

RECORD OF PROCEEDINGS

Minutes of

SPECIAL

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1087

Held

September 21

19 70

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session, Monday, September 21, 1970 at 7:30 P.M. at the Municipal Building with Mayor Paul Hoy presiding. Councilmen present were as follows: John Zengel, Victor Green, John Davis, Harold Wells, J.V. Stone, John McIntire, City Manager John Griffin, City Engineer Frank Williams, Municipal Attorney Robert Farquhar, Director of Finance Ronald Budzik, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of September 1, 1970 had been distributed prior to this Meeting. Mr. McIntire moved that the Minutes of the Meeting of September 1, 1970 as distributed, be approved. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Paul McDonald, 113 Martha Avenue, appeared before Council concerning a lack of garbage collection to many residents in Centerville. Mr. Griffin explained that service has been cut by the Contractor to those people who have not paid their bill through the month of October. Mr. Wells suggested that Council request Frank Hoffer to collect the refuse of those people who have paid through September but not October since this is somewhat in advance. Mr. Griffin will pursue this matter on September 22, 1970. Mr. George Rose, 250 Annette Drive, suggested that Council consider the sale of can liners for fee collection for when the City takes over refuse collection November 1, 1970.

Clerk of Council Marilyn McLaughlin read a Notice of Application from the Ohio Department of Liquor Control for a D1 and D2 Permit to sell 3.2 and 6% beer and wine applied for by the owners of the Stagecoach Inn at 29 East Franklin Street. Council indicated no objections to the application.

Mr. Griffin gave his City Manager's Report. In discussing Municipal Waste Collection, he advised that the three trucks will be ready September 25, 1970. He recommended paying for these trucks and related equipment through the issuance of Bond Anticipation Notes sold in private sale to the First National Bank of Miamisburg, Centerville Branch. It has been evidenced that there will be approximately 4,000 dwelling units to be supplied waste collection when the City takes it over. Mrs. Elisa Wert, 7275 West Von Dette Circle, suggested collecting leaves and grass clippings separately, placing them on a compost pile and then permit the residents to help themselves.

Two traffic problems, one at Johanna Drive and East Franklin Street, the other at Virginia Avenue and West Franklin Street, were discussed by Council. Mr. McIntire requested that a cost analysis be made concerning the erection of a light currently owned by the City on East Franklin Street at Johanna Drive. Mr. Zengel wondered if perhaps monies could be borrowed to provide the needed traffic signals. Mr. Griffin will have figures available at the next Council Meeting.

The Shell Service Station sign at Main and Franklin Street was discussed by Council. City Engineer Frank Williams advised that the sign is in violation of the Zoning Ordinance in any position as it is currently erected. Mayor Hoy requested that Mr. Griffin pursue the erection of another sign which will conform.

The Public Hearing concerning An Ordinance Amending Ordinance Number 15, Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning Lots 3350, 3351, 3352, 3355, 3356, 3357 Of The Herbert C. Huber Plat No. 25 From Centerville R-2 Classification To Centerville B-1 Classification, was held. This is the Re-Zoning Application of Thomas Forsythe and others for properties on the east side of North Main Street.

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

Mr. Wells, Chairman of the Planning Commission, explained the request and located the property on a map. The Planning Commission recommended to Council that the request be denied by a 6-0 vote.

Mr. William Wolff, Attorney for the Applicant, explained the reason for the request and pointed out the various businesses in the surrounding area. He submitted pictures to Council revealing the current traffic condition on

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Route 48 in the related area. He advised that these property owners are being deprived the highest and best use of their land.

Clerk Marilyn McLaughlin read a Petition received in opposition to this rezoning request, signed by 66 Washington Park residents. Five letters of opposition were also received.

Mr. Theodore Byman, 36 Blackstone Drive, emphasized the fact that the businesses previously referred to by Mr. Wolff do not abutt residential property. He is also concerned with the elevation differential between his property and that contained in the rezoning request.

Mr. Jim Schantz, representing the Southminster Presbyterian Church, spoke in opposition to the proposed rezoning, it is not in keeping with the surrounding area.

Mr. Charles Smith, 65 Blackstone Drive, indicated his opposition.

Mrs. Carol Haschart, 30 Blackstone Drive, is concerned with what kind of business might go in if the property is rezoned.

Mr. John Bradford, 53 Blackstone Drive, is concerned with the increased traffic and parking which could be generated on Route 48 and Blackstone Drive.

Mr. Jeff Kuntz, 71 Blackstone Drive, feels this should remain residential property.

Mr. Norman Clements, 483 Sunnycliff Place, wondered where there is a buffer zone between the proposed business zoning and residential zoning.

Mr. Lawrence Koci, 32 Blackstone Drive, agrees with the Planning Commission's decision.

Mr. James Spears, 41 Teal Way, asked why contaminate area for children in the future.

