

RECORD OF PROCEEDINGS

Minutes of

REGULAR

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held December 4

19 72

REGULAR MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, December 4, 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: Russell Sweetman, John McIntire, Charles McQueeney, Leonard Stubbs, 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.

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

The Minutes of the Meeting of November 20, 1972 had been distributed prior to this Meeting. Mr. McIntire moved that the Minutes of the Meeting of November 20, 1972 as distributed, be approved. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Hoy recognized Cadet Girl Scout Troop 598 in attendance at this Meeting.

Mr. Smith reviewed Resolution Number 27-72; It authorizes the following changes in the Contract with Studebaker Electric Company for the new Centerville Municipal Building:

1. Complete add alternate Number 1 as proposed in the bid.
2. Re-work the wiring of certain lighting and power to the present emergency generator.
3. Eliminate the wiring only to the elevator.
4. Change switch gear due to emergency generator changes.

The changes increase the original Contract in the amount of \$3,357.00. Mr. McQueeney sponsored Resolution Number 27-72, A Resolution Authorizing Certain Change Orders In The Contract With Studebaker Electric Company For The New Centerville Municipal Building, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Resolution Number 28-72 was reviewed by the City Manager; It authorizes the following change orders in the General Contract for the new Centerville Municipal Building:

1. Complete add alternate Number 1 of the bid.
2. Substitute Anderson Vinylclad windows.
3. Substitute Anderson Vinyl shutters.
4. Water-proof the concrete block foundation walls as presented by the Architect.
5. Blacktop paving specifications decreased.
6. Add Zonolite into eight inch block walls surrounding vault.
7. Furnish and install inserts in elevator shaft and close elevator door openings with temporary closures.

The above changes amount to an increase of \$3,579.00 in the Contract with Fryman and Kuck. The proposed Resolution also increases the Contract with Jerry Seubert, the Mechanical Contractor, by \$1,132.00 to install three inch cast iron water service two inch meter connections and by-pass and to furnish labor and materials to complete add alternate Number 1 of the bid. Mr. Sweetman sponsored Resolution Number 28-72, A Resolution Authorizing Certain Change Orders In The Contract With Fryman And Kuck, General Contractors And Jerry Seubert, Mechanical Contractor For The New Centerville

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Municipal Building, and moved that it be passed. Mr. McQueeney seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Public Hearing was held concerning the Rezoning Request filed by Edward Wainscott in behalf of several property owners on East Franklin Street.

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

City Manager James Smith located the subject property on a map. Requested is a change of 5 lots on the south side of East Franklin Street from R-2 and R-3 and 1 lot on the north side from R-2 to Architectural Preservation District. The property is east of and adjacent to the present AP zone.

Mr. Edward Wainscott, representing the Applicants, explained their reason for this Request; the increase of traffic on East Franklin Street will eventually require widening of the roadway. Mr. Wainscott felt that the subject land should have been included in the AP District when it was established.

Mrs. Maddie Frazier, 140 East Franklin Street, pointed out that the neighborhood presently exists like a business district.

Mr. Michael Williams, 104 East Franklin Street, feels with business next door and across the street, his property should also be zoned for business.

Mrs. Emma Hosket, 148 East Franklin Street, and Mrs. Helen Gerhard, 154 East Franklin Street, felt their property should have been included in the initial rezoning.

Mr. Gene Huch, 135 Weller Avenue, feels there is currently no need for an increase in business property. He does not want to be a neighbor to a parking lot.

Mrs. McGarvey Summers, 125 Weller Avenue, concurred with Mr. Huch's opinion.

Mrs. Barbara Huch, 135 Weller Avenue, is concerned for her children's safety next to a business district.

Mr. Kenneth Poff, 146 East Ridgeway Road, feels that the AP District should have been deeper, not just bordering along East Franklin Street; he wants his property included if the property in question is rezoned.

Mr. Herb Siewert, 41 Woodfield Place, and Mr. John Cole, 65 Woodfield Place, indicated their opposition to this Rezoning Request; they are opposed to the type of business which would be permitted.

