

Held November 15, 1971

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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Special Session, Monday, November 15, 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: Russell Sweetman, Victor Green, J. V. Stone, John McIntire, John Zengel, John Davis, City Manager James Smith, Municipal Attorney Robert Farquhar, Director of Finance Ronald Budzik, and Clerk of Council Marilyn McLaughlin.

Mayor Hoy recognized in the audience Girl Scout Troop Number 112 from the Village South School and Cadet Girl Scout Troop Number 10.

Mr. Marty Evers appeared before Council to explain Cable Television for the Miami Valley Region. He compared Cable TV in the Rand Study vs Cable as being understood in the past. The proposed rate for Cable TV in the Rand Study would be between \$6.00 to \$7.00 per month per household.

Director of Finance Ronald Budzik analyzed the Waste Collection Fund and operation of the system from November 1, 1970 through October 31, 1971. He recommended that Centerville consider providing Commercial Pick-up and recommended that customers with unpaid bills be cut from the service. Mayor Hoy and Mr. Stone expressed their satisfaction with the successful operation of the system over the past year.

The Public Hearing was held concerning the Rezoning Request of the R. & R. Investment Company for Property lying on the west side of Wilmington Pike north of State Route 725. Requested is a change from Washington Township R-4 to Centerville B-1 Classification.

The Notice of Public Hearing was read by the Clerk of Council.

City Manager James Smith explained the Request and located the Property on a map.

Mr. Joseph Rippe, Trustee for the Property, reviewed anticipated use of the land should Rezoning be granted. Planned are neighborhood type business with perhaps a Savings and Loan Building.

Mr. Paul Rodenbeck, engineer for the Applicant, explained the zoning of adjacent land on the east side of Wilmington Pike, proposed is an Office Complex and Apartments. He explained the access being provided through the subject property to the property owned by Saint Francis Catholic Church. access to the west and to the south. The Planning Commission recommended approval of this Request by a 6-0 vote.

Mr. Green sponsored Ordinance Number 84-71, An 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, 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 was held concerning the Rezoning Request of the R. & R. Development Company for the property lying directly west and north of the prior Rezoning Request. Requested is a change from Washington Township R-4 to Centerville R-2 Classification.

Mrs. McLaughlin read the Notice of Public Hearing.

Mr. Smith reviewed the Request and located the Property on a Map.

Mr. Green questioned why being requested is R-2 rather than R-1. The Applicant explained that the uses in Greene County across Wilmington Pike from this Property, dictate the land value.

Mr. McIntire wondered how this Request compares with the Land Use Plan incorporated in the Master Plan for that area north of Clio Road. Though this land is proposed for industry on the Master Plan, the Applicant did not request such as he believes the demand is not evident at the present time. Discussion followed concerning the fact that this land is included in another Rezoning Request set for Public Hearing on December 20, 1971 with an additional 7+ acres and with certain Deed Restrictions. Mr. McIntire recommended and Council concurred that no action be taken on this Request until the other Public Hearing has been held.

Mr. Zengel wondered what effect the proposed industry on the extension of Clio Road would have on this residential development in years to come.

Mayor Hoy recommended that the alignment of proposed Clio Road be reviewed as it continues through these developments.

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Mr. Paul Rodenbeck advised that Clio Road as it extends through the subject Property is in accordance with State Highway approval and future plans in Greene County.

Mr. McIntire stressed the importance of industry south of and adjacent to the interstate.

Mr. Smith pointed out the fact that the Sewer Facilities in the area is approximately 1 1/2 to 2 years away.

The Public Hearing was held concerning the Rezoning Request submitted by the Sun Oil Company for Property on the south west corner at Main and Franklin Street. Requested is a change in zoning from Centerville B-1 to Centerville B-2.

The Notice of Public Hearing was read by the Clerk of Council.

Mr. Smith explained the Request and located the Property on a map. The vote in Planning Commission concerning this Rezoning Request was 4-3 thus passing on no recommendation to Council. The Request is being heard before Council on an Appeal by the Applicant.

Mr. Robert Womsley, Attorney for the Applicant, explained the Sun Oil Service Station planned for this corner. The building would be Colonial, and the Applicant would be agreeable to dedicating 10 feet of right-of-way on West Franklin Street and South Main Street to effect a better flow for traffic. The Applicant would be willing to work out details with the City in a satisfactory manner.

Mr. Bob Brown, Realtor for the Sun Oil Company, circulated pictures illustrating the type of Architecture proposed. Mr. Brown further stated that the Applicant would be willing to provide adequate screening for the property to the south, could consider placing the bays to the rear of the building, and would work the requirements in the Architectural Preservation Ordinance into the plan.

Mrs. Hilda Ryan, 88 Davis Road, pointed out the fact that the traffic pattern at Main and Franklin does not permit easy accessability to any Service Station at this intersection.

Mr. Green pointed out the advantage to the City for additional right-of-way on West Franklin Street and South Main Street.

Mr. Stone and Mr. Zengel recommended and Council concurred that a Council Work Session be held to further review this Request.

Mr. Davis explained Ordinance Number 86-71, an Ordinance which gives Council and the Planning Commission the leverage needed to control the location of establishments serving beer, ale, stout, other malt liquors, spirituous liquor and wine. The uses would be Conditional Uses and would be required to be at least 500 foot apart. Mr. Farquhar pointed out that this requirement could be waived by the Planning Commission and Council at the time the Conditional Use is considered. Mr. McIntire objected to the Ordinance in that he felt in the future, this could constitute political influence or a prejudice action. Mayor Hoy pointed out that this Ordinance would prevent strip uses as such, along Franklin Street or Main Street. Mr. Davis moved that Ordinance Number 86-71, An Ordinance Amending Ordinance Number 15-61, The Village Of Centerville, Ohio, Known As The "Zoning Ordinance Of Centerville, Ohio 1961" By Creating Certain Conditional Uses In The B1, B2, B3, EC and II Zones, ~~and moved that it~~ be set for Public Hearing on January 17, 1972. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The release of the Performance Bond on Section Sixteen, Pleasant Hill Plat, was discussed by Council. Mr. Lewis recommended that the Performance Bond be released and a Maintenance Bond in the amount of \$6,500.00 be submitted to secure completion of sidewalk and replacement of a fire plug. Discussion revealed that a Performance Bond or a Cash Bond would be required to secure completion of these two items. Mr. Zengel and Mr. Farquhar will work out details concerning Bonds; the item will be on the agenda for the next Council Meeting.

Mayor Hoy requested that the Facilities and Planning Council Committee review regulating the parking and storage of Recreational Equipment on private property, and recommend to Council whether or not an Ordinance should be considered for this purpose; recommendation to include the proposed Ordinance.

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Council concurred to further review an amendment to the Appropriation Ordinance for 1971 and consider it at a future Council Meeting.

Director of Finance Ronald Budzik explained the necessity of Resolution Number 12-71. Mr. McIntire sponsored Resolution Number 12-71, A Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor, and moved that it be passed. Mr. Zengel seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

While the poll of Council Members was taken, Mr. Green reminded Council to consider reducing the density permitted in multi-family zoning.

The Meeting was then adjourned.

Approved

Paul G. Day

Mayor

ATTEST:

William D. McLaughlin

Clerk of Council