

RECORD OF PROCEEDINGS

Minutes of

SPECIAL

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1087

Held

June 21

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Special Session, Monday, June 21, 1971 at 8:00 P.M. at the Centerville Municipal Building. The Meeting was opened with the Pledge of Allegiance to the Flag, with Mayor Paul Hoy presiding. Councilmen present were as follows: John Davis, John McIntire, John Zengel, J.V. Stone, Victor Green, City Manager John Griffin, Municipal Attorney Robert Farquhar, and Director of Finance Ronald Budzik.

The Minutes of the Meeting of June 7, 1971 had been distributed prior to this Meeting. Mr. McIntire moved that the Minutes of the Meeting of June 7, 1971 had been distributed prior to this Meeting. Mr. McIntire moved that the Minutes of the Meeting of June 7, 1971 as distributed, be approved. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Minutes of the Meeting of June 14, 1971 had been distributed prior to this Meeting. Mr. Green advised that the following two words should be corrected to read:

Second paragraph - Lake to Legg

Third paragraph - Stirring to Steering

Mr. McIntire moved that the Minutes of the Meeting of June 14, 1971 as amended be approved. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. William Jarrett, A Washington Township Resident, appeared before Council requesting that the City consider withdrawing their qualified financial support to the Drug Education Program previously outlined for Centerville. His recommendation was based on two factors: 1. there is no firm position in the program, 2. he does not endorse the tactic of ^{EE} ~~per~~ pressure which is being considered. Mr. Davis pointed out the fact that a particular program has not yet been supported by Council.

Mr. Jack Arnold, 60 Woodfield Place, appeared before Council objecting to the eight container limit imposed by the City in refuse pick up. Mayor Hoy explained the necessity for the eight container limit now being enforced. Mr. Arnold suggested that Council consider establishing an additional fee for containers in excess of the limit to provide residents a method of disposing of all their refuse.

Mr. Chuck Kline, a representative from the Diamond National Company in Middletown, producer of paperboard presented to Council a newspaper collection program now being used in the Cities of Madison, Louisville, Springfield and New York Suburbs. He estimated through this type of program with at least 50% participation by the home owner, that the City of Centerville would experience a savings of approximately \$13.90 per ton for every ton of newspaper not hauled to the incinerator.

Mr. Elmer Wargo, 6437 Colchester Court, appeared before Council requesting information concerning what has been done to acquire an acceptable Drainage Plan for the Davis property on Loop Road. Mr. Griffin advised that City Engineer Frank Williams has presented a recommended Drainage Plan to Tri-City Engineering Company and the Dayton Construction Company but the City has received no reply. Mr. Marion McCoy, 6431 Colechester Court, advised that on May 27, 1971 a telegram was sent to Mr. J.S. Davis advising him of the silt and landscape damage being experienced by property owners in Village South resulting from drainage of his property, and requested that some immediate temporary action be taken to rectify this problem. The telegram was signed by Mr. Elmer Wargo, Mr. Marion McCoy, Mr. Carl Cable, 6430 Colchester Court, and Mr. Gayle Dorton, 360 South Village Drive. Mr. McCoy advised that a reply has not been received to the telegram. Mr. Farquhar advised that if no action by the developer has been taken in reply to the telegram, the City can issue a stop order without further notification, if a violation to the building code exists. Mr. Griffin and Mr. Farquhar will further pursue this matter.

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Mr. Davis reported for the Planning Commission. He explained the Rezoning Request of Black Oak Development Company for 20.773 acres of land located on the east side of Clio Road and north of Centerville Station Road, requested is a change from Washington Township R-3 to Centerville R-1 zoning classification. The Planning Commission unanimously recommended approval of the Request. Mr. Davis moved that a Public Hearing be set for August 30, 1971 on this Rezoning Request. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor or the motion.

The Public Hearing concerning one application for a Conditional Use by the Black Oak Development Company to provide for a planned residential development, was held. The Notice of Public Hearing was read by Mr. Budzik in the absence of the Clerk of Council.

Mr. Griffin located the subject property on a map and explained the requested use. The property is located along the north side of Centerville Station Road and west of Wilmington Pike. The proposed Preliminary Plan included 51 lots with an average of 22,400 square feet per lot after park dedication, a 13.1 acre park, and 4.1 acres in streets.

Mr. L.V. Larson, 2510 Centerville Station Road, questioned the nature of access to the Park from a public street. Mr. Robert Archdeacon, representing the Developer, explained a proposed 25 foot easement from the Park to Centerville Station Road. Mr. McIntire recommended increasing this accessibility to perhaps 100 feet.

Mr. Green moved that Council approve the Preliminary Plan for Black Oak Estates V as submitted, subject to a 100 foot dedication for access to the Park from Centerville Station Road and a temporary easement be granted to provide access to the north section of the Park from the platted subdivision and that a Zoning Certificate be issued. Mr. McIntire seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Zengel voted no. Mr. Zengel felt that land should be dedicated by the developer for the continuation of a public street through the proposed Park Land.

