

Held November 8, 19 71

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session Monday, November 8, 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, J.V. Stone, John McIntire, Russell Sweetman, Victor Green, John Zengel, City Manager James Smith, Director of Finance Ronald Budzik, City Engineer Karl Lewis, Municipal Attorney Robert Farquhar, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of October 18, 1971 had been distributed prior to this Meeting. Mr. McIntire moved that the Minutes of the Meeting of October 18, 1971 as distributed, be approved. Mr. Zengel seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mr. Davis, Mr. Stone and Mayor Hoy abstained.

Mr. John Perazzo, 831 East Whipp Road, appeared before Council to read a letter received from Mr. William Moore, president of the Penn Central Transportation Company, in which Mr. Moore indicated that the Rail Company is awaiting more detailed plans from Centerville concerning the Rahn Road Rail Crossing. They are ready to cooperate with the City of Centerville to accomplish said improvement. Mr. Smith reviewed recent steps taken by the City of Centerville, and advised that a commitment is needed from the Railroad Company concerning the grade elevation at the tracks. Mr. George Streithorst, 5908 Red Coach Road, suggested sending a copy of this letter along with request for figures on the elevation of the tracks to Penn Central. Mr. Stanley Paletz, representing Towne Properties Inc., questioned whether Miami Engineering had been authorized by the City to proceed with some engineering and technical details to be co-ordinated between the City of Kettering the the Railroad Company. The City Manager advised that work is currently being done. Mr. Lewis suggested that the City submit a plan for the Rail Crossing to the City's satisfaction to Penn Central for their approval. Mayor Hoy requested that the City proceed as rapidly as possible to initiate this improvement.

Planning Commission Chairman Harold Wells presented to Council the Master Plan for the City of Centerville. Basically it is the Plan presented by Parking, Rogers, and Associates plus some changes recommended by the Washington Township Zoning Board and Centerville Planning Commission. He reviewed the Land Use Plan: well over 55% of the land is proposed for single family residence, local business being primarily along State Route 48, apartments are scattered throughout the City, and the bulk of industry on Clio Road and south of proposed I-675 along proposed Clio Road. However, the Planning Commission feels that the area south of I-675 and north of extended Clio Road should be reassessed. They recommended that uses for the north eastern section of the City be further studied by Professional Planners. Mr. Wells reviewed the Traffic and Transportation Plan; it corresponds with the roadway plan for Montgomery County and includes some recommendations from T.C.C. The Commission feels this Plan will adequately provide Collector and Minor Thoroughfare Streets for the area. Mr. Wells also explained the Community Facilities Plan which located parks, schools and public buildings. The Planning Commission recommended to Council the adoption of the Master Plan as presented and asked for a directive from Council to proceed with a Zoning Ordinance and Map to correspond with the Land Use Plan. A Resolution is necessary for the adoption of the Master Plan, Mr. Farquhar was requested to prepare the necessary Resolution.

Mr. Davis reviewed the Planning Commission Meeting held October 19, 1971. He reviewed the changes recommended by the Planning Commission to the Ordinance To Amend Ordinance Number 15-1961, The Zoning Ordinance By Establishing An Architectural Preservation District, Providing For Uses Therein And Procedures Thereto. The most effective change being to "I. Permitted Uses. Any use permitted in the R-1, R-2, R-3, R-4 or B-1 Districts shall be permitted in the Architectural Preservation District." They recommended this paragraph to read as follows: "I. Permitted Uses. The uses permitted in a particular Architectural Preservation District shall be those applicable in the zoning district or districts in which an Architectural Preservation District shall be hereafter established except as the uses permitted may be expressly modified or revised by the ordinance creating such Architectural Preservation District, or by subsequent amendments thereto". Following discussion, Council concurred that

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all changes be made as recommended by the Planning Commission to the Ordinance except that one concerning I. Permitted Uses. Mr. Farquhar recommended that two Ordinances be set for Public Hearing, the difference being made in I. Permitted Uses. Mr. McIntire moved that Ordinance Number 80-71, An Ordinance To Amend Ordinance Number 15-1961, The Zoning Ordinance By Establishing An Architectural Preservation District, Providing For Uses Therein And Procedures Relating Thereto, be set for Public Hearing on January 17, 1972, to include the recommendations of the Planning Commission except the change to I. Permitted Uses. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Green moved that Ordinance Number 81-71, An Ordinance To Amend Ordinance Number 15-1961, The Zoning Ordinance By Establishing An Architectural Preservation District, Providing For Uses Therein And Procedures Relating Thereto, be set for Public Hearing on January 17, 1972, to include all changes as recommended by the Planning Commission to said Ordinance. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. McIntire voted no.

