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The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session, September 20, 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 Zengel, John Davis, Victor Green, John McIntire, J. V. Stone, Russell Sweetman, Acting City Manager James Smith, Municipal Attorney Robert Farquhar, Director of Finance Ronald Budzik, City Engineer Karl Lewis, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of August 30, 1971 had been distributed prior to this Meeting. Mr. McIntire moved that the Minutes of the Meeting of August 30, 1971 as distributed, be approved. Mr. Davis seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mayor Hoy and Mr. Davis abstained.

The Minutes of the Meeting of September 7, 1971 had been distributed prior to this Meeting. Mr. McIntire moved that the Minutes of the Meeting of September 7, 1971 as distributed, be approved. Mr. Green seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Zengel and Mr. Stone abstained.

Attorney John Petzold, representing some landowners in the Village South Plat, appeared to ask Council some questions concerning the open ditch which begins at the top of the J. S. Davis Property to and through the Village South Park land. He questioned who will clean the ditch and how maintenance will be enforced in the future. Mr. Smith advised that cleaning of the ditch and pipe is currently being pursued. Mr. McIntire felt that Mr. Davis should cover a percentage of the cost for cleaning the ditch and the complete cost for cleaning the pipe. He requested that a cost estimate be included in a demand letter to Mr. Jack Davis to cover the previously defined work and to cover the cost incurred by the City for cleaning the streets in the Village South Plat. Mr. Sweetman encouraged action to be taken immediately. The restoration of the buffer strip between the Davis Property and the Village South Plat was again discussed by Council. Mayor Hoy suggested that the Acting City Manager pursue restoration of the buffer strip during the next two weeks.

Mr. Milton Hack, 7948 Southbury Drive, appeared before Council concerning the parking of recreational equipment in front of dwellings and the parking of a truck on Southbury Drive for a long period of time. He encouraged action again be considered restricting the storage of recreation equipment.

Mr. Clark Himes, 84 West Franklin Street, appeared before Council to question Council's action concerning the City owned Parking Lot on Westerfield Drive. Mayor Hoy advised that no decision has been made, this item will be on the agenda for consideration at the next Council Meeting.

Mr. Robert Petrocy, State Highway Department, appeared to explain their request for an additional pipe in the culvert under Marshall Road in Village South, Section Sixteen. The three pipes instead of two would carry head water from I-675 based on a 50 year storm. He requested that the two proposals (two pipes and three pipes) be put in cost estimates by the City Engineer including engineering costs and be submitted to the State of Ohio, Department of Highways to obtain funding for the difference in the two proposals. Mr. Zengel moved that the City Manager proceed with the engineering necessary to prepare such estimates and submit them to the State Highway Department to obtain funding for the installation of the third pipe. Mr. Davis seconded the motion. The City would pay the Developer of Village South, Section Sixteen for the third pipe and would then invoice the State for reimbursement of same. A roll call vote resulted in seven ayes in favor of the motion. Mr. Davis pointed out the need for immediate attention to this matter as this Section in Village South is nearing completion.

Mr. Thomas Turner, Chairman of the Centerville Youth Board, introduced Miss Sandy Kellenbenz who in turn explained a proposed Recycling Center in Centerville. The Centerville Youth Board recommended that Council grant to the Board of Directors of the Centerville Recycling Center a sum of \$250.00 to be used to purchase tools and publicity materials as decided by the Board

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of Directors to be necessary for the establishment of such Center. This amount of money would be returned to the City when the financial position of the Center would warrant such. Mayor Hoy commended the Youth Board and the youth of the Community for selecting for their first program one which provides for the betterment of the entire Community. Mr. Green moved that Council accept this recommendation of the Centerville Youth Board and that \$250.00 be disbursed for such project. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. The Recycling Center will be located on the east side of Clio Road just north of the property owned by the Hill-Smith Company. Mr. Turner outlined the needs for the project, encouraging donations.

Mr. Davis reported on the Planning Commission Meeting held August 31, 1971. He explained the Final Plan for the Woods, an apartment complex on the west side of Bigger Road and south of proposed I-675 on E-C zoned land. The complex is proposed by Haverstick Builders, Inc. Mr. McIntire requested a review of the Planning Commission's previous action on the proposal. Mr. Zengel pointed out the need for the approach to the complex to be widened and to meet Centerville Street Standards - that portion which will not be replaced during the construction of I-675. Mr. Davis moved that Council approve the Record Plan for the Woods as approved by the City Engineer on September 3, 1971 subject to the widening of Bigger Road south of the intersecting street with improvements, subject to the receipt of a Performance Bond and Inspection Fee as acceptable to the City Engineer, and subject to the receipt of a Sub-Divider's Agreement. Mr. Green seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. McIntire and Mr. Sweetman voted no.

The Public Hearing concerning Ordinance Number 65-71, was held. Mr. Zengel felt that the compensation for the Acting City Manager should exceed \$50.00 per month and commended Mr. Smith for his fine work. Mr. McIntire sponsored Ordinance Number 65-71, An Ordinance Setting Compensation For The Acting City Manager As Of The Date Of His Appointment, July 1, 1971, and moved that it be passed. Mr. Green seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Zengel voted no.

