

RECORD OF PROCEEDINGS

Minutes of

SPECIAL

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held April 17, 1972

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SPECIAL MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session Monday, April 17, 1972 at 8:00 P.M. at the Centerville Municipal Building. The Meeting was opened with the Pledge of Allegiance to the Flag with Mayor Paul Hoy presiding. Councilmen present were as follows: Leonard Stubbs, Charles McQueeney, John Davis, Russell Sweetman, John McIntire, J. V. Stone, City Manager James Smith, Municipal Attorney Robert Farquhar, City Engineer Carl Lewis, Director of Finance Ronald Budzik, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of March 20, 1972 had been distributed prior to this Meeting. Mr. Stone moved that the Minutes of the Meeting of March 20, 1972 as distributed, be approved. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Hoy recognized Girl Scout Troop Number 54 in presence at this Meeting.

Mrs. Pat Search, 7775 Park Creek Drive, a resident in Black Oak Estates II, Section Five, appeared before Council to request that the City Engineer make another study concerning the drainage problem in Black Oak as improvements have not remedied the problem.

Mr. Carl Cobb, 6430 Colechester Court, wondered what action is being taken to solve the flooding problem in Village South. Mayor Hoy advised that information relative to a ditch district in this area has been requested of the City Manager and Municipal Attorney and should be received in the very near future.

Mr. Richard Currence, 351 Whittington Drive, wondered what will be done with the flooding in the Village South Park. Mr. Sweetman recommended that the City Manager contact the Park Board as soon as possible concerning this matter and if catch basins will solve the problem, such should be put in place.

Mr. Davis reported on the Planning Commission Meeting held April 11, 1972. The Commission approved the Curb Cut Application by the Union Oil Company for the station located on South Main Street at East Spring Valley Road. The present curb cut will be moved to just east of where it is now located, the second or new cut to be located 75 feet east from the new location of the present cut. Both cuts will be 30 feet in width, the area between them to be sodded. Mr. Davis moved that Council approve the Curb Cut Request by the Union Oil Company as presented on the map dated April 4, 1972 carrying the description of Ramp Lay-out, Main Street and Spring Valley Pike, Centerville, Ohio. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 21-72, was held. The proposed Ordinance was reviewed by the Municipal Attorney. It is an amendment to Chapter 36 of the Code of Ordinances, and the Standard of 0.1 foot candle is in accordance with the Zoning Ordinance relative to the Industrial District. He recommended further study be made as to whether this is adequate in the Business Districts. Discussion followed concerning determination as to the degree of light of 0.1 foot candle, and whether this is reasonable. The City Manager will acquire information determining the amount of light this Ordinance will permit prior to the effective date of this Ordinance. Mr. Davis wondered if there is a safety hazard at certain times on South Village Drive resulting from the lights at Voss

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Chevrolet shining onto this roadway.

Mr. Weldon Scardino, 340 Edgebrook Drive, spoke in favor of the Ordinance, he recommended purchasing a light meter to measure the amount of light to aid in the enforcement of the Ordinance.

Mr. McIntire recommended amending the Ordinance to include control over the directing and focusing of lights on adjacent property.

Mr. Elmer Wargo, 6437 Colechester Court, brought attention to a light safety hazard possibly existing while turning onto Colechester Court from South Village Drive.

Councilman Charles McQueeney expressed the endorsement for passage of the Ordinance from Bob Buchanan, 6131 Marshall Road.

Mr. Farquhar recommended passage of this Ordinance at this time and an amendment be studied to incorporate the suggested changes.

Mr. Davis sponsored Ordinance Number 21-72, An Ordinance Regulating The Illumination Of Signs And Other Outdoor Lighting By Amending The Code Of Ordinances, 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. Stone voted yes on the condition that the amount of light will be measured. He recommended that the City Manager write a letter to Voss Chevrolet informing them of the safety hazard being created by them in Village South. Mayor Hoy requested that a definition be received relative to 0.1 foot candle.

The Public Hearing concerning Ordinance Number 23-72, was held. Mr. Smith explained the proposed Ordinance. Mr. Budzik brought out the fact that the City is striving to provide the best and most high quality services for it's citizens, this is reflected in the Capitol Improvement Fund incorporated in the Ordinance. Mr. McIntire moved that Ordinance Number 23-72, An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1972, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Clerk of Council Marilyn McLaughlin advised that an Appeal has been received from the Acro Realty Company, Inc. relative to the Decision of the Planning Commission rendered on March 28, 1972 concerning their Rezoning Request. A Public Hearing has been set for May 15, 1972 before Council.