Mr. Robert Billett, owner of property at 25 Elmwood Drive, advised that this will only increase traffic on Route 48.

Mr. Wells advised that presently there is no zoning which would permit Mr. Forsythe to operate an office in a residence as he presently has in operation. The B-1 zoning was not recommended by the Planning Commission based on the lack of buffer and the undesirability of business per say.

Mr. Zengel felt that some kind of restricted business use would be the best solution in this case.

Mr. Loring Duff, 7400 Pine Frost Lane, suggested that Council consider Centerville's tax base when reviewing rezoning requests.

Mayor Hoy advised that this item will be on the agenda for the Council Meeting on October 5, 1970.

City Manager John Griffin reviewed his draft of an ordinance regulating the parking and storage of recreational equipment on single-family residential property. It was the general consensus of Council that some of the restrictions contained in the draft are too strict. Mr. McIntire felt that the safety aspect should be emphasized.

Mrs. Elisa Wert, 7275 West Von Dette Circle, suggested that Council consider the fact that some enclosures could look worse than the vehicles themselves. She proposed that each case be dealt with on an individual basis.

Mrs. Miller, 140 Elmwood Drive, presented Council with a copy of a favorable ordinance currently in effect in Brevard County, Florida, for their review.

Mrs. Martha Johnson, 2569 Walford Drive; Mr. Al Poock, 202 Goldengate Drive; and Mr. Pete Herbert, 144 Chevy Chase Drive; indicated their objection to an ordinance restricting the storage of recreational equipment.

Mr. Tim Sease, 5107 Dobbs Drive, presented to Council 70 letters from Centerville residents in opposition to such an ordinance.

Mr. Robert Power, 165 West Franklin Street, felt such an ordinance would be discriminatory. He feels one should be permitted to use his property in a manner to suit his individuality. He proposed the formation of and would like to be a member of a Citizen's Committee to review recreational equipment storage complaints and discuss the problem with such individual owners.

Mayor Hoy recommended that this item be further reviewed.

Mr. Earl Kunish, 5530 Tyranda Lane, felt that there should be some restrictions but those proposed here are too strict. He would like to see a committee formed to work on the safety aspect of the storage of recreational equipment.

Mr. Don Plummer, representative from the National Campers and Hikers Association, advised that campers are law abiding people, they want to enjoy what God gives to enjoy. He endorsed the formation of a Citizen's Committee as previously suggested.

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The Public Hearing concerning an Ordinance accepting and confirming dedication of a public alley, was held. Municipal Attorney Robert Farquhar explained the proposed Ordinance. Mr. Wells sponsored Ordinance Number 34-70, An Ordinance Accepting And Confirming Dedication Of A Public Alley, Subject To Certain Conditions, 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. Wells reviewed for Council the Housing Plan for the Miami Valley Region. One of the Key issues in the housing needs drawn up by the staff of the MVRPC is to acknowledge the fact that there is a need for low cost housing in the five county region, and something should be done to alleviate this need. In the formula for distribution of this need for Centerville and Washington Township 599 units have been proposed, to be scattered around, and constructed within the next four years. These houses would be constructed under various types of Federal Housing. A sub-committee of the MVRPC has reviewed the housing policies as prepared by the staff and will recommend certain modifications to the Commission. The changes reflect some of the concern expressed in regard to a regional Commission being over the local Commission and Council, and reflect the greater involvement of the local authorities. He advised that the number of units built in one given area will be based on supply and demand; local government monies will not be expanded for housing construction. Mr. Wells felt that the modified plan as amended would be acceptable to Council.

Mayor Hoy stressed the fact that people in Centerville and Washington Township are currently supplying Washington with a minimum of ten million dollars in taxes each year; our citizens will subsidize this program whether we like it or not; he compared this with the four hundred thousand dollars which the ^{local} government has to operate with.

Steve Swanson, 6825 Cranford Drive, felt that a few homes should be built to see the impact on our Community before continuing with the project.

Mr. Zengel stated that we all must have basic freedom, we all should be able to live and enjoy a good home, we must practice charity to fellow humans either ourselves or by higher authority, this is American. He brought out the fact that one should have the opportunity to live where he works, this will help the elderly people also.

Nancy Moore, advised that people should work for what they want just as others have done.

Mr. Stone moved that Mr. Wells be authorized by Council to vote in favor of the Housing Plan of the Miami Valley Region with certain reservations as spelled out at this Meeting. Mr. Zengel seconded the motion. Mayor Hoy suggested that Item B under Policies and Recommendations "That new housing developments shall be located in such a manner that they will be served by commercial and recreational facilities, transportation, schools, employment opportunities and all of the necessary facilities," be in complete form before acceptance of a plan. Mr. Green advised that this is not an answer to our present social problem, he would like to see the programs presented before Council takes any action on this plan, he both favors and disapproves of some of the principles involved. Mr. Stone explained the responsibility that we have to help others as well as