of Office was administered by Mr. Farquhar to City Beautiful Commission Members Carol Smith, Susan Erion, Faye Duncan, William Meinhardt and Charles White.

The Oath of Office was administered to Arts Commission Member Carol Schoenwetter by Mr. Farquhar.

The Public Hearing was held concerning Ordinance Numbers 53-73, 55-73 and 57-73. Mr. Farquhar explained the proposed Ordinances, they appoint William F. Murphy, Elmer C. Tate, Jr. and Bruce H. Baker to the Centerville Planning Commission for three year terms.

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Mr. Sweetman sponsored Ordinance Number 53-73, An Ordinance Appointing William F. Murphy To The Centerville Planning Commission For A Term Of Three Years Commencing June 5, 1973, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Stubbs sponsored Ordinance Number 55-73, An Ordinance Appointing Elmer C. Tate, Jr. To The Centerville Planning Commission For A Term Of Three Years Commencing June 5, 1973, 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. McIntire voted no.

Mr. McQueeney sponsored Ordinance Number 57-73, An Ordinance Appointing Bruce H. Baker To The Centerville Planning Commission For A Term Of Three Years Commencing June 5, 1973, and moved that it be passed. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Farquhar administered the Oath of Office to Centerville Planning Commission Members William F. Murphy, Elmer C. Tate, Jr. and Bruce H. Baker. Mr. Stubbs expressed Council's appreciation to all Applicants for the vacated seats on the Planning Commission, the retiring Member and the Members who were willing to serve another three years. Mr. McIntire expressed his concern with the possible inadequacy of the routine of the Planning Commission, he suggested that innovations, ideas and thoughts be forthcoming on making changes which will look to closer detail, new ideas should be stimulated. He suggested that the City Management and City Planner strive for more comprehensive planning. Mr. Stubbs suggested that joint Meetings be considered between the City and Township Planning Commissions. As requested by Mr. Sweetman, Mr. Farquhar will review all details and requirements concerning the jurisdiction the City has in the three mile limitation into Washington Township. He will report his findings during the next Council Work Session. City Planner Robert Winterhalter briefed Council on the requirements as set forth in the Ohio Revised Code.

The Public Hearing was held concerning Ordinance Number 25-73. The Notice of Public Hearing was read by the Clerk of Council. The proposed Ordinance was reviewed by Mr. Winterhalter, it makes certain changes to figures in the Centerville Zoning Ordinance of 1961.

Attorney Charles Allbery, representing Carriage Square, questioned what effect foot note "g" would have on his Development. Mr. Farquhar suggested inserting the words "or zoning" to the third sentence to prevent any problem for these Developers.

Mr. Ralph Woodley, Developer of Industrial Park in Centerville, opposed reducing the number of uses permitted in an I-1 District. The current Industrial Park is 50 to 60% occupied with service uses.

Mr. McIntire pointed out the fact that this Ordinance has not been revised as was previously requested by Council, he suggested that it be sent to the Planning Commission with the revisions and the revisions be clearly indicated. Mr. Stone suggested passing the Ordinance at this time with the amendment as suggested by Mr. Farquhar and that another amending Ordinance be forthcoming to include Council's requested revision. Mr. Davis sponsored Ordinance Number 25-73, An Ordinance Modifying

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Figure 1, Residential Uses And Requirements; Figure 2, Business Uses And Requirements; Figure 5, Industrial Uses And Requirements; Figure 9, Conditional Uses, Requirements And Procedures; Of The Centerville Zoning Ordinance, and moved that it be passed as amended, with the third sentence of foot note "g" reading "Multi-Family dwellings in existence, under construction or for which a building or zoning permit has been issued as of the effective date of this amendment in EC Districts shall be considered a conforming use and shall be subject to the "EC" requirements of Figure 1, in effect at the commencement of their use, the definition of garden apartment, and the additional procedures and requirements stated in Section 18." Mr. McQueeney seconded the motion. Mr. McIntire ordered that an Ordinance be drafted for Planning Commission's consideration to eliminate Drive-In Theatres from the I-1 District as well as B-2. Mr. McIntire and Mayor Hoy stated their opposition to this Ordinance affecting the present zoned I-1 land, and requested that the Ordinance be reworked by Mr. Farquhar and be returned in proper form to the Planning Commission. Mr. Davis withdrew his motion, Mr. McQueeney withdrew his second to the motion. Mr. McIntire moved that this Ordinance be returned to the Planning Commission in it's revised form. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Hoy excused himself from this portion of the Meeting, Deputy-Mayor John McIntire presided. The Public Hearing concerning Ordinance Number 51-73 was held. Mr. Farquhar reviewed the proposed Ordinance, an Ordinance which would require the installation of utilities in new residential plats to be underground.

