

## RECORD OF PROCEEDINGS

Minutes of

REGULAR MEETING

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1087

Held February 1, 1971

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The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session, Monday, February 1, 1971 at 7:30 P.M. at the Municipal Building with Mayor Paul Hoy presiding. Councilmen present were as follows: John Zengel, John Davis, Victor Green, Russell Sweetman, City Manager John Griffin, City Engineer Frank Williams, Municipal Attorney Robert Farquhar, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of January 11, 1971 had been distributed, as revised, prior to this Meeting. Mr. Zengel moved that the Minutes of the Meeting of January 11, 1971 as distributed and revised, be approved. Mr. Sweetman seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mr. Davis abstained.

The Minutes of the Meeting of January 18, 1971 had been distributed prior to this Meeting. Mr. Zengel advised that "We Blow Den 4" in the first sentence, fifth paragraph should read "Webelos, Den 4". Mr. Sweetman moved that the Minutes of the Meeting of January 18, 1971 as amended, be approved. Mr. Green seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mr. Davis abstained.

The Minutes of the Meeting of January 21, 1971 had been distributed prior to this Meeting. Mr. Green moved that the Minutes of the Meeting of January 21, 1971 as distributed, be approved. Mr. Zengel seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mr. Davis abstained.

Councilman John McIntire entered the Meeting at this time.

City Manager John Griffin reported for the Planning Commission. He reviewed the Public Hearing held concerning the Variance Application submitted by the Bonded Oil Company to permit signs to be located 15 feet from the existing right-of-way of Spring Valley Road and 30 feet from the existing right-of-way of State Route 48. The Planning Commission unanimously denied this Request.

The Public Hearing held concerning the Variance Application of Dr. John D. Welsh for his property at 69 West Franklin Street was reviewed by Mr. Griffin. Requested is a 2 foot set back from the front property line for an existing sign. This Request was approved by the Planning Commission since the sign and its' location is in keeping with the neighborhood and consistent with other signs for which variances have been granted.

Mr. Griffin reviewed the Public Hearing held before the Planning Commission concerning the Variance Request of Harry E. Misel, Jr., Architect, on behalf of Shakey's Inc. The property is located at 6090 Far Hills Avenue; requested was a variance in the parking requirements in an EC District. Approved by the Planning Commission was a screened parking area in the front of the building. They also approved the landscape plan and the open ditch running through the property with a paved bottom and sodded sides. The approved plan includes three driveway entrances each 24 feet wide onto North Village Drive. Mr. Green recommended permitting no left turns from North Village Drive into the two most western entrances of the development. Mr. Green moved that a Zoning Certificate be granted to Shakey's Inc., in compliance with the drawing as shown. Mr. Zengel seconded the motion. Mr. Davis pointed out the fact that there is no parking permitted in front of the buildings in the EC District and felt that this should exist south from the Ponderosa. A roll call vote resulted in six ayes in favor of the motion.

Councilman J. V. Stone entered the Meeting at this time.

The Public Hearing concerning the Rezoning Request of Frank W. Williams for a change from Washington Township R-4 to Centerville I-1 for .844 acres located on the west side of Clio Road approximately 1750 feet north of the intersection of Clio Road and East Franklin Street was reviewed by Mr. Griffin. The Planning Commission deferred action on this Request until their Meeting on February 22, 1971.

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Mr. Griffin reviewed the Public Hearing held before the Planning Commission concerning the Rezoning Request of the Oak Creek Development Company to rezone approximately 32 acres from Washington Township R-4 to Centerville R-4, R-3 and B-2 Classification. The property is located on the west side of Wilmington Pike south of Whipp Road. The subject property was previously set aside for the Interstate 675 but is no longer needed by the Federal Government. This application will be revised for a new Public Hearing on February 22, 1971.

Mr. Griffin reviewed the Variance Application and Public Hearing held on the Request of Lubow Realty Company to locate a 4 foot by 8 foot sign six feet back from the sidewalk. The Planning Commission felt that the proposed sign was too large, thus, the Request will be revised.