Mr. McIntire sponsored Ordinance Number 25-72, An Emergency Ordinance Appointing Ronald H. Janetzke To The Personnel Appeals Board, 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 moved that Ordinance Number 26-72, An Ordinance Appointing Ronald H. Janetzke To The Personnel Appeals Board, be set for Public Hearing on May 1, 1972. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Davis moved that Council convene into an Executive Session at this time to discuss appointments to the Board of Architectural Review. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Following the Executive Session, Mr. McIntire recommended that the following be named to serve the 2 three year terms, 2 two year terms and 1 one year term as established in the Ordinance:

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Mrs. Elizabeth Hoy
 Mr. Fredrick Focke
 Mr. Joseph Ledbetter
 Mr. Howard Kreider
 Mr. Eugene Mayleben

Mr. Sweetman sponsored Ordinance Number 27-72, An Emergency Ordinance To Appoint Members To The Board Of Architectural Review As Established By Ordinance 80-71 And To Establish Terms For Said Appointees, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Stone moved that Ordinance Number 28-72, An Ordinance To Appoint Members To The Board Of Architectural Review As Established By Ordinance 80-71 And To Establish Terms For Said Appointees, be set for Public Hearing on May 1, 1972, Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Municipal Attorney Robert Farquhar explained Ordinance Number 29-72. This is an amendment to Ordinance Number 45-71 which amended Section 22 of the Code of Ordinances relative to driving while under the influence of intoxicants. The proposed Ordinance contains the recent change made in Ohio Law by the State Legislators. Mr. Sweetman sponsored Ordinance Number 29-72, An Emergency Ordinance Amending Ordinance No. 45-71 Which Amended Section 22.22 Of The Code Of Ordinances Of The Village Of Centerville, Ohio Relating To Driving Or Physical Control While Under The Influence, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. McIntire moved that Ordinance Number 30-72, An Ordinance Amending Ordinance No. 45-71 Which Amended Section 22.22 Of The Code Of Ordinances Of The Village Of Centerville, Ohio Relating To Driving Or Physical Control While Under The Influence, be set for Public Hearing on May 1, 1972. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Farquhar reviewed Ordinance Number 31-72, the proposed Ordinance adds a definition Section to Centerville's Code of Ordinances relating to alcoholic beverages. The Ordinance is in conformance with definitions according to State Statute. Mr. Davis sponsored Ordinance Number 31-72, An Emergency Ordinance To Amend Chapter 32 Of The Code Of Ordinances Of Village (Now City) Of Centerville By Adding A Definition Section, 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 moved that Ordinance Number 32-72, An Ordinance To Amend Chapter 32 Of The Code Of Ordinances Of Village (Now City) Of Centerville By Adding A Definition Section, be set for Public Hearing on May 1, 1972. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

City Manager James Smith explained the proposed bike route as described in Ordinance Number 33-72. He suggested a minor change be made to the route, he suggested that from Clareridge Lane it be turned into Cable Court to Maltie, to Archer and then onto Spring Valley Road, thus providing better sight distance onto Spring Valley Road. Passage of the Ordinance was deferred until the City Manager confers with Members of the Jaycees the recommended changes in the bike route. Mr. Sweetman pointed out the fact that this route is not hazardless but is the best that can be arranged. Mr. Farquhar suggested that perhaps the routes be graded (Junior,

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Senior). Mayor Hoy suggested that the Jaycees be notified that the subject Ordinance will not be passed in time for the proposed bike way opening.

Mr. Farquhar reviewed Ordinance Number 34-72. The proposed Ordinance permits the City to clean premises upon proper previous notice having been given and provides a criminal penalty for violation to this Section of the Code of Ordinances. Mr. Stone moved that Ordinance Number 34-72, An Ordinance Amending Chapter 36 Of The Code Of Ordinances Of The Village (Now City) Of Centerville By Prohibiting Littering And Depositing Of Garbage, Rubbish, Junk, Etc. On Property In The City Of Centerville; By Providing A Procedure For Removal And By Providing A Penalty, be set for Public Hearing on May 1, 1972. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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

Mr. Sweetman, in view of recent developments and a personal interview with the Congressional Representative of the Third District, sponsored Resolution Number 10-72, A Resolution Requesting A Congressional Investigation Of The Chevy Chase Apartment Development, and moved that it be adopted. Mr. McIntire seconded the motion. The Resolution authorizes and directs the Mayor and City Manager to communicate with the Representative to Congress for the Third Congressional District of Ohio and the two United States Senators of Ohio to request an investigation of the Chevy Chase Apartment Project and its apparent approval by FHA, in light of the allegation of an article appearing in the April 13, 1972 issue of the Dayton Journal Herald. Mrs. Marcy Wylie, 204 Waterford Drive, brought special attention to the expenditure of taxpayers' money in this Apartment Project. Mr. Stubbs indicated his objection to the Resolution as a result of a newspaper article. Mr. McIntire felt that the article strikes a new note in the Chevy Chase Apartment Project, passage of the Resolution is in order. A roll call vote, resulted in four ayes in favor of the motion. Mr. Stubbs, Mr. McQueeney, and Mr. Stone voted no. Mr. David Price, 154 Waterford Drive, pointed out that the cost figure per unit contained in the newspaper article was verified by the Cincinnati Office of FHA. Mr. Carl Linxweiler, 8661 Lebanon Pike, suggested that someone visit a project such as is proposed in Centerville in another area of the United States to see what it really is.

The Meeting was then adjourned.

Approved:


 Mayor

Attest:


 Clerk of Council