Mr. Bill Newell, representing the Ohio Bell Telephone Company, advised that they are in general agreement with the Ordinance. However, he suggested that the word "possible" be changed to "feasible" in item (b) under Section 6; Mr. Farquhar recommended making the change.

Mr. Sweetman wondered if item (c) in Section 2 should provide for a longer period of time than six months. Mr. Farquhar recommended adding "except by permission of the City" to the paragraph. Mr. Sweetman also wondered about the necessity for item (f) under Section 2. in consideration of the safety factor. Mr. Farquhar will review the paragraph, if it can be deleted an amendment will be forthcoming. Mr. Sweetman also questioned easements and establishing of final grade in Section 3, he suggested that this Section be more specific.

Mr. McIntire questioned the inclusion of Cable TV under item (b) Section 6, in consideration of the fact that Cable TV is not considered a utility in the State of Ohio. Mr. Farquhar advised that by including it in the Ordinance, it can be regulated.

Mr. Stone sponsored Ordinance Number 51-73, An Ordinance Requiring Underground Installation Of All Utilities In New Residential Plats And Subdivisions, and moved that it be passed as amended in Section 2 item (c) Electrical or communication overhead lines temporarily connected due to an emergency, but not to exceed six month duration except by permission of the City; Section 6 item (b) Wherever feasible, underground electric lines, cable TV lines and telephone lines shall be located within the same trench; and that if Section 5 item (f) can be deleted it will be done by a future amendment. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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Mayor Hoy returned to the Meeting at this time and presided.

Mr. Sweetman announced a Cable TV Meeting set for the 28th day of June, 1973, to be held at the Kettering Government Center at 7:30 P.M.

Mrs. McLaughlin announced that a letter of resignation has been received from City Beautiful Commission Member Linda Bohman.

An Immediate Release from the Board of Montgomery County Commissioners concerning incineration fee increase was read by the Clerk of Council. Due to the national freeze on prices implimented by President Nixon the fee cannot be increased at this time.

Mr. Smith explained the fee increase as proposed by the County Incinerator, if the fee increase were permitted at this time it would increase from \$7.90 per ton to \$12.50 per ton. He suggested that consideration be given to separating materials to reduce tonage hauled to the Incinerator. Mayor Hoy requested that a thorough investigation be made into alternatives which the City might consider.

Mr. Smith recommended that the Bid of Standard Oil Company for the purchase of gasoline for the City for regular at the price of 17.90 cents per gallon plus tax be accepted. Mr. McQueeney sponsored Resolution Number 18-73, A Resolution Accepting The Bid Of Standard Oil Company For Gasoline For 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.

Mr. Sweetman sponsored Ordinance Number 58-73, An Emergency Ordinance Authorizing And Directing The City Manager To Enter Into A Contract For The Services Of A City Planner With Robert Winterhalter, and moved that it be passed. Mr. Davis seconded the motion. Mr. McQueeney suggested that consideration be given to the next Contract being for a one year period. This item will be further discussed in a Council Work Session. A roll call vote resulted in six ayes in favor of the motion; Mr. Stubbs voted no.

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

Mr. Stubbs suggested that for the Holiday at Home Program in Kettering this year, a challenge be proposed between the Kettering Council and Centerville Council, possibly a bicycle race.

Mr. McQueeney wondered about weed cutting at intersections. The City Manager advised that notices have been sent, enforcement was requested by Council.

There being no further business, the Meeting was adjourned.

Approved:

  
Mayor

ATTEST:

  
Clerk of the Council