The Planning Commission Minutes of October 17, 1972 were referred to concerning this Rezoning. The Commission recommended denial of the Request by a 4-0 vote.

Mr. Sweetman sponsored Ordinance Number 75-72, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Rezoning Various Tracts Totaling 1.220 Acres, More Or Less, And Lots 112, 113, 114 And 115 Of Weidners Second Addition To Village Of Centerville As Recorded In Plat Book "Z", Page 96 Of The Plat Records Of Montgomery County, Ohio, Together With A Previously Vacated 25 Foot Street Adjoining Said Lot 112 On The East Side Thereof From Centerville R2 And R3 Classification To Centerville Architectural Preservation District Classification. Mr. McIntire seconded the motion. A roll call vote resulted in six nays against the motion.

Mr. Smith reviewed the Planning Commission Meeting held November 28, 1972. He explained the Conditional Use Request filed by Zengel Builders, Inc. to erect a Residential Office in a R-3 zone classification, proposed to be located on the east side of North Main Street north of Zengel Drive. Concern in Planning Commission related to parking in the front of the building; approval of the Application ended in a 3-3 vote. Mr. Stone

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moved that the Conditional Use Request submitted by Zengel Builders, Inc. be set for Public Hearing on the second Council Meeting in January, 1973. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Smith explained the Application submitted by Wilson Sign Company to erect a sign "Far Hills Animal Clinic" on the front of a building located on the east side of State Route 48 just south of the Ponderosa Restaurant. The Planning Commission approved the Application conditioned upon there being no internal lighting of the sign.

The Revised Preliminary Plan for Whipp Road Estates was reviewed by Mr. Smith. The property in question is located on the south side of East Whipp Road, north and west of the Penn Central railroad tracks. A 0.951 acre park is proposed immediately south and east of the tracks. Sidewalk will be provided on the north side of Millbank Drive to an easement between 2 lots for access across the tracks onto the park land. Mr. Sweetman and Mr. McIntire expressed their concern for the safety of children crossing the railroad tracks to the park. The Planning Commission unanimously recommended approval of this Preliminary Plan with the stipulation that a 10 foot easement between lots 37, 38 or 39 be granted with a three foot walkway provided. This easement has been requested by the Park Board. City Planner Robert Winterhalter advised Council of Ted Baker's interest in this Plan in reference to crossing the railroad tracks, he pointed out that crossing the tracks was not included in the Planning Commission's recommendation. Mr. McIntire moved that Council accept the recommendation of the Planning Commission concerning approval of the Preliminary Plan for Whipp Road Estates. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion, Mr. Sweetman voted no. Mr. Sweetman again stressed his concern relative to the safety of a crossway across the tracks, he feels a firm step must be taken to avoid future problems.

Mr. Smith reviewed the Curb Cut Application submitted by the J. S. Davis Company for two Cuts on the south side of Loop Road: one 35 foot cut on the west side of the proposed development, and one 25 foot cut on the east side. Proposed is an automobile salesroom and office. City Engineer Karl Schab and the Planning Commission recommended approval of this Application by a unanimous vote. Mr. Sweetman moved that this Curb Cut Application be approved as shown on the Site Plan drawn October 26, 1972 for the Davis Buick Dealership, Mayerson and Sherritt Construction Company, General Contractors. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Record Plan for South Suburban Commercial Area, Section Two was reviewed by Mr. Smith. This is the continuation of South Suburban Road. The Planning Commission unanimously recommended approval of the Plan. Mr. Sweetman moved that the Record Plan for South Suburban Commercial Area, Section Two, be approved subject to the receipt of a Performance Bond in the amount of \$22,000.00 and an Inspection Fee of \$92.00 and in accordance with the Plan issued November 20, 1972. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Public Hearing was held concerning Ordinance Number 74-72. Mr. Smith reviewed the proposed Ordinance, the Contract authorized by this Ordinance is identical to the one previous. Mr. McQueeney sponsored Ordinance Number 74-72, An 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. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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Mr. Smith gave a progress report concerning the Rahn Road Improvement. The new highway improvement has been completed from Marshall Road east for approximately 800 feet. When weather permits the railroad track approaches will be completed. Mr. Stone again emphasized the importance of improvement of Marshall Road by the Washington Township Trustees at Rahn Road. Mayor Hoy will contact the Trustees for a firm answer to Centerville's request.

