

RECORD OF PROCEEDINGS

Minutes of

REGULAR

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held

May 1, 1972

19

REGULAR SESSION

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, May 1, 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: Russell Sweetman, John Davis, J. V. Stone, Charles McQueeney, Leonard Stubbs, John McIntire, City Manager James Smith, Municipal Attorney Robert Farquhar, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of April 3, 1972 had been distributed prior to this Meeting. Mr. McIntire moved that the Minutes of the Meeting of April 3, 1972 as distributed, be approved. Mr. Davis seconded the motion. Mr. Stubbs requested and moved that the following sentence in paragraph ten "Mr. Stubbs felt this ratio will be changed as time goes forward. He felt that tax monies should not be spent on Court suits." be changed to read "Mr. Stubbs disagreed with Mr. McIntire's conclusion concerning 512 units being built on subject land and noted that numerous single family homes are being constructed or are planned for construction, thus the one apartment/ two home ratio will not occur. He felt that tax monies should not be spent on Court Suits when so advised by the City Attorney." Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Minutes of the Meeting of April 10, 1972 had been distributed prior to this Meeting. Mr. Davis moved that the Minutes of the Meeting of April 10, 1972 as distributed, be approved. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Minutes of the Meeting of April 17, 1972 had been distributed prior to this Meeting. Mr. Stubbs moved that the Minutes of the Meeting of April 17, 1972 as distributed, be approved. Mr. McQueeney seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Davis reported on the Planning Commission Meeting held April 25, 1972. He explained the Rezoning Request of James L. Schwindeman for 11 acres located east of East Von Dette Circle and north of Black Oak Estates, requested was a change from Washington Township R-2 to Centerville R-1. The Planning Commission suggested that Mr. Schwindeman resubmit a Request for a change to S-2, 30,000 square foot lots and a Residential Development Plan, thus the proposed development would correspond with adjacent development. The Planning Commission recommended denial of the Request by a 5 to 0 vote.

The Public Hearing concerning Ordinance Number 26-72, was held. Mr. McIntire sponsored Ordinance Number 26-72, An Ordinance Appointing Ronald H. Janetzke To The Personnel Appeals Board, and moved that it be passed. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 28-72, was held. Mr. McIntire sponsored 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, 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. Sweetman expressed his thanks to these citizens for devoting time to serve on this Board. They were sworn into Office by Mr. Farquhar.

Held

May 1, 1972 continued

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The Public Hearing concerning Ordinance Number 30-72, was held. Mr. Farquhar explained the proposed Ordinance, it amends Ordinance Number 45-71 which amended Code Section 22.22 relating to driving or physical control while under the influence. Said Ordinance reflects a recent change made to Ohio Law by the State Legislature. Mr. Sweetman sponsored 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, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 32-72, was held. Mr. Farquhar reviewed the proposed Ordinance which adds a definition Section to Chapter 32 of the Code of Ordinances. It defines such items as Intoxicating Liquor, Beer, Alcohol, Spirituous Liquor and other related items. Mr. Stubbs sponsored 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, and moved that it be adopted. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Stone suggested and moved that a copy of the applicable Code Chapter plus the Ordinance be distributed to all businesses in Centerville engaged in the sale of this type of product. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Sweetman moved that a copy of the applicable Code Chapter and Ordinance also be forwarded to the Schools for clarification to students. Mayor Hoy seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 34-72, was held. The Ordinance was reviewed by the Municipal Attorney. Mr. Davis sponsored 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, and moved that it be passed. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Hoy read a letter received from Catherine Lundy, Clerk for Greene County Commissioners, stating that due to the high costs of other projects, the Commission has requested that Wilmington Pike be withdrawn from Issue One Funding. They would like Centerville's concurrence with their findings. Following discussion, Council concurred to take no action on this matter.

Mr. Farquhar advised that he is drafting an Ordinance which will provide improved requirements in B-1 and B-2 zoning. Procedures will be the same as are proposed for EC and B-3 Districts.

Mr. Farquhar reviewed the procedure to be followed in setting up a Ditch District. A Resolution of Assessment should be prepared by a Bond Counsel. Bonds would be sold and then paid off through assessment. The Engineer would then be directed to undertake the study. Mr. Farquhar felt that perhaps a Ditch District is the only solution to the drainage problem in Village South; he suggested that action begin as this is a long process. Mayor Hoy suggested that a study be made to determine whether this is the solution and whether it is feasible, before action is begun. Mr. McQueeney felt that the City Engineer, when hired, should make the study rather than a Consulting Engineer.

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Mr. McIntire moved that Council convene into an Executive Session to review an item of importance. Mr. Davis 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 made reference to a letter received from Mrs. Ruth Zehring concerning the marking of belongings with one's Social Security Number. He suggested that this would be a good project for the Centerville Youth Board, the letter to be forwarded on to the Board.

Mr. McQueeney wondered if some help could be offered by the City to keep up the Recycling Center. Mr. Smith will pursue the removal of the wrecked vehicles upon the land. Mayor Hoy suggested and Council concurred that any legal help be offered to improve the condition of the Center.

Mr. McQueeney requested adequate time to consider future proposed Ordinances and Resolutions.

Mr. Stone expressed his concern about inspections in the City and approval of undedicated streets. He requested that the City Manager, at the next Council Work Session, present some background on the number of undedicated and private streets in the City, he is concerned with their construction and adequacy for Fire protection and Police protection.

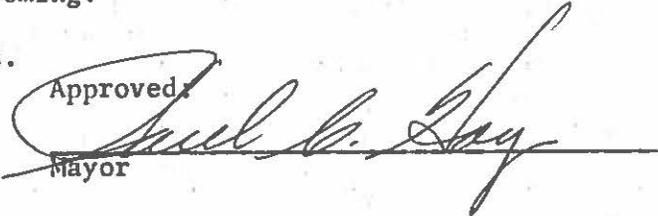
Mr. Stubbs made reference to the March, 1972 Fire Department Report, he stressed due recognition for Squadman Gene Buechner who, while at an accident scene on March 26, saved the life of a victim by plunging into icy water and pulling the victim to safety.

Mr. Stubbs expressed his happiness to see MVRPC receive the go ahead on the Rail Study in the Centerville area. He felt Council's cooperation should be indicated concerning this matter. Mr. Davis brought attention to the Meeting scheduled by T.C.C. for Cities having some participation in the Urban Corridor System.

Mayor Hoy made reference to the letter received from William B. Saxbe, dated April 25, 1972, recognizing receipt of Resolution Number 10-72, he has contacted the Department of Housing and Urban Development concerning this matter, a reply will be forthcoming.

The Meeting was then adjourned.

Approved:


  
Mayor

Attest:


  
Clerk of Council