

RECORD OF PROCEEDINGS

Minutes of

SPECIAL

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1027

Held August 21

19 72

SPECIAL MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session on Monday, August 21, 1972 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: J. V. Stone, John McIntire, Russell Sweetman, John Davis, Leonard Stubbs, City Manager James Smith, Municipal Attorney Robert Farquhar, City Engineer Karl Schab, Director of Finance Ronald Budzik and Clerk of Council Marilyn McLaughlin.

Mr. Sweetman moved that Councilman Charles McQueeney be excused from this Meeting. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Mike Koester, representing the Dayton Public Service Union, appeared before Council to present notification of membership in Local #101 signed by five Waste Collection employees.

The Public Hearing was held concerning the Rezoning Request of James Schwindeman for a change of 11 acres from Washington Township R-2 to Centerville S-2 classification.

The Notice of Public Hearing was read by the Clerk of Council.

The City Manager located the subject property on a map. It is located north of the Duff Property, south of Drs. Kelso and Hughes Properties and would be the eastern extension of Mapleton Drive. Request if granted would provide a reduction in lot sizes, from 40,000 to 30,000 square foot lots. Discussion followed concerning the street layout in the proposed development. Mayor Hoy pointed out that being considered at this time is only the Rezoning Request.

As requested by Mr. McIntire, Mr. Farquhar reviewed the uses and requirements for S-2 zoning as outlined in figure 1 of the Zoning Ordinance. The Planning Commission recommended approval of this Request by a 5-0 vote.

Mr. Stubbs sponsored Ordinance Number 45-72, An Ordinance Amending Ordinance No. 15 Dated December 11, 1961, The Zoning Ordinance, By Rezoning 11 Acres, More Or Less, From Washington Township R-2 Classification To Centerville S-2 Classification, 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. Davis reviewed the Planning Commission Meeting held August 15, 1972. Attorney Roland Eichner, representing the Gold Circle Store, explained their request to modify their existing curb cut onto Alexandersville-Bellbrook Road. Proposed total width to be approximately 150 feet to provide a two lane entrance and a two lane exit separated by an island into the parking lot. As requested by Mr. McIntire, Mr. Schab defined the existing right-of-way of Alexandersville-Bellbrook Road as 45 feet, locating the proposed island 3 feet from the proposed north right-of-way line. The width of the actual pavement into the parking lot is requested to be increased from 45 to 60 feet. Mr. Davis advised that the Planning Commission recommended approval of this Application by a unanimous vote subject to the construction of acceleration and deceleration lanes upon the widening of 725 unless deemed by the City to be needed earlier based on accident information and/or traffic counts. Mr. Sweetman felt that this recommendation should be more concrete. Mr. Farquhar suggested that a written agreement be signed to effect this condition of approval. Discussion

Held

August 21, 1972 continued

19

followed concerning the correct time for the construction of acceleration and deceleration lanes. Mr. Eichner advised that these lanes will be provided when the configuration of SR 725 is permanent. Based upon the Planning Commission's recommendation, Mr. Davis moved that Council approve the widening of the curb cut in accordance with the map dated, approved by the Planning Commission August 15, 1972, off Alexandersville-Bellbrook Road into the Gold Circle Complex with the proviso that the Municipal Attorney and the Representative for Gold Circle can draw up an agreement to the satisfaction of the City and Gold Circle interests for acceleration and deceleration lanes. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Eichner also explained their Request to install a Gas Dispensing Facility to be located on Loop Road south and east of the present Gold Circle Store. The Facility will be bounded on the east side with trees, one non-rotating single 4 x 5, 20 foot high sign is proposed to be located to the west of the structure. The building will be brick with no sewer and water facilities; it will be open only during the open hours of the Gold Circle Store. The Planning Commission unanimously recommended approval of this Request. Mr. Davis moved that Council authorize the issuance of an amended Zoning Certificate for the Gas Dispensing Facility at the Gold Circle Store. Mr. Stone seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mayor Hoy and Mr. Stubbs voted no.

Mr. Stone reviewed the Public Health and Safety Council Committee recommendation to pass a Resolution to recommend additional bed space in the Kettering Memorial Hospital. Mr. Stubbs sponsored Resolution Number 16-72, A Resolution Of The Centerville City Council To Recommend Approval Of Additional Beds For The Charles F. Kettering Memorial Hospital To The Greater Dayton Area Health Planning Council, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Council concurred that a Council Committee be representative of Centerville on the South of Dayton Franchise Committee for Cable TV. Mayor Hoy suggested that this representation be assigned to the Public Services Council Committee. Mr. Stone moved ratification of Mayor Hoy's suggestion. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Municipal Attorney Robert Farquhar advised that he is presently preparing an Ordinance to effect revisions in Centerville's Building Code.

