

RECORD OF PROCEEDINGS

Minutes of

REGULAR

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held August 2

1971

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session on Monday, August 2, 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 McIntire, Russell Sweetman, John Zengel, Victor Green, John Davis, Acting City Manager James Smith, Municipal Attorney Robert Farquhar, Derryl Williams in the absence of City Engineer Frank Williams, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of July 12, 1971 had been distributed prior to this Meeting. Mr. Farquhar advised that the first sentence in the eighth paragraph should read as follows: "Mr. Farquhar advised that the City of Centerville cannot file suit for damages but that the City can probably secure an injunction to injoin the Davis Company from creating a nuisance provided the drainage system is stopped up." Mr. McIntire moved that the Minutes of the Meeting of July 12, 1971 as amended, be approved. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Minutes of the Meeting of July 15, 1971 had been distributed prior to this Meeting. Mr. Sweetman moved that the Minutes of the Meeting of July 15, 1971 as distributed, be approved. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Minutes of the Meeting of July 19, 1971 had been distributed prior to this Meeting. The following changes were recommended to the Minutes by Mr. Farquhar and Mr. Zengel respectively.

Fourth paragraph, third and fourth sentence - change Performance Bond to Sub-Divider's Agreement.

Fifth paragraph, third sentence - "He advised that along major thoroughfares it is most desirable to locate higher density and places of employment which is necessary to provide proper balance in a community, etc." Mr. Zengel moved that the Minutes of the Meeting of July 19, 1971 as amended, be approved. Mr. Davis seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mayor Hoy abstained.

Mr. John Hackett, 103 Goldengate Drive, appeared before Council questioning the location of recreation equipment in the front yard of a residence, specifically at the corner of Alexandersville-Bellbrook Road and Goldengate Drive. Mayor Hoy recommended that further investigation be made on this matter.

Mr. Jay Williams, 1645 Ambridge Road, Mr. Tom Perretti, 1655 Ambridge Road, and Mr. Michael Cortnick, 1660 Ambridge Road, appeared before Council to indicate their objection to the potential large apartment developments in Centerville, the proposed continuation of Ambridge Road through an apartment development to the east of Black Oak Estates II, and endorsed the completion of a Master Plan of which to follow when considering Re-zoning Requests.

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

Mr. Davis reported on the Planning Commission Meeting held July 26, 1971. He reviewed the Rezoning Request submitted by the Black Oak Development Company to re-zone 57.8 acres on the north side of Centerville Station Road west of Wilmington Pike from Washington Township R-4 to Centerville R-3. The vote in Planning Commission was for approval, a 4 to 1 vote, predicated on Council having approved the Re-zoning Request of Paul E. Lapp, Inc. which presumes an extension of Wilmington Pike, and subject to the following conditions:

1. That the 28 acres designated as being reserved for "doubles" be developed at a density not to exceed 3.5 units per acre exclusive of streets.
 2. That the 29 acres designated as being reserved for multi-family be developed at a density not to exceed 5 units per acre exclusive of streets.
- The Planning Commission called Council's attention to the possible problem in connecting Ambridge Road with the proposed thoroughfare through this property. Mr. Davis explained how the continuation of Wilmington Pike has been proposed through the Paul E. Lapp and Black Oak properties. Mr. Green recommended that the subject road location be further considered by Council. Mr. Stone moved that the Paul Lapp and the Black Oak proposals be returned to the Planning

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Commission for their review and recommendation as to the location and need of the continuation of Wilmington Pike. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Davis reviewed a revised Preliminary Plan for Walnut Hills Estates submitted by Richard B. Pavlak. The Plan provides for a possible connection to Seminary View Drive, by extending Lausanne Drive west to the boundary of the property and eliminates the park site as previously proposed. The Planning Commission unanimously recommended approval of the Plan. Mr. Davis moved that the Preliminary Plan for a Residential Development Plan submitted by Richard B. Pavlak to be known as Walnut Hills Estates as revised July 26, 1971, be approved. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Davis explained the Curb Cut Application submitted by the Acme Plumbing Supply Company for the Post Office under construction on Irongate Park Drive and Maple Avenue. Requested are two 14 foot and one 27 foot curb cuts on Irongate Park Drive and a fourth cut of 29 feet on Maple Avenue. The Planning Commission unanimously recommended approval of this Request subject to the 14 foot cut to the west be designated as "in" and the 14 foot cut to the east be designated as "out". Mr. Davis moved that Council approve the Curb Cuts as proposed on the drawing dated October 5, 1970, applicant being the Acme Plumbing Supply Company in behalf of the new U. S. Post Office. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 54-71, was held. Mr. Smith reviewed the proposed Ordinance; it authorizes a contract for Animal Warden services with Eugene R. Romer ending December 31, 1971. Mr. Sweetman sponsored Ordinance Number 54-71, An Ordinance Authorizing And Directing The City Manager To Enter Into A Contract For Animal Warden Services, and moved that it be approved. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 42-71, was held. Mr. Davis reviewed the proposed changes this Ordinance makes to the Zoning Ordinance of 1961. The changes are in uses permitted in a Shopping Center District, building requirements in the Business Districts, provides for a buffer between businesses and residences, and amends sign requirements.