Mr. Smith reviewed the joint Meeting held between Bellbrook Officials and the Centerville Planning Commission held on November 21, 1972. Bellbrook suggested that: 1. Centerville and Bellbrook enter into a joint storm sewer district in the area of Wilmington Pike and Alexandersville-Bellbrook Road, 2. Centerville and Bellbrook collaborate in an engineering study concerning drainage in the area, and 3. reservoirs be built on the Centerville side to impound water run off and release it at a lower rate. Another joint Meeting has been set for January 23, 1973 to explore: 1. business zoning at State Route 725 and Wilmington Pike, 2. relocation of Feedwire Road or Whipp Road at Wilmington Pike, 3. widening of State Route 725, 4. density calculations for the storm sanitary system in the area, and 5. widening of Wilmington Pike. During discussion Mr. Schab pointed out that the proposal for reservoirs would be more extensive than could be considered on the Paul Lapp Property, the Lapp Property constitutes a very small portion of the entire drainage area.

Mr. Charles Abramovitz, from the Ralph L. Woolpert Company and representing Paul Lapp, reviewed his Rezoning Request. The property is located on the south side of Alexandersville-Bellbrook Road, west of Wilmington Pike. Requested is a change of 49.5 acres from Washington Township R-4 and B-2 to Centerville R-3 and B-2 classifications. Mr. Farquhar has received transfers to restrict all units to condominiums at a density of not more than 5 1/2 units per gross acre. Mr. Winterhalter recommended approval of this Request, he encourages more planned developments such as this to avoid spot zoning. The Planning Commission recommended approval of the Request by a 6-1 vote. Mr. Stubbs sponsored Ordinance Number 57-72, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 49.5 Acres, More Or Less, From Washington Township R-4 And B-2 Classification To Centerville R-3 And B-2 Classification, and moved that it be adopted. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Smith brought Council's attention to a conflict in street names, Mary Haynes and Haynes Drive in the Centerville Plat. The street has been recorded as Haynes Drive but is referred to, in all other respects, as Mary Haynes Drive. Mr. McIntire recommended that the City Manager contact the residents on the subject street to ascertain their approval of changing the name to Haynes Drive as recorded.

Mayor Hoy advised that a resignation has been received from Thomas H. Turner from the Centerville Youth Board. An invitation was extended to all interested registered voters of Centerville to submit a resume to the Clerk of Council for this vacancy.

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

Mr. McIntire suggested that Centerville adopt a policy to keep it's option open as members on various Boards and Commissions on a year to year basis. He felt Centerville should also request information and request that the organizations consult with the City of Centerville concerning

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various projects. Mr. Stone wondered if keeping the option open could have adverse effects on the organization. Mayor Hoy suggested that this matter be further reviewed and be considered as a future Council Meeting agenda item.

Mr. Stubbs questioned the progress being made relative to the City of Centerville Calendar. Mr. Smith advised that it should be completed by April 1973, it will be reviewed by Council prior to printing.

As requested by Mr. Stubbs, Mr. Smith reviewed the operation of the Centerville Animal Warden.

Mr. Stubbs solicited Council's reaction to the local high school broadcasting system broadcasting a Council Meeting. Mr. McQueeney and Mayor Hoy suggested that this be done only on short special items. Mr. McIntire suggested that the broadcasting company do what they desire.

There being no further business, the Meeting was adjourned.

Approved:

Paul C. Hoy
Mayor

ATTEST:

Marilou J. Saughlin
Clerk of the Council