Mr. Griffin explained a proposal submitted by Haverstick Builders, Inc., for a 24 acre multi-family development, 264 units, called "The Woods", to be developed in the EC District on the west side of Bigger Road immediately south of the proposed interstate. The Planning Commission approved the proposal as presented. Mr. Zengel revealed his concern over the effect this development will have on the use of the remaining adjacent land to the south; this land was specified in the Master Plan as Research and Restricted Industrial Area. As requested by Mr. McIntire, the Clerk of Council read Council's action on March 3, 1969 concerning the Rezoning Request of Edward Rose of Ohio which included this land. Mr. Stone moved that a Zoning Certificate be issued in compliance with the plans as presented. Mr. Green seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. McIntire and Mr. Zengel voted no.

Mr. Griffin explained a Rezoning Request submitted to the Planning Commission by the Springmont Company for a change in zoning of 149 acres from Washington Township R-3 and R-4 to Centerville B-1 and R-4 classifications. The property is located on the east side of Bigger Road approximately 950 feet north of Alexandersville-Bellbrook Road extending to the property owned by the Olympion Club. Proposed is 1560 apartment units, however, the Planning Commission recommended that the plan be revised to include Clio Road through the development, reducing the number of units. Mr. McIntire felt that the City's Planning Commission should do a great deal to encourage single family development.

Following discussion concerning the Bigger Road bridge over Interstate 675, Mr. Green suggested that the City exert pressure on T.C.C. to exert pressure on the Federal Government to increase the width of this bridge to four lanes.

Clerk of Council Marilyn McLaughlin advised that an Appeal of the Planning Commission decision rendered on December 28, 1970 concerning the Rezoning Request of James P. McConnaughey has been received. A Public Hearing has been set for March 15, 1971.

A notice from the Ohio Department of Liquor Control for a C2 and C1 Permit from Toodies, Inc., DBA Cork and Bottle Party Supply, 925 East Franklin Street was received and read by the Clerk of Council. Municipal Attorney Robert Farquhar advised that this use would be permitted in an Industrial Zone. Council indicated no objection to the request.

A letter was read from the Ohio Department of Liquor Control stating that the D-5 Permit Application of Pete Lahanas, 890 East Franklin Street has been cancelled by the applicant.

Mr. Zengel read a letter which he received from Robert J. Makarius, Jr., requesting the opportunity to discuss new Municipal facilities with Council at an appropriate time.

Mrs. Robert Dixon, member of the Green Meadows Garden Club introduced to Council Mark Davis, Sindy Dixon and Jack Allen, members of the Tower Heights Middle School Anti-Pollution Club. Jack Allen spoke in behalf of the club asking both Centerville Council and the Washington Township Board of Trustees to send out as a joint effort, a list of ways people in our Community can cut down on air pollution, accompanied with an endorsement letter from both Governmental bodies. They offered their assistance in distributing such material. Mayor Hoy advised that Council will do all possible to get this

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information to the people.

Mayor Hoy read the following Mayor's Report for the month of January, 1971:

Mayor's Court	
Fines and Forfeitures	\$1,197.00
Costs	556.00
	<hr/>
	Total
	\$1,753.00

Zoning Permits  
 16 Single family residences  
   1 Addition to residence  
   1 Swim club house  
   1 Sign  
   1 Conditional Use permit

Mr. Davis moved that the Mayor's Report as read, be accepted. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mayor Hoy abstained.

President Nixon's Revenue Sharing Program was discussed by Council. Mayor Hoy advised that while this subject is under discussion, it might be advantageous for every City and Local Government to express an opinion concerning this matter to Washington. Mr. McIntire suggested that a Meeting be organized to include all Municipalities in the Third Congressional District as well as Township Trustees, to be hosted by Centerville, affording the Congressman from this District the opportunity to explain what the proposal is in its' exactness. He suggested using the Washington Township Hall for such a Meeting within the next month. Mr. McIntire moved that Centerville, acting as the host City for those Municipalities and Township Officials within the Third Congressional District, invite them to attend a Meeting with the Third District Congressman, if available, on a date to be announced, in the Municipality of Centerville, for a definitive explanation of the Revenue Sharing Program as proposed by the President of the United States in his 1971 State of the Union Address. Mr. Davis seconded the motion. Mr. Stone suggested that Senator Taft be made aware of this Meeting also. Mr. McIntire added to his motion "and Senators Taft and Saxbe be made aware of this Meeting." Mr. Davis seconded the addition. Mayor Hoy advised that this will be an open Meeting. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Green suggested that Centerville immediately contact the Village of Bellbrook to offer a police dispatching service for them. Mayor Hoy will talk with the Mayor of Bellbrook concerning this matter.

