

RECORD OF PROCEEDINGS

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Minutes of

REGULAR

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held September 7, 19 71

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Tuesday, September 7, 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. Councilman present were as follows: Russell Sweetman, Victor Green, J.V. Stone, John McIntire, John Davis, Acting City Manager James Smith, Municipal Attorney Robert Farquhar, Director of Finance Ronald Budzik, City Engineer Karl Lewis, and Clerk of Council Marilyn McLaughlin.

Mr. Smith reported on the Planning Commission Meeting held August 31, 1971. He explained the Rezoning Request of the Sun Oil Company for a change in zoning from Centerville B-1 to B-2 classification for the property located at the south west corner of Main Street with Franklin Street. The Planning Commission will make a recommendation on this Request at their Meeting scheduled for September 28, 1971.

Mr. Smith reviewed the Public Hearing held before the Planning Commission concerning five Rezoning Requests from the R & R Development Company for the property lying south of I-675 on the west side of Wilmington Pike and surrounding the property owned by the Archdiocese of Cincinnati for a Catholic Church. Requested is a change for approximately 83 acres from Washington Township R-4 to Centerville R-2, R-3, B-1 and B-2 classifications. The Planning Commission unanimously recommended approval of the R-2 Request with the stipulation that the Development be limited to 126 residential lots and that seven lots adjacent to the proposed five acre park be added to the park land. They also stipulated that the Development include an access road to the Church Property rather than off Wilmington Pike. The Park District indicated their objection to the smaller lot sizes which the proposed change to R-2 would permit. Mr. McIntire moved that an Ordinance Amending Ordinance Number 15, Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 63.423 Acres, More Or Less, From Washington Township R-4 Classification To Centerville R-2 Classification, be set for Public Hearing on November 15, 1971. Mr. Green seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Davis pointed out the fact that the suggested restrictions are not legally binding at this time.

The Planning Commission unanimously approved the Request for a change to B-1 classification. This would permit the proposed Community type service. Mr. McIntire moved that the Ordinance Amending Ordinance Number 15, Dated December 11, 1961, The Zoning Ordinance, By Re-zoning 4.468 Acres, More Or Less From Washington Township R-4 Classification To Centerville B-1 Classification, be set for Public Hearing on November 15, 1971. Mr. Green seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The vote in Planning Commission to approve the B-2 Rezoning Request was 4-2, thus passing on no recommendation to Council.

The change to R-3 Request ended in a tie vote for approval by the Planning Commission. Mr. Davis moved that the R-3 and B-2 Rezoning Requests be returned to the Planning Commission for further review with the Developer. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Smith reviewed the Record Plan for Rose Estates, Section Two. The Planning Commission recommended approval of this plan subject to the City Engineer's approval. Mr. McIntire moved that Rose Estates, Section Two be approved subject to the City Engineer's approval of the plan and their cost estimate and subject to the receipt of a Performance Bond in accordance with their estimate, Sub-Divider's Agreement and Inspection Fee. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Ray Rose, Developer of Rose Estates, requested permission to eliminate the concrete drive approaches as required in the Street Specifications; asphalt would be sufficient due to the short drives. Mr. McIntire suggested that the request be submitted in writing and a comparison be given to the City's Sub-Division Regulations, and the request be accompanied with a recommendation from the City Engineer. He suggested that this be presented at the Council Meeting on September 20, 1971 and thus a Resolution be prepared.

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Mr. Smith reviewed the Preliminary Plan for a Development to be located on the Entrance Corridor land on the north side of East Alexandersville-Bellbrook Road at the dead end of Clyo Road, property owned by Ralph Woodley; to be called Greenbrier Commons. The plan includes a boulevard type access to the first phase of the Development as proposed, the density would be 12 units per acre, 144 units on 11.87 acres of land. Discussion revealed that the Planning Commission had not made a finding on this proposal. The safety in this Development was also discussed relative to accessibility by the fire department to all buildings in the project. Mr. McIntire moved that this Preliminary Plan be returned to the Planning Commission for a finding and special consideration be given to the safety aspect. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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

Mr. Smith explained the Preliminary Plan for Black Oak Estates IV, Section One. This plan includes a continuation of Raintree Drive to the north and Black Oak Drive to the west. The Planning Commission recommended approval of the plan. Council action was delayed on this proposal, per the advise of the Municipal Attorney, until the Rezoning of the subject land becomes effective.

