

RECORD OF PROCEEDINGS

Minutes of

SPECIAL

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held June 15,

19 70

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Special Session, Monday, June 15, 1970 at 7:30 P.M. at the Municipal Building with Mayor Paul Hoy presiding. Councilmen present were as follows: Victor Green, John Zengel, John Davis, City Manager John Griffin, City Engineer Frank Williams, Municipal Attorney Robert Farquhar, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of June 1, 1970 had been distributed prior to this Meeting. Mr. Green moved that the Minutes of the Meeting of June 1, 1970 as distributed, be approved. Mr. Zengel seconded the motion. A roll call vote resulted in four ayes in favor of the motion.

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

Mr. Griffin reported for the Planning Commission. He reviewed the Shell Oil Company's Request for a Variation in sign requirements in the Zoning Ordinance of 1961. For their property at Main and Franklin Streets they have requested a variance of 14 feet in sign area, and 11 feet in the set back required from each property line. The applicant, at the Planning Commission Meeting, changed the dimensions and height of the proposed sign to comply with the Zoning Ordinance. The Planning Commission approved a set back of 9 feet for the sign from the property line.

An application from T. R. Price was received by the Planning Commission for dedication of an alley, specifically Cranston Court. The Planning Commission is considering the request and has requested Mr. Price to present a street construction drawing to the City Engineer for his review.

Mr. Griffin reviewed the Curb Cut Application received from John Duckro for two cuts on the north side of Iron Gate Park Drive. The Planning Commission approved the request conditional upon the erection of entrance and exit signs in their proper locations. Mr. Duckro explained his proposed development; it will be called Old Town Office Park and will be of Williamsburg architecture. Mr. Davis moved that the two Curb Cuts as applied for by Mr. John Duckro be approved. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Clerk of Council Marilyn McLaughlin advised that a "Notice of Intent to Appeal" has been filed by City Engineer Frank Williams concerning the Planning Commission's decision on the Variance Application submitted by the Shell Oil Company.

Mrs. McLaughlin distributed to Council copies of a letter received from Mr. K. C. Mueller, 175 Broadripple Road, opposing a Rezoning Request presently before the Planning Commission. The Requested Change is for 7.065 acres located on the east and west side of Route 48, a change of R-2 and R-3 to B-1.

John Griffin gave his City Manager's Report. The widening of East Alexandersville-Bellbrook Road was discussed by Council. Mr. Griffin advised that Mr. Robert Schreiber, Chief Counsel for the Edward J. DeBartolo Corporation informed him this date that the State will widen State Route 725. However, there is a small possibility that the State will not pay for the roadway, but if the State does not, the DeBartolo Corporation will pay for said roadway. There has been no starting date set for this street construction. Council agreed that the City Manager should contact the proper State Authorities and continue to press the DeBartolo Corporation concerning this matter.

Mr. Griffin summarized the Anti-pollution Rules recently adopted by the County Board of Health. Basically they prohibit burning in the City of Centerville, however, under special conditions, a permit can be secured. Mr. Williams requested a legal interpretation of these rules by the Municipal Attorney. Mr. Farquhar will research this matter and submit his legal opinion of the law.

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Mr. Griffin advised that due to an insufficient number of applicants for the Summer Recreation Program, registrations are being returned this week. The tennis program began June 15, 1970.

City Manager John Griffin informed Council that the contract for the resurfacing of State Route 48 will be sold July 14, 1970.

An increase in Refuse Collection by the Town and Country Sanitation Service, Inc. was briefly discussed by Council. Mr. Stone sponsored Resolution Number 9-70: A Resolution Amending A Contract Dated October 27, 1967 Between The Village of Centerville And Koogler's Refuse Collection, Inc. Providing For The Collection Of Refuse By Raising The Rate For Single Dwelling Units, From \$2.50 Per Month To \$3.00 Per Month Effective As Of June 1, 1970, and moved that it be adopted. Mr. Zengel seconded the motion.

WHEREAS, the governmental authority of Montgomery County, Ohio, has constructed an incinerator to be used for the disposal of refuse, and

WHEREAS, Koogler's Refuse Collection, Inc. has been required by said governmental authority to use said incinerator at an increased cost to said Koogler's Refuse Collection, Inc., and

WHEREAS, by virtue of the terms of a contract entered into between the then Village of Centerville and said Koogler's Refuse Collection, Inc. dated October 27, 1967, the rate for a single dwelling unit of \$2.50 per month may be renegotiated to reflect said increased cost.

NOW, THEREFORE, BE IT RESOLVED that the said agreement of October 27, 1967, is hereby amended to provide for a rate of a single dwelling unit of \$3.00 per month in lieu of the \$2.50 provided therein, said new rate to be effective as of June 1, 1970.

A roll call vote resulted in five ayes in favor of the motion. Mr. Green suggested that the City Manager review for the press the cost figures as presented by the collector to justify the increase in the collection cost.

The Public Hearing concerning Ordinance Number 28-70 was held. City Manager John Griffin reviewed the proposed Ordinance and emphasized the changes which it makes to the Zoning Ordinance. Mr. Davis sponsored Ordinance Number 28-70: An Ordinance Amending Ordinance Number 15-61, The Village Of Centerville, Ohio, Known As The "Zoning Ordinance Of Centerville, Ohio, 1961", and moved that it be approved. Mr. Green seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Some discussion followed concerning the footnotes listed under Figure 1, Residential Uses and Requirements.

Municipal Attorney Robert Farquhar reviewed a proposed amendment to Ordinance Number 11-66. The proposed Ordinance includes two definitions, and changes the notice procedure by providing for an order to remove, a time for compliance and for impounding. Mayor Hoy recommended that reconditioning not be permitted in the open area, that it must be done in an enclosure. The definition was changed to read as follows:

"Reconditioning - reconditioning is the process of restoring, refurbishing or repairing of a motor vehicle which must be performed in an enclosed area."

Mr. Green sponsored Ordinance Number 29-70: An Ordinance Amending Ordinance 11-66 Which Enacted Section 36.31 Of The Code Of Ordinances Of The Village Of Centerville, Ohio, By Adding Definitions And Changing The Notice Procedure By Providing For An Order To Remove, A time For Compliance And For Impounding, and moved that it be set for Public Hearing on July 6, 1970. Mr. Davis seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Concerning the drainage problems existing on Bethel Road and Johanna Drive, Mr. Griffin advised that a meeting is being arranged between Dr. Thomas and the property owners to get various minor problems worked out.

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An Ordinance To Amend Ordinance Number 2-70 Of January 19, 1970 And Ordinance Number 7-70 Of February 16, 1970 For A Table Of Organization, Personnel Classifications, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, was reviewed by City Manager John Griffin. After considerable discussion by Council, Mayor Hoy advised that a work session will be set to further consider this matter at which time prior Ordinances can be compared.

The refund to the Washington Township Trustees from the 1969 Police Contract and the .7 mill presently being paid to the Township by Centerville residents were discussed by Council Mr. Stone moved that the City of Centerville refund to the Washington Township Trustees \$7,002.29 representing a rebate from the 1969 Police Contract, which shall be deducted from the receipts from the .7 mill levy based on the 1970 tax duplicate which amounts to \$28,581.07; net to Centerville - \$21,578.78. Mr. Green seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

The Meeting was then adjourned.

Approved:

Paul C. Hoy
Mayor

Attest:

Marilyn J. S. Saughlin
Clerk of Council