Mr. Davis reviewed the Curb Cut application received for Sandy's and Cassano Pizza on the east side of State Route 48 just north of the Kroger Store. The two twenty-one foot cuts with a one foot divider would provide egress and ingress for the two buildings. The Planning Commission recommended approval of the Curb Cut as proposed conditioned upon the south cut being designated entrance and the north cut designated as exit, directions being indicated by signs and painted arrows on the pavement. Mr. McIntire moved that the Curb Cuts for Sandys and Cassano Pizza be approved as recommended by the Planning Commission. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Davis reviewed a Work Session held by the Planning Commission concerning the Paul Lapp and Black Oak Properties and the continuation of Wilmington Pike in a southwestwardly manner. The Planning Commission felt that a connector street is necessary from Wilmington Pike at State Route 48 to the existing Wilmington Pike in Green County to eliminate the present jog, but it should not be continued south in the manner as has been proposed in the Paul Lapp and Black Oak Rezoning Requests. Discussion followed concerning the Original Rezoning Request for the Paul Lapp Property. Council indicated objection to the proposed number of units in the Requested Apartment zoning. Mayor Hoy advised that a Council Work Session will be held to further consider the Paul Lapp Rezoning Request.

The Public Hearing was held concerning Ordinance Number 78-71. Mr. Farquhar reviewed the proposed Ordinance. Mr. Sweetman sponsored Ordinance Number 78-71, An Ordinance To Amend Ordinance Number 4-71 By Eliminating Any Salary For The Chief Of Police For Such Period Of Time The City Manager Continues To Serve As Police Chief, and moved that it be adopted. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 79-71, was held. Mr. Farquhar reviewed the proposed Ordinance. Mr. McIntire sponsored Ordinance Number 79-71, An Ordinance To Amend Ordinance Number 4-71 By The Addition Of A Second Inspector In The Building Division, Department Of Development, and moved that it be passed. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Smith advised that the estimated Engineering Costs for the Rahn Road Improvements would be in the neighborhood of \$4,000.00. Mr. Green moved that Council authorize the City Manager to provide for Engineering Study for the Rahn Road Crossing and Widening. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

City Manager James Smith advised that T.C.C. would like an endorsement from Council to proceed under the TOPICS Program with the improvements of Main and Franklin Streets, State Route 48 and Whipp Road, Whipp Road Crossing, Rahn Road Crossing and Traffic Light Interconnection. Mr. McIntire felt that relative to Main and Franklin, T.C.C. has not considered what is most important to the City of Centerville, that being the safety aspect. Mr. Stone felt that all projects should be endorsed; he moved that Council endorse each

RECORD OF PROCEEDINGS

Minutes of

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

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project: Main and Franklin Street, State Route 48 and Whipp Road, Whipp Road Crossing, Rahn Road Crossing, and Traffic Light Interconnection. Mr. Green seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. McIntire voted no.

Mr. Smith advised that all discrepancies previously noted in Dorver Estates, Section Three have been rectified and thus recommended release of the Performance Bond. Mr. Davis moved that the \$52,000.00 Performance Bond for Dorver Estates, Section Three be released subject to the receipt of a Maintenance Bond in the amount of \$3,000.00. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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

Mayor's Court

Fines and Forfeitures \$ 595.00

Costs 235.00

Total \$ 830.00

Zoning Permits

- 25 One family residences
- 6 Additions to residences
- 1 Apartment Complex (264 units)
- 1 Commercial
- 1 Sign

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

Mr. Smith reviewed his recommendation concerning the purchase of a new pick up truck and snow plow for the Street Department. He recommended that in purchasing this equipment the 1965 Chevrolet Carry All and the 1969 Ford Sedan be used as trade-ins. Mr. McIntire moved that the City of Centerville go to bid for the purchase of a four wheel drive pick-up truck, to be advertised with no trade, with one trade, and with two trades. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Smith also recommended that the City consider the purchase of one police cruiser through County Purchasing, and use as a trade-in the other 1969 Ford Sedan presently being used by the Police Department. Mr. Stone moved that Centerville enter into Joint Purchase with Montgomery County for one police cruiser with the understanding that if the bid is not acceptable by the City that it can be rejected. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Stone sponsored Ordinance Number 82-71, An Emergency Ordinance To Amend Ordinance Number 4-71 By The Addition Of A Second Inspector In The Building Division, Department Of Development, and moved that it be passed. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Zengel sponsored Ordinance Number 83-71, An Emergency Ordinance To Amend Ordinance Number 4-71 By Eliminating Any Salary For The Chief Of Police For Such Period Of Time The City Manager Continues To Serve As Police Chief, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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

Mr. Zengel felt Council should begin to consider whether a contract for an Animal Warden should be renewed for the Year 1972. Mr. Smith advised that a proposed contract is currently being reviewed.

Mr. McIntire felt that Council should meet in a Work Session to consider additional facilities and services in future years to the taxpayers.

Mr. Sweetman suggested that action be taken concerning the delinquent Waste Collection bills as soon as possible.

The Meeting was then adjourned.

Attest:

Marion J. Dougherty
Clerk of Council

Approved:

Paul C. Hoy
Mayor