

RECORD OF PROCEEDINGS

Minutes of

SPECIAL MEETING

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held August 16, 1971

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The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session on Monday, August 16, 1971 at 8:00 P.M. at the Centerville Municipal Building. The Meeting was opened with the Pledge of Allegiance to the Flag with Deputy-Mayor John Davis presiding. Councilmen present were as follows: Victor Green, Russell Sweetman, John Zengel, Acting City Manager James Smith, Municipal Attorney Robert Farquhar, Director of Finance Ronald Budzik, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of August 2, 1971 had been distributed prior to this Meeting. Mr. Zengel moved that the Minutes of the Meeting of August 2, 1971 as distributed, be approved. Mr. Sweetman seconded the motion. A roll call vote resulted in four ayes in favor of the motion.

Mr. Rodney Miller, 320 South Village Drive, appeared before Council to question the condition and construction of the temporary drainage ditch on the J. S. Davis Property. He wondered what the status is concerning the City's investigation into diversion of water on this property. Mr. Smith made reference to a letter he received from the Ralph L. Woolpert Company advising that, following their investigation, diversion of water does not exist from the Davis Property, there has been exelceration of water. He further advised that final approval of the project has not yet been made by the Woolpert Company and maintenance of the ditch is the responsibility of the property owner. Mr. Sweetman again suggested that the City begin to acquire restoration of the buffer strip by the Davis Company.

Mr. Charles Rush, 534 Duberry Place, appeared before Council to question the status of the additional lane of right-of-way to be provided on State Route 725 from State Route 48 to the Gold Circle Store. Mr. Smith advised that correspondence concerning this has ~~been~~ taken place between the State Highway Department and the Edward J. DeBartolo Corporation, he should have further information on this matter in the very near future.

Mr. Dale Bertsch, representing the Miami Valley Regional Planning Commission, explained their proposed budget for 1972, the budget commission has recommended a .15 per capita contribution from member municipalities. The increase has become necessary because of a lack of supplemental funds which were received previously from two outlining Counties as well as Montgomery County. The .15 per capita will be based on the 1970 Federal Census figure. The Centerville Delegate should be directed by Council how to vote on this increase at the Commission's Meeting on August 25, 1971. Mr. Green moved that Council direct Centerville's Delegate to approve of a maximum contribution of .15 per capita to the Miami Valley Regional Planning Commission for 1972 to be based on the 1970 Federal Census figure. Mr. Zengel seconded the motion. A roll call vote resulted in four ayes in favor of the motion.

Municipal Attorney Robert Farquhar administered the Oath of Office to Centerville Planning Commission Member Gary Maxton.

Mr. Smith reported on the Planning Commission Meeting held on August 10, 1971. He explained the Rezoning Request of Black Oak Development Company to rezone approximately 13.632 acres on the east side of Clio Road from Washington Township R-3 to Centerville R-3 and B-2 Classifications. The Planning Commission recommended approval of the Request with covenants being placed on the deed restricting the R-3 area to sixteen doubles and four four-family apartment buildings. Mr. Davis moved that Council accept the Planning Commission's recommendation concerning this Request and a Public Hearing be set for October 18, 1971.

Mr. Smith advised that the Planning Commission recommended denial of the Black Oak Rezoning Request for a change in zoning of 10 acres from Washington Township R-3 to Centerville B-2. Mr. Charles Abramovitz, representing the Applicant, requested that this Application be withdrawn.

The Public Hearing concerning Ordinance Number 56-71, was held. Mr. Sweetman sponsored Ordinance Number 56-71, An Ordinance To Appoint Members To Expiring Terms On The Planning Commission Of The City Of Centerville As

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Established By Ordinance Number 25-69, and moved that it be passed. Mr. Zengel seconded the motion. A roll call vote resulted in four ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 58-71, was held. Mr. Green sponsored 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, and moved that it be passed. Mr. Zengel seconded the motion. A roll call vote resulted in four ayes in favor of the motion.

Mr. Clark Himes, 84 West Franklin Street, explained his proposal to purchase the City Parking Lot along Westerfield Drive. Mr. Davis suggested that Council further review this matter in a Council Work Session. Mr. Farquhar will determine whether the City would be required to advertise for bids for the sale of this land, and whether there are any deed restrictions affecting it.

Mr. Smith reviewed his City Manager's Report. He advised that the eight container limit for waste collection has been lifted.

Mr. Smith reviewed the State Highway Department's proposal to install three culverts instead of two under Marshall Road as proposed on the Construction Plans for Village South, Section Sixteen. This would be at the expense of the State Highway Department through the City. It would permit the State to reduce the size of a box culvert to be installed at Loop Road and would save them from \$60,000 to \$100,000 dollars. Mr. Zengel suggested that a representative from the State Highway Department be invited to Centerville to further review their proposal.

Mr. Smith explained the request of Mr. Barton for the City to widen the approach onto Bigger Lane on the south side of Alexandersville-Bellbrook Road. Mr. Smith did not feel this would facilitate drivers enough to warrant its construction. Mr. Green pointed out the lack of visual clearance at the northwest corner of Bigger Road and Alexandersville-Bellbrook Road; he suggested that the concrete marker at said corner, be removed.

Mr. Smith explained the request of Towne Properties, Inc. for dedication of Fireside Drive. The curb and some catch basins do not meet City Specifications for Street Construction. Council requested that certification from a reliable firm be given to Council by the Developer revealing that the street meets City Specifications prior to it being considered for acceptance. The curb and drainage system would also have to be upgraded to City Specifications.

Mr. Sweetman moved that Ordinance Number 60-71, An Ordinance To Amend Ordinance 4-71 By Changing The Pay Periods For All Employees From The First And Fifteenth Of Each Month To Friday Of Each Week, be set for Public Hearing on August 30, 1971. Mr. Zengel seconded the motion. A roll call vote resulted in four ayes in favor of the motion.

Mr. Green moved that Ordinance Number 62-71, An Ordinance Appointing John A. Davis As The Council Member Of The Centerville Planning Commission For A Term Of Two Years But Not To Exceed His Term As Councilman, be set for Public Hearing on August 30, 1971. Mr. Sweetman seconded the motion. A roll call vote resulted in four ayes in favor of the motion.

Mr. Smith explained his proposal to contract with Miami Engineering Company for Engineering Services for the City of Centerville. The cost of the City would be \$25.00 per Meeting, \$20.00 per hour for engineering services and \$15.00 per hour for drafting fees. Inspections would be made by current City employees. The contract would terminate on December 31, 1971. Mr. Sweetman recommended that immediate steps be taken to acquire a permanent engineer. Mr. Davis moved that the City Manager be authorized to enter into a Contract with Miami Engineering Company for Engineering Services for the City of Centerville. Mr. Zengel seconded the motion. A roll call vote resulted in four ayes in favor of the motion.

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Municipal Attorney Robert Farquhar will review and advise Council where he currently stands on the codification of City Ordinances and how much additional funds will be required for it's completion.

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

Mr. Zengel suggested that the City Manager contact the Washington Township Trustees and a Joint Meeting be arranged to discuss the rebate on the 1969 Police Contract. Council concurred that a Meeting be set for Monday, August 23, 1971 at 8:00 P.M. at the Municipal Building, if at all possible.

Mr. Green suggested that some arrangement be considered for leaf collection this fall by the City. Mr. Smith ^{will} further review this matter and research the rental of equipment for such purpose.

The Meeting was then adjourned.

Approved:

Paul C. King

Mayor

ATTEST:

Maria D. ...

Clerk of Council