

RECORD OF PROCEEDINGS

Minutes of

SPECIAL

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held March 15, 19 71

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session, Monday, March 15, 1971 at 7:30 P.M. at the Municipal Building with Mayor Paul Hoy presiding. Councilmen present were as follows: Russell Sweetman, John Davis, J.V. Stone, Victor Green, John Zengel, John McIntire, City Manager John Griffin, City Engineer Frank Williams, Director of Finance Ronald Budzik, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of March 1, 1971 had been distributed prior to this Meeting. Mr. McIntire moved that the Minutes of the Meeting of March 1, 1971 as distributed, be approved. Mr. Davis seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Stone and Mayor Hoy abstained.

The Minutes of the Meeting of March 3, 1971 had been distributed prior to this Meeting. Mr. Zengel moved that the Minutes of the Meeting of March 3, 1971 as distributed, be approved. Mr. McIntire seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mr. Sweetman, Mr. Stone and Mayor Hoy abstained.

Mr. John Perazzo, 831 East Whipp Road, appeared before Council to request that East Rahn Road be opened into Kettering to give some traffic relief on East Whipp Road. Mr. Griffin explained that the Rahn Road Railroad Crossing has been submitted to Montgomery County for License Fee funding; an answer is expected sometime this coming fall. Mr. McIntire explained the legal procedure which must be followed in order to open a railroad crossing, emphasizing the time period involved.

Mr. Richard Springer, 1015 East Rahn Road, expressed the need for the widening of Marshall Road if East Rahn Road is improved.

Mrs. Gertrude Chasens, 1200 Vernon Drive, a member of Survival, Inc., appeared before Council to explain the process of paper recycling; how it is being done in other areas of the Country and how it could be done in Centerville. Mayor Hoy suggested that this matter be referred to a Council Committee for further research after the Rules of Council are adopted.

The Public Hearing concerning the Rezoning Request of James P. McConnaughey for the property on the south side of East Whipp Road east of Marshall Road, was held. Requested is a change of 36.104 acres from Centerville R-1 classification and Washington Township R-4 classification to Centerville R-3 zoning classification.

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

City Engineer Frank Williams located the property on a map.

Mr. Griffin explained the zoning of adjacent land and explained the request of the Park District: that the green space included in the plan be increased from 2.671 to 5+ acres.

Attorney James Gilvary, representing the Applicant, explained the reasons for the request; proposed is a 280 unit 2 family apartment development with a density of approximately 8 units per acre. The proposed layout preserves the wooded and lake areas.

Mr. Robert Zimmer, 560 Chipplegate Drive, opposed this request in representation of the 223 people who previously submitted their petition to the Planning Commission. He requested that the Planning Commission's recommendation of denial be upheld by Council. He asked Council to consider the fact that this request had previously been turned down by the Planning Commission and Council. The adjourning residents feel that this proposal would disrupt their single family area.

Mr. Welden Scardino, 340 Edgebrook Drive, pointed out the fact that if this request is approved Village South will be bounded on two sides by apartments. He expressed concern over the future of the Community.

Mr. Ken Meyer, 6111 Park Ridge Drive, questioned the response of the Police Department, the Sanitary Department, and the School District concerning this request. Mayor Hoy read the written response received from the Montgomery County Sanitary Department.

Mr. Ray Doyle, 6110 Park Ridge Drive, revealed his opposition to the subject request.

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Mr. Robert Eagle, 1077 East Rahn Road, questioned Council's stand on apartment project rezoning in the future. Mayor Hoy explained the legal procedure which must be followed according to law.

Mr. David Turner, 6341 Millbank Drive, feels that this is not the planned approach for Centerville which he has hoped would exist.

Mr. Roland McSherry, 1443 Ambridge Road, pointed out that a Master Plan is necessary because the single family developments as they progress make more and more land attractive for apartments and increase the value of certain property.

Mr. Jack Myers, 298 Pleasant Hill Drive, advised that apartments in Centerville should be low density and carry a high rental price. He feels that the number of apartment units in Centerville should not be increased at this time.

