

RECORD OF PROCEEDINGS

Minutes of

SPECIAL MEETING

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held June 19,

1972

SPECIAL MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session on Monday, June 19, 1972 at 8:00 P.M. at the C. L. Stingley Elementary School. The Meeting was opened with the Pledge of Allegiance to the Flag with Mayor Paul Hoy presiding. Councilmen present were as follows: John Davis, Leonard Stubbs, Charles McQueeney, John McIntire, J. V. Stone, City Manager James Smith, Municipal Attorney Robert Farquhar, City Engineer Karl Schab, Director of Finance Ronald Budzik, and Clerk of Council Marilyn McLaughlin.

Mayor Hoy read a letter received from Councilman Russell Sweetman requesting an official excuse from City Meetings during the period between June 17, 1972 and July 2, 1972 at which time he will be on active duty with the United States Army Reserves. Mr. Davis moved that Council excuse Councilman Russell Sweetman from this Meeting. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Minutes of the Meeting of June 5, 1972 had been distributed prior to this Meeting. Mr. Davis moved that the Minutes of the Meeting of June 5, 1972 as distributed, be approved. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Public Hearing concerning the Paul E. Lapp, Inc. Conditional Use Request was held. Mr. Donald Ernst from the Ralph L. Woolpert Company and representing the Applicant, explained the Request. The property is located on the south side of Alexandersville-Bellbrook Road just west of Wilmington Pike. Proposed is a Residential Development Plan consisting of 141 single family residential lots in conjunction with a 5.5 acre dedicated park, 61% of the lots to be between 15,000 and 20,000 square feet with the remaining 39% being in excess of 20,000 square feet. The area includes the property owned by Dr. Meng. Lots adjacent to property west of the proposed development are in excess of 30,000 square feet. The Plan is designed to bring Mapleton Drive to the Lapp land in an orderly fashion. The size of the Park has been approved by the Chairman of the Centerville-Washington Park Board. The area will be serviced for sanitary facilities by the Sugar Creek Sewer Treatment Plant when it is constructed.

Mr. Milton Simmons, 1460 Taitwood Drive, wondered when the Sugar Creek Trunk System will be completed. Mr. Ernst advised that it should be constructed in a year or a year and one-half along with the Treatment Plant.

As requested by Mr. Stubbs, Mr. Ernst advised that the construction date for the Development Plan is the fall of 1972.

Mr. McIntire wondered if the Developer would be willing to deed the Park land to the City of Centerville. Mr. Ernst advised that the Park could be deeded to either the City or Park District, whichever is desired.

Mr. Frank Filo, 1675 Ambridge Road, wondered what use the Park District has proposed for the Park area. Mayor Hoy referred Mr. Filo to Park Director Russell Miller.

Mr. Roland McSherry, 1443 Ambridge Road, questioned the set back of lots bordering on Alexandersville-Bellbrook Road. Mr. Ernst advised that the right-of-way width for Alexandersville-Bellbrook Road in front of the Development will be 90 feet, the roadway will be improved according to Centerville Street Standards. Mr. Davis advised that the set back will be 60 feet from the right-of-way line.

Mr. Farquhar reviewed a Residential Development Plan, it provides for a variation in lot sizes in a particular zoned district. The Planning Commission recommended approval of this Request by a 4 to 0 vote.

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Mr. Stubbs moved that the Zoning Certificate be issued for the Conditional Use for the Paul E. Lapp, Inc. land. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 41-72 was held. Mr. Smith reviewed the changes which the Ordinance makes in City personnel. Mr. McIntire sponsored Ordinance Number 41-72, An Ordinance To Amend Ordinance Number 13-72, February 21, 1972 To Establish A Table Of Organization, Personnel Classifications, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, For The Fiscal Year 1972, and moved that it be passed. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 33-72 was held. The City Manager reviewed the Bike Route as proposed by the Centerville-Washington Township Jaycees, signs have been erected and markings painted on the pavement. Mr. Stubbs sponsored Ordinance Number 33-72, An Ordinance Establishing A Bike Route Through The City Of Centerville, Ohio, And Providing For Authorization And Regulations Concerning Marking Signs For Said Route, and moved that it be adopted. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mayor Hoy encouraged bike riders and parents to ride the route with caution as some areas are not as safe as is desired by Council, it is the best route which could be established.

Mr. Smith reviewed the bid received from The Standard Oil Company for the purchase of Boran gasoline at the rate of \$.1565 per gallon plus tax, to be delivered in quantities of 4,000 gallons to the City of Centerville. Mr. Davis sponsored Resolution Number 14-72, A Resolution Ratifying The Action Of The City Manager In Executing A Contract With The Standard Oil Company Of Ohio For The Purchase Of Bulk Gasoline For City Use Pursuant To Authority In A Motion Passed By The Council On June 5, 1972, and moved that it be passed. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Smith advised that he plans to invite six planners to be interviewed by Council at some date in the future, one to perhaps be hired by the City of Centerville. Mr. McQueeney encouraged such a Meeting as soon as possible.

City Manager James Smith reviewed the Rezoning Request of the Black Oak Development Company, subject property is located on the east side of Clyo Road south of Alexandersville-Bellbrook Road. Mr. Farquhar reviewed the following deed restrictions as prepared by the Applicant to be placed upon the property if and when the Ordinance is passed:

1. The number of single family residential living units to be constructed shall not exceed 330.
 2. All such living units shall be constructed under the condominium or cooperative basis in a cluster manner to be offered for sale to individual home purchasers.
 3. Restrictions will remain in effect for 10 years.
 4. A Home Owners Association will be formed to maintain private streets, open areas, drainage ditches, parks and all commonly owned facilities.
 5. Black Oak Development Company is agreeable to deed restrictions which would limit the 8.0 acre B-2 tract to one filling station.
 6. Black Oak, if it is the desire of Council, is willing to delete the 1.4 B-2 acre tract from the Request.
- Mr. Stubbs felt that Council should support the decision of the Planning

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Commission and reject the Rezoning Request at this time; he feels that the Request with the Deed Restrictions should go to the Planning Commission for re-consideration. Mr. McQueeney questioned the Developer's reaction to the Plan submitted by Mr. James Singer at the Council Meeting of June 5, 1972. The Developer advised that they do not wish to expend more money on this proposal at the present time. Mr. McIntire wondered whether the Centerville-Washington Park District would accept the Deed for the Park land, that portion as proposed for dedication. Mr. Ernst advised that Park Board Chairman William Yeck has indicated that he would accept the Deed or would be willing for the City to accept it if so desired. Following further discussion, Mr. Stone moved that Council meet with the Planning Commission to discuss this Request at the earliest possible time. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

City Manager James Smith requested that Council set a Public Hearing date for the Annual 1973 Budget for the City of Centerville. Mr. McIntire moved that Monday, July 17, 1972 be established as the Public Hearing date for the Annual Budget for 1973 to be before the Montgomery County Budget Commission by July 20, 1972. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Architect Robert Makarius made a formal presentation of the proposed Municipal Building to be located on the four acre tract of land owned by the City and occupied by the present Municipal Building. The new building will be of Virginia Style Architecture and is estimated to cost approximately \$250,000.00. Mr. Stubbs commended Mr. Makarius for his performance thus far. Discussion followed concerning the proposed driveway to the west side of the Building. It was pointed out by Mayor Hoy and Mr. Davis that plans have been to remove this driveway. Mr. Stone moved that Council accept the presentation of the new Municipal Building as presented by Robert Makarius, with the driveway to the west removed, and that the working drawings be prepared along with a cost estimate. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Clerk of Council Marilyn McLaughlin read a letter received from John K. Buehl, Secretary-Treasurer of the Centerville Auxiliary Police, thanking Council for the recognition dinner held in their behalf on May 23, 1972.

Mr. Farquhar explained proposed Ordinance Number 43-72; it adopts the Ohio Building Code, appoints the Chief Administrative Officer, and sets forth a schedule for Inspection Fees. Mr. McQueeney sponsored Ordinance Number 43-72, An Emergency Ordinance To Adopt The Ohio Building Code By Reference Authorizing The City To Enter Into A contract With Other Municipalities, Counties, Health Districts Or Other Political Subdivisions, Persons, Firms Or Corporations To Do Its Plans Approval And Inspections, Designating A Chief Enforcement Official And Adopting Inspection Fees, and moved that it be passed. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. McIntire moved that Ordinance Number 44-72, An Ordinance To Adopt The Ohio Building Code By Reference Authorizing The City To Enter Into A Contract With Other Municipalities, Counties, Health Districts, Or Other Political Subdivisions, Persons, Firms Or Corporations To Do Its Plans Approval And Inspections, Designating A Chief Enforcement Official And Adopting Inspection Fees, be set for Public Hearing on July 10, 1972. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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Mr. Smith reviewed proposed Resolution Number 15-72. It ratifies an Agreement to permit the J. S. Davis Company to construct a 24 inch storm sewer across the back of the Epiphany Lutheran Church Property from the existing 24 inch storm drain on the west edge of the Chrysler Property to the property owned by the Villager, Phase II. Water will be drained in an enclosed ditch at the expense of the J. S. Davis Company. This installation will prevent a drainage problem from occurring on the property to the west of the present Voss Chevrolet building. Mr. Stubbs wondered about the existing drainage problem from the Village South Park land onto the property owned by Richard Currence. Mr. Russell Miller, Park Director, advised that this problem could be remedied by the cleaning of the open drainage ditch. Mr. Schab will meet with Mr. Miller to review the existing problem. Mr. Stone sponsored Resolution Number 15-72, A Resolution Ratifying An Agreement Executed On May 24, 1972, By And Between The City Of Centerville, Ohio, Epiphany Lutheran Church, The J. S. Davis Company And The Villager, Phase II, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Following discussion relative to a Council Meeting being held on July 3, 1972 the day before a Holiday, Mr. Davis moved that the first Council Meeting in July be held on the 10th day of July, 1972. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Hoy called a Council Work Session for Monday, June 26, 1972 at 8:00 P.M. in conjunction with the Planning Commission to review the Black Oak Rezoning Request.

As the poll of Council was taken, the following comments were received: Mr. Stubbs encouraged a joint meeting between the Centerville-Washington Park Board, the City of Centerville and the Washington Township Trustees.

Mr. Davis brought attention to a letter received from Mr. and Mrs. Weldon Scardino relative to additional sign requirements in the City. Mayor Hoy recommended that this letter be directed to the Planning Commission for a recommendation to Council.

Mr. McQueeney formally requested that a Meeting be set between the Centerville-Washington Park Board, The Centerville Y. and Everyone involved in recreation, to resolve a coordinated recreation program; said Meeting to be held at an early date.

Mr. Davis reviewed the Meeting which he attended relative to Cable TV in the Dayton Area. The purpose of the Meeting was to determine whether Communities are interested in looking further into Cable TV. Mr. Stubbs encouraged further consideration. Mayor Hoy and Mr. McIntire wondered about public reaction; Mayor Hoy recommended that the City Manager arrange for a presentation on Cable TV for the July 10, 1972 Council Meeting, at this time a Centerville Representative could also be appointed.

There being no further business, the Meeting was adjourned.

Approved:

Mayor

Attest:

Maria J. ...
Clerk of Council