The Public Hearing concerning Ordinance Number 67-71, was held. Mr. Farquhar explained the proposed Ordinance. Mr. Davis sponsored Ordinance Number 67-71, An Ordinance Authorizing And Directing The Acting City Manager To Enter Into A Contract For Engineering Services With Miami Engineering Company, and moved that it be passed. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 70-71, was held. Mr. Farquhar reviewed the proposed Contract for Centerville Income Tax Collection by the City of West Carrollton. Mr. Leonard Stubbs, 441 Sunnyclyff Place, wondered why the Centerville Tax is collected by the City of West Carrollton. Mayor Hoy advised to begin the collection and allow Centerville to phase into the collection in the future. Mr. Sweetman sponsored Ordinance Number 70-71, An Ordinance Authorizing And Directing The Acting City Manager To Enter Into A Contract With The City Of West Carrollton, Ohio, For The Collection Of The Centerville City Income Tax, and moved that it be adopted. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Smith reviewed the three Rezoning Requests submitted by the Springmont Company for property on the east side of Bigger Road south of the property owned by the Olympian Club. Requested is a change of 149.4 acres from Washington Township R-3 and R-4 to Centerville R-3, R-4 and E-C Classifications. Mr. McIntire wondered if the width and location of Clio Road through this land, as proposed meets the recommendation of the Master Plan. Mayor Hoy advised that it appears to be close. Mr. McIntire, based on the current description of the E-C District, sponsored Ordinance Number 71-71, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 21.00 Acres, More Or Less, From Washington Township R-3 And R-4 Classifications To Centerville Entrance Corridor Classification, and moved that it be passed. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Green voted no.

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Mr. Zengel suggested that the 29.3 acres requested for R-4 zoning be considered by the Applicant for E-C zoning, this being that land lying north of proposed Clio Road. Mr. Roland McSherry, 1443 Ambridge Road, suggested holding all the land lying north of proposed Clio Road to what has been proposed on the Master Plan. Mr. Zengel sponsored Ordinance Number 72-71, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 29.3 Acres, More Or Less, From Washington Township R-3 And R-4 Classification To Centerville R-4 Classification. Mr. Davis seconded the sponsor. A roll call vote resulted in seven nays against the motion.

Mr. Robert Archdeacon, representing the applicant, advised that the density proposed for the 99.1 acres south of proposed Clio Road, a change to Centerville R-3 zoning, would be approximately 6 units per acre. Proposed is condominium or cooperative type housing. Mr. Farquhar advised that new deeds would be required in order to limit the number of units and their type on this particular property. Mr. McIntire suggested tabling this matter for further study. Mr. Stone and Mayor Hoy felt multi-family dwellings must be limited. Mr. Zengel and Mr. Sweetman did not agree with this size of acreage being used for a trial basis. Mr. McIntire sponsored Ordinance Number 73-71, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 99.1 Acres, More Or Less, From Washington Township R-3 And R-4 Classification To Centerville R-3 Classification. Mr. Sweetman seconded the sponsor. A roll call vote resulted in five nays against the motion. Mr. Zengel and Mr. Davis voted yes. Mr. Green suggested lowering the density in the Zoning Ordinance in various districts and not permitting apartments in the previously E-C zoned areas.

Mr. Davis sponsored Resolution Number 9-71, A Resolution Accepting The Bid Of Cargill Salt Department Of Cargill, Incorporated And Authorizing The City Manager To Enter Into A Contract To Purchase Salt, 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. Smith reviewed his City Manager's Report. He explained an alteration for the traffic light at Main Street and Franklin Street for an estimated cost of \$400.00. Council concurred that the City Manager proceed with his recommendation after cost estimates are obtained and reviewed from Wagner-Smith Company and Harry McCoy. Mr. Zengel moved that Council authorize the City Manager to make alterations in the traffic light at Main and Franklin Street using the best and most economical method. Mr. Stone seconded the motion. A roll call voteresulted in seven ayes in favor of the motion.

Mayor Hoy outlined the changes recommended by the Historical Society to the Architectural Preservation Ordinance. The boundaries for the district was discussed by Council. Council concurred that the boundaries should be from Zengel Drive, that portion in the City to and including the City owned lot on South Main Street, and from Virginia Avenue to East Drive or the alley to the east of East Drive and that the depth be the present zone classification lines. Mr. Farquhar will prepare a map showing the district boundaries to be further discussed in a Work Session scheduled for Wednesday, September 22, 1971.

As the poll of Council was taken, Mr. Sweetman encouraged the Council Committee to again talk to Dr. Thomas concerning the purchase of some of his land on East Franklin Street for Municipal purposes. Mr. Green suggested that Council take some positive action concerning a traffic light at North Village Drive and State Route 48.

The Meeting was then adjourned.

Approved:

Mayor

ATTEST:

Maxine J. McLaughlin
Clerk of Council