Mr. Farquhar reviewed his opinion and explained the three basic ways to vacate an alley. A request had previously been made by the First Baptist Church of Centerville to vacate the alley between North Main Street and Maple Avenue. Attorney Ronald Fobes, representing the Church, presented to Council a "Consent To Vacate" signed by twelve members of the Advisory Board of the First Baptist Church to vacate the alley immediately adjacent to the Church at 38 North Main Street; the alley is abutted and surrounded by property owned by the Church. Their reasons for requesting this vacation are:

1. Traffic using the alley is primarily the result of motorists avoiding the traffic light at Main and Franklin Streets.
2. This traffic constitutes a hazard to Church members and Children.
3. Traffic turning onto or off of North Main Street constitutes a hazard to other motorists.
4. Alley serves no useful purpose, other roads connect North Main Street to Maple Avenue.

The necessary Ordinance will be prepared by Mr. Farquhar for Council's consideration.

RECORD OF PROCEEDINGS

Minutes of

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held August 21, 1972 continued

19

City Manager James Smith reviewed the bids received for applying bituminous material to various streets in the City of Centerville. The bids were as follows:

- Slurry Seal: Benedict Slurry Seal, Inc. - 23.8 per gallon
- Ziehler Road Materials, Inc. - 28.0 per gallon
- Tack-coat: Ziehler Road Materials, Inc. - .25 per gallon
- John R. Jurgenson Company - .25 per gallon
- T-35 Asphalt: Ziehler Road Materials, Inc. - 8.49 per ton
- John R. Jurgenson Company - 8.60 per ton

Mr. Smith recommended accepting the bid of Benedict Slurry Seal, Inc. for the purchase of 57,276 square yards of Slurry Seal for a total price of \$16,037.28, the bid of Ziehler Road Materials, Inc. for 19,000 gallon of Tack-coat for a total price of \$4,750.00, and the bid of Ziehler Road Materials, Inc. for 9,000 tons of T-35 Asphalt for a total price of \$76,410.00. Mr. McIntire sponsored Resolution Number 17-72, A Resolution Accepting The Bid Of Benedict Slurry Seal, Inc. For The Purchase Of Slurry Seal, And The Bid Of Ziehler Road Materials, Inc. For The Purchase Of Bituminous Tack-coat And T-35 Bituminous Asphalt For The City Of Centerville And To Authorize The City Manager To Enter Into Contracts In Connection Therewith, 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. Smith advised that the plans and specifications have been prepared for the Rahn Road Railroad Crossing and the Improvement to Rahn Road to provide a four lane divided roadway from Marshall Road east for 800 feet. Mr. Stone sponsored Ordinance Number 50-72, An Emergency Ordinance Authorizing The Director Of Public Service Who Is The City Manager To Advertise For Bids For Construction Of A Railroad Crossing At The Intersection Of East Rahn Road And The Pennsylvania Railroad Tracks In Compliance With Section 735.05 Of The Ohio Revised Code, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Farquhar reviewed a proposed agreement to retain Robert S. Winterhalter as a Planner for the City of Centerville for a 90 day period. The agreement will automatically terminate after 90 days unless otherwise renewed in writing. It provides for the compensation to be \$2200.00 for 20 hours per week and three meetings per month. For hours in excess of 20 per week and as requested in writing from the City Manager, he will be paid \$8.00 per hour. This is an agreement only between the City of Centerville and Robert Winterhalter. Mr. Davis sponsored Ordinance Number 51-72, 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. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Sweetman moved that Ordinance Number 52-72, An Ordinance Authorizing And Directing The City Manager To Enter Into A Contract For The Services Of A City Planner With Robert Winterhalter be set for Public Hearing on September 11, 1972. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Smith reviewed the Record Plan for Section One of Chevy Chase Park. The only public street through the development will be Loganwood Drive to continue from State Route 48 to the present Loganwood Drive. City Engineer Karl Schab recommended that Council accept the Bond for Section One, Chevy Chase Park in the amount of \$160,432.20; Inspection Fee to be \$382.00. Sidewalks to be at least four feet wide through the development. Mr.

Held

August 21, 1972 continued

19

Farquhar recommended rounding off the Performance Bond at \$161,000.00. Mr. Davis moved that Council approve the street layout and Performance Bond for Chevy Chase Park, Section One as indicated by the Municipal Attorney and City Engineer. Mr. Stubbs seconded the motion. A roll call vote resulted in three ayes in favor of the motion. Mr. McIntire, Mr. Sweetman and Mayor Hoy voted no.

As requested by property owners on Chevy Chase Drive, an Ordinance to change the name of their street to Bristol Drive had been prepared. Mr. McIntire moved that Ordinance Number 53-72, An Ordinance Changing The Name Of Chevy Chase Drive To Bristol Drive be set for Public Hearing on September 11, 1972. Mr. Davis seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Stubbs abstained.

There being no further business, the Meeting was adjourned.

Approved:

Mayor

ATTEST:

Clerk of Council

Marie J. Sauger