Mr. Griffin gave his City Manager's Report. Delinquent Waste Collection bills were discussed by Council. Mr. McIntire emphasized the fact that all revenue must be received in order to provide for Capital Investment in three years as planned. Mr. Stone suggested that the complete procedure for collecting delinquent bills be indicated to the people prior to its effectiveness.

Mr. Griffin advised that a preliminary drawing has been submitted by the Edward J. DeBartolo, Corporation for a one-lane widening on Alexandersville-Bellbrook Road. The improvement will begin at the west edge of their property and continue eastwardly to Loop Road. The new width north of the centerline will be 24 feet. The State Highway Department has cut off the improvement about 1,000 feet east of Route 48, in anticipation of the improvement for Interstate 675.

City Manager John Griffin explained his special report on .7 mill funds from Washington Township. He recommended the following projects be submitted to the Trustees for 1971:

Maple Avenue  
 Centerville Station Road  
 West Spring Valley Road  
 Bigger Road

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Total estimated cost being \$30,977.00. Mayor Hoy stressed the fact that this money should be spent on projects inside the City limits. Council agreed that the City Manager prepare this list for submission to the Washington Township Trustees for funding in 1971.

Mr. Sweetman, representing the Social Concerns Committee, reported on their open Meeting held January 27, 1971. He invited Council to attend the second in a series of three Meetings on the same subject, to be held on February 4, 1971 at 7:30 P.M. at the Hithergreen Middle School.

Councilmen John McIntire and John Zengel were not present for the next three items on the agenda.

The Public Hearing concerning Ordinance Number 4-71 was held. Mr. Davis sponsored Ordinance Number 4-71, An Ordinance To Amend Ordinance Number 2-70 Of January 19, 1970, Ordinance Number 7-70 Of February 16, 1970, And Ordinance Number 39-70 Of October 19, 1970 For A Table Of Organization, Personnel Classifications, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 5-71 was held. Mr. Sweetman sponsored Ordinance Number 5-71, An Ordinance To Amend Ordinance Number 57-69 Establishing A Personnel Appeals Board, Adopting Personnel Rules And Regulations And Appointing Members To The Board, and moved that it be passed. Mr. Davis seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 7-71 was held. Mr. Stone sponsored Ordinance Number 7-71, An Ordinance To Amend Ordinance Number 10-68 Establishing The Salary Of The Clerk Of Council Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Green seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Municipal Attorney Robert Farquhar explained the addition which Ordinance Number 10-71 makes to Ordinance Number 45-70, that of providing a penalty for delinquent Waste Collection bills. Mr. Davis sponsored Ordinance Number 10-71, An Emergency Ordinance Amending Ordinance Number 45-70 By Providing A Penalty Charge For Non-Payment Of Refuse Collection Fees, 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. Stone sponsored Ordinance Number 11-71, An Ordinance Amending Ordinance Number 45-70 By Providing A Penalty Charge For Non-Payment Of Refuse Collection Fees, and moved that it be set for Public Hearing on February 15, 1971. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The appointment of Centerville's representative on the Miami Valley Regional Planning Commission to replace Harold M. Wells was discussed by Council. Mr. Green moved that John A. Davis be appointed as Centerville's representative on the Miami Valley Regional Planning Commission. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Davis abstained.

Mr. Green moved that Russell Sweetman be appointed as Centerville's alternate representative on the Transportation Coordinating Committee to replace Harold M. Wells. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Sweetman abstained.

Mr. McIntire moved that the Bids taken for the installation of Traffic Signalization at North Johanna Drive and East Franklin Street on December 18, 1970 be rejected. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Hoy called a Council Work Session for Wednesday, February 3, 1971 to consider the Youth Program and Rules of Council. He announced a Meeting on February 10, 1971 between the Centerville Council, Washington Township

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Trustees, and the Board of Education at the Centerville High School in the IMC Room at 8:00 P.M.

A traffic light at North Village Drive and State Route 48 was discussed by Council. Council wondered whether approval for such a light is required from the State Highway Department or can the City proceed with its erection according to State specifications. Mr. Farquhar will further research this matter.

Mayor Hoy requested a cost review of monies spent on traffic signal maintenance during the year 1970.

The Meeting was then adjourned.

Approved:

Mayor

Attest:

Clerk of Council