Mr. Smith reviewed the Final Plan for the Woods consisting of 264 units to be located on the west side of Bigger Road south of proposed I-675. The Planning Commission unanimously recommended approval of the Plan subject to the approval of the City Engineer. City Engineer Karl Lewis pointed out minor improvements to be made relative to drainage and reminded Council that the streets, being undedicated, will be put in according to the Developer's Standards and not Centerville Standards. Mr. Davis moved that the Final Plan for the Woods be approved subject to the recommendations of the City Engineer relative to drainage being incorporated in the plan and subject to the Performance Bond meeting the City Engineer's satisfaction and subject to the receipt of a Sub-Dividers Agreement and Inspection Fee. Mr. Sweetman seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mr. McIntire voted no. While the safety aspect was discussed in this Development, Mr. Smith advised that future plans will be submitted to the Fire Department to acquire their recommendation. Mr. McIntire suggested that the Fire Department submit to the City a set of standards for street width etc., to be considered in approving future proposals such as this.

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

Mayor's Court		
Fines and Forfeitures		\$656.00
Cost		273.00
	Total	\$929.00
Zoning Permits		
16	Single family residences	
9	Additions to residences	
1	Swimming pool	
7	Signs	
1	Apartment (3 Units)	

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

Mayor Hoy reviewed the status of Ordinance Number 42-71 relative to a letter received from Roland Eichner, Attorney at Law and representing Heritage Square, Inc., requesting same. Ordinance Number 42-71 has been referred to the Planning Commission for further consideration and for clarification as to what the Ordinance actually provides. Previously Council indicated that an Ordinance establishing procedure in a Shopping Center District should be enacted prior to the passage of this Ordinance. Mr. Farquhar will work with Mr. Smith and Planning Commission Chairman Harold Wells to facilitate the passage of both Ordinances. During discussion of the proposed Ordinance, Mr. Eichner indicated that the Heritage Square, Inc. purchased 16 acres of the B-3 zoned District approximately three years ago from the DeBartolo Corporation. Received also by Heritage Square has been an agreement from the DeBartolo Corporation for the widening of State Route 725 in front of the property of which the target date is long past due.

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Mr. Rute, a representative from T.C.C., explained the map showing the Urban System or Federal Aid Highway System proposed for the Dayton Metropolitan Area. Mr. McIntire indicated his objection to receiving the proposal only a few days prior to requesting approval and to the inconsistencies throughout recent presentations. The corridor extending into the Centerville Area has not been approved by the Miami Valley Regional Planning Commission. He pointed out that the Centerville Government has never desired this corridor to be continued into Centerville, that it had been intended to stop at Hempstead but now extends through Centerville. He advised that Council recognizes the need for aid in transportation but in other areas of the Community. Mr. McIntire objected to spending \$663,000 without satisfying a need for transportation where the need exists. Mr. Sweetman moved that Council unanimously refuse to sign the map approving the Urban Corridor System into Centerville. Mr. McIntire seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. McIntire moved that a letter be sent to the U.S. Department of Transportation advising them that Council objects to this proposal as it is not a solution to a transportation problem in a region where transportation is needed. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Green objected to establishing the need after a system is implimented.

Mr. Smith reviewed the four bids received by the City for the purchase of CC Highway De-Icing Salt. They were as follows:

- Morton Salt Company \$13.10 per ton
- Cargill Salt Company 11.10 per ton
- Diamond Crystal Salt Company \$11.10 per ton
- Granite State Minerals, Inc. 12.00 per ton

Mr. Smith recommended accepting the bid as submitted from Cargill Salt Company for bulk de-icing rock salt at \$11.10 per ton, price to remain firm through May 31, 1972. Mr. McIntire moved that the recommendation of the City Manager for the purchase of salt, be accepted. Mr. Davis seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Farquhar will prepare the necessary Resolution to affect acceptance of the Bid.

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

Mr. Sweetman reminded the City Manager to turn on the traffic light on East Franklin Street at North Johanna Drive and encouraged the cleaning of streets and storm sewers.

Mr. Green suggested that the fine be enforced relative to weed cutting in the 1972 season.

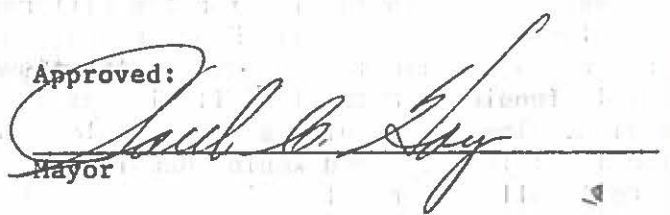
Mr. Davis suggested that the timing of the traffic light at Whipp Road and State Route 48 be reviewed and perhaps be changed.

Council agreed to remit to Mr. Gene Romer, Centerville's Animal Warden, \$50.00 to defray some of the Insurances cost of his vehicle being used for the City's service.

Mr. Sweetman and Mr. McIntire requested that the City Manager give a cost estimate relative to picking up leaves throughout the City this fall.

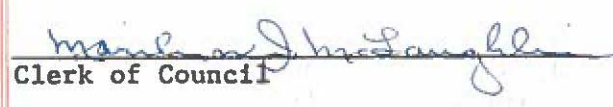
The Meeting was then adjourned.

Approved:



Mayor

Attest:


Clerk of Council