Mrs. Nora Lake, 1470 Black Oak Drive, questioned if this Ordinance would permit Gas Stations in a Shopping Center. Mr. Farquhar advised it would with certain restrictions.

Mr. Stone suggested and Council concurred that this proposed Ordinance be further reviewed by Council.

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

Mayor's Court

Fines and Forfeitures	\$ 932.00
Costs	308.00
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Total	\$1,240.00

Zoning Permits

- 19 Single family residences
- 3 Additions to residences
- 1 Swimming Pool
- 2 Signs

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

Mr. Smith gave his City Manager's Report. He reviewed his comparison for the purchase of Highway De-icing salt for the 1971/72 season between County Joint Purchase and City Purchase. Mr. Green suggested and Council concurred that Centerville advertise for bids for the purchase of salt for the 1971/72 season, to be supplied as needed, and bid to include a minimum usage figure.

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Mr. Smith gave an up to date progress report concerning the drainage situation of the Davis Property on Loop Road. Mr. Sweetman suggested that the City Manager continue to review the progress so that construction proceeds as specified, and that the Developer be reminded of the planting to be completed in the buffer strip, as fall is approaching.

Ordinance Number 55-71, an Ordinance appointing members to the Planning Commission was considered by Council. The blanks in the Ordinance were completed to appoint Harold Wells, Robert Ackerman, and Gary Maxton each for a four year term commencing on August 4, 1971. Mr. Green sponsored Ordinance Number 55-71, An Emergency Ordinance To Appoint Members To Expiring Terms On The Planning Commission Of The City Of Centerville As Established By Ordinance Number 25-69, and moved that it be approved. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Sweetman moved that Ordinance Number 56-71, An Ordinance To Appoint Members To Expiring Terms On The Planning Commission Of The City Of Centerville As Established By Ordinance Number 25-69, be set for Public Hearing on August 16, 1971. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Farquhar administered the Oath of Office to Mr. Robert Ackerman, a member on the Centerville Planning Commission.

Ordinance Number 57-71, an Ordinance appointing David Tooker to the Personnel Appeals Board to the unexpired term of John Buehl, expiration being December 31, 1971, was reviewed by Council. Mr. Davis sponsored Ordinance Number 57-71, An Emergency Ordinance Appointing A Member To The Personnel Appeals Board To Fill A Vacancy Presently Existing For The Term Expiring December 31, 1973, and moved that it be passed. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Davis moved that Ordinance Number 58-71, An Ordinance Appointing A Member To The Personnel Appeals Board To Fill A Vacancy Presently Existing For The Term Expiring December 31, 1973, be set for Public Hearing on August 16, 1971. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Farquhar administered the Oath of Office to David Tooker, a member of the Personnel Appeals Board.

Clerk of Council Marilyn McLaughlin read a letter received from Mr. Harry Ebeling in behalf of the Marathon Oil Company, requesting withdrawal of their request for a Public Hearing before Council concerning their Rezoning Application.

Mr. Green recommended that a letter be written by Mayor Hoy to the Washington Township Trustees thanking them for the resurfacing of West Spring Valley Road.

Mr. McIntire sponsored Resolution Number 8-71, A Resolution Expressing The Appreciation Of The City Of Centerville To The Committee In Charge Of The Observance Of The 175th Anniversary Of The Founding Of Centerville-Washington Township, 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. Sweetman suggested that this Resolution be published in the newspaper; Mayor Hoy recommended that it be sent to all Committee Members for the 175th Anniversary Celebration.

A Contract for the collection of Centerville Income Tax for the coming year, and the possible future collection by the City was discussed by Council. Mr. McIntire suggested that the City Manager review with the City of West Carrollton the proposed agreement and the system by which the Tax is collected and subsequently report back to Council as soon as possible. Mr. Green suggested pursuing reduction in collection cost since the collection has been greater than anticipated.

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

Mr. Sweetman requested a reading from the City Manager concerning the residents not currently using the Sanitary Sewer System.

Mr. McIntire brought Council's attention to the fact that an odor is again being experienced in the Black Oak area resulting from the Sugar Creek Treatment Plant.

The Meeting was then adjourned.

Approved

Paul C. Key

Mayor

Attest:

Marilyn M. Daugherty

Clerk of Council