The Public Hearing concerning Ordinance Number 45-71, was held. Mr. Farquhar reviewed the proposed Ordinance which updates the Codified Ordinance of the Village of Centerville to comply with State Law relative to Driving While Intoxicated. Mr. Zengel sponsored Ordinance Number 45-71, An Ordinance Amending Sections 22.22 And 26.64 Of The Code Of Ordinances Of The Village Of Centerville, Ohio, 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. Darrell Williams, in the absence of City Engineer Frank Williams, explained his sketch and cost estimate for the improvement of the Municipal Building Parking Lot. He estimated the cost to be \$12,585.00, contracted price. Mr. Green recommended that further study be made as to future Municipal facilities perhaps before additional monies are spent on improving the present facilities. Mr. Zengel suggested putting gravel in place on the east side of the building to provide some temporary additional parking while further study is being made by a Professional. Mr. Zengel moved that the Community Facilities And Planning Council Committee study the feasibility of hiring an Architect or Planner to study the future needs and present needs of the City and bring a report to Council at the earliest possible date since the need of physical facilities is urgent. Mr. Green seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Council concurred that gravel be placed on the east side of the present parking area to temporarily increase the parking capacity.

Mr. Griffin reviewed the water shed problem on Davis Court. City Engineer Frank Williams recommended removing and replacing the curb, base, asphalt and installing a new catch basin for total estimated cost of \$1,260.00. After various alternatives were discussed by Council, Darrell Williams advised that perhaps the problem could be solved by just raising the curb on the north side of Davis Court at an estimated cost of \$550.00. Mr. McIntire moved that the City Manager effect a written agreement with the private property owner involved in the improvement on Davis Court and that the City proceed to raise the curb and elevation on the north side of Davis Court at an estimated cost of \$600.00. Mr. Green seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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Mr. Griffin reviewed Ordinance Number 51-71, an Ordinance to provide for the addition of four part time employees in the Department of Refuse Collection for a 60 day period. Mr. Davis sponsored Ordinance Number 51-71, An Emergency Ordinance Amending Ordinance Number 18-71 Of April 5, 1971, By Providing For The Addition of Part Time Employees In The Department Of Public Service - Division Of Refuse Collection And By Establishing Rates Of Pay, and moved that it be passed. Mr. Zengel seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Stone voted no.

City Manager John Griffin reviewed the location of the land which is included in the Oak Creek Development Company Rezoning Request. The subject land is adjacent to proposed I-675 at Wilmington Pike. Mr. Stone sponsored Ordinance Number 24-71, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 26.716 Acres, More Or Less From Washington Township R-4 Classification To Centerville R-3 And B-2 Classifications, and moved that it be passed. Mr. Davis seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mr. McIntire and Mr. Green voted no.

Mr. Griffin gave his City Manager's Report. The City of Kettering Engineering Department has requested permission to construct an 80 foot temporary transition lane inside Centerville from their improvement on Bigger Road. This will be done by the City of Kettering at no cost to Centerville and will be done according to Centerville Street Standards. Mr. Stone moved that Council grant permission to the City of Kettering to add an 80 foot transition lane in the Centerville portion of Bigger Road along the existing pavement. Mr. Green seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Griffin advised that the In-Sharp Development Company is requesting from Council an extension of the Performance Bond for Village South, Section Sixteen until June 24, 1972, their present Bond expires on June 24, 1971. The Developer has experienced a delay in installing a vehicular bridge in this subdivision. Council agreed that the Developer should be invited to attend the next Council Meeting to outline his particular difficulties in getting this Section of Village South completed. Mr. Stone moved that Council extend the Sub-Divider's Agreement for Village South, Section Sixteen for a 30 day period conditioned upon their providing a Performance Bond to cover this extension. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Griffin advised that the necessary information will soon be submitted to the State relative to Centerville TOPICS Project - the North Village Drive, State Route 48 Traffic Signal. The combination of this project and the Whipp Road Improvement Project is being considered by TCC for submission to the State at the same time. Delays in procedure will consume one year. Mr. McIntire suggested that Centerville make a trip to the State of Ohio, Department of Highways in Lebanon to effect this Project as soon as possible.

A letter received from the City of Kettering relative to Overbrook Drive, was considered by Council. Mr. Ervin Welch, City Manager of Kettering, requested Council's position on closing Overbrooke Drive in Centerville in order to create two cul-de-sacs connected to each other at the ends but with a removable barricade across the portion to be accepted by Centerville as a public street. At a latter period the apartment traffic could be studied to determine if the barricade is still warranted. Mr. Zengel suggested that Centerville meet with the City of Kettering, the Developer and Planner to determine a solution to this problem. Mayor Hoy suggested that the Centerville side not be completed to the Corporation Line and that an Agreement be entered into with the City of Kettering that, if at some future date, this area should be completed that Kettering bear the cost of completion. Mr. Robert Archdeacon, representing the Developer, advised that the Developer would agree to a barricade at the Corporation Line which could be removed at a latter date if desirable. Mr. Stone moved that Council be of the opinion that Overbrook Drive should be completed, if traffic is heavy, the street will be closed immediately. Mayor Hoy seconded the motion. A roll call vote resulted in three ayes in favor of the motion. Mr. Davis, Mr. Zengel and Mr. Green voted no. Mr. Davis

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moved that the City of Centerville meet with the City Manager of Kettering to review provisions of how Overbrooke Drive could be closed and the road not be completed. Mr. Zengel seconded the motion. A roll call vote resulted in two ayes in favor of the motion. Mr. McIntire, Mr. Stone, Mr. Green and Mayor Hoy voted no. Mayor Hoy pointed out the fact that Council's last official position was that the Overbrooke Drive should be completed.

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

Approved:

Paul L. Hoy
Mayor

Attest:

Maureen McLaughlin
Clerk of Council