Mr. Ed Galloway, 5619 Royalwood Drive, asked Council to consider a time period for resubmission of a Rezoning Request.

Mr. William Harvey, 900 East Whipp Road, objected to apartments in a residential area.

Mr. Howard Glover, 1071 East Rahn Road, asked for a review of the procedure followed in a Rezoning Request. Mayor Hoy explained the procedure as set forth by law.

Mrs. Maxine Heck, 1101 East Rahn Road, wondered if Council will pass an Ordinance placing a time limit on the refileing of requests. Mayor Hoy advised that this will be considered by Council as soon as possible.

Mr. Wells Turner, 6189 Laurelhurst Lane, suggested that a Planned Community would be the answer to the apartment approach in Centerville.

Mr. Ronald Butler, 101 Davis Road, advised that the excessive amount of apartments and gas stations are ruining the appearance of Centerville.

Mr. Zengel sponsored Ordinance Number 16-71, An Ordinance Amending Ordinance Number 15 Dated December 11, 1971, The Zoning Ordinance, By Re-Zoning 36.104 Acres, More Or Less, From Centerville R-1 Classification And Washington Township R-4 Classification To Centerville R-3 Classification, and moved that it be adopted. Mr. Green seconded the motion. A roll call vote resulted in six ayes against the motion. Mr. Zengel voted yes.

City Manager John Griffin reported for the Planning Commission. He reviewed the Public Hearing held concerning the Variance Application of Kostic Construction Company to permit parking in the front of a building in the E-C District south of the Ponderosa Restaurant on Far Hills Avenue. The Planning Commission approved the Variance Request as well as the development plan for a Restaurant-Office complex, as shown, but requested that bumper blocks be installed on the north side and be so indicated on the plan. The architecture of the Office Building did not receive Planning Commission approval; a revised plan will be submitted on March 29, 1971. Mr. Green moved that Council approve the site plan as shown, dated March 9, 1971 except for the architecture of the Office Building, as recommended by the Planning Commission. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Griffin advised that a Public Hearing has been set before the Planning Commission for March 29, 1971 concerning a Variance Request by the Shell Oil Company to permit their sign at East Spring Valley Road at State Route 48 to remain as it has been erected.

Clerk of Council Marilyn McLaughlin read a letter received from Congressman Charles W. Whalen, Jr., suggesting that the Meeting relative to Revenue Sharing be rescheduled for the week of March 26, 1971. Council concurred that the Meeting be held on March 26, 1971 at 8:00 P.M.

City Manager John Griffin read a letter received from Mr. & Mrs. Everett Lake, 1470 Black Oak Drive, thanking the Police Department for spending their time with the Centerville-Bellbrook Rifle Club. Mayor Hoy requested a progress report on the club's activities thus far.

Mr. Griffin reviewed his City Manager's Report. The traffic light at North Johanna Drive and East Franklin Street will be actuated on Wednesday, March 17, 1971.

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Mr. McIntire sponsored Resolution Number 3-71, A Resolution Adopting Rules Of Procedure For The Council Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Zengel seconded the motion.

WHEREAS, Section 4.10 of the Charter of the Municipality of Centerville authorizes and directs the Council to adopt Rules to govern its Procedure; and

WHEREAS, the Council has prepared proposed "Rules of Procedure For the Council of the City of Centerville, Ohio" which are attached hereto marked Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF CENTERVILLE:

That the "Rules of Procedure" of this Council and are hereby declared to be effective this 15th day of March, 1971, and are to continue in effect until amended or repealed by subsequent action of Council.

The roll call vote resulted in seven ayes in favor of the Motion.

The Public Hearing concerning Ordinance Number 15-71, was held. Mayor Hoy reviewed the proposed Ordinance.

A Washington Township resident thanked Council for helping the young people in Washington Township and Centerville by initiating such an Ordinance.

Mr. Paul Burr, 1240 Brainard Woods Drive, wondered how the Youth Board will be appointed. Mayor Hoy reviewed the applicable Section of the Ordinance.

Mr. McIntire sponsored Ordinance Number 15-71, An Ordinance Establishing A Youth Board, Providing For An Appropriation For Operating Funds, Establishing Powers And Duties Of The Youth Board, And Establishing Qualifications For Membership Of The Youth Board, and moved that it be adopted. Mr. Green seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. McIntire moved that the Youth Board Applicant Resume be approved as corrected. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Davis moved that the Nominating Petition for the Youth Board as amended, be approved. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

City Manager John Griffin reviewed proposed Ordinance Number 17-71. This Ordinance provides for the salary of the two new patrolmen, one police dispatcher and the part time clerk in the Division of Refuse Collection. Mr. Sweetman sponsored Ordinance Number 17-71, An Emergency Ordinance To Amend Ordinance Number 4-71 Of February 1, 1971 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. Green seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Zengel sponsored Ordinance Number 18-71, An Ordinance To Amend Ordinance Number 4-71 Of February 1, 1971 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 set for Public Hearing on April 5, 1971. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

City Manager John Griffin reviewed proposed Ordinance Number 19-71 and pointed out the changes which the Ordinance makes in Ordinance Number 23-69. This Ordinance provides for a City Animal Warden; prohibits animals from running at large within the corporate limits of Centerville; authorizes the impounding of animals and provides a penalty. Following discussion, the Ordinance was tabled for more consideration into the matter. It was determined that all expenses should be covered by the penalty imposed.

The 1971 Budget and 1971 Capital Improvement Program were reviewed by Council. Director of Finance Ronald Budzik pointed out the need for an adjustment in the Capital Improvement Program - there is not enough revenue in Repair and Maintenance in the Street Maintenance and Repair Fund to cover the purchase of a \$6,000 Tractor. Mr. Griffin advised that this expense will have to be taken from the General Fund.

Mr. McIntire sponsored Ordinance Number 20-71, An Emergency Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State of Ohio, During The Fiscal Year Ending December 31, 1971,

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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 21-71, An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1971, and moved that it be set for Public Hearing on April 5, 1971. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Hoy explained the need for an Agreement between the City of Centerville and City of Dayton for the Boarding of Inmates at the Dayton Human Rehabilitation Center. Mr. McIntire sponsored Ordinance Number 22-71, An Ordinance Accepting A Proposed Agreement With The City Of Dayton, Ohio For The Keeping Of Prisoners At The Human Rehabilitation Center During The Period Of April 1, 1971 To And Including December 31, 1971 And Authorizing The City Manager To Execute Said Agreement On Behalf Of The City Of Centerville, Ohio, and moved that it be set for Public Hearing on April 5, 1971. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Griffin reviewed a proposed Ordinance to provide for the resurfacing of State Route 48 from Franklin Street north to the Kettering line for a distance of 1.40 miles. Centerville's share in the project is \$4,162.00. Mr. Zengel suggested that the noted bad sections be taken out and replaced in the north-bound lane just south of Ridgeway Road prior to the resurfacing by the State. Following discussion concerning parking restrictions included in the Ordinance, Mr. McIntire recommended that the City Manager receive a definitive clarification on all aspects of the parking restrictions for the Public Hearing on the Ordinance. Mr. Griffin will contact the State of Ohio, Department of Highways to request a presentation on the Ordinance for it's Public Hearing. Mr. Green sponsored Ordinance Number 23-71, An Ordinance Providing For The Improvement Of Main Street - State Route 48 Under The Supervision Of The Director Of Highways, and moved that it be set for Public Hearing on April 5, 1971. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

City Manager John Griffin advised that the proposed traffic signal at State Route 48 and North Village Drive will be submitted shortly for TOPICS funding.

Mr. Griffin reported that Centerville's projects will be reviewed by Montgomery County in June for License Money funding. Council recommended that the City Manager contact the responsible person to determine where and how the monies are being spent and subsequently report back to Council.

There being no comments as the poll was taken of Council, the Meeting was adjourned.

  
Mayor

Attest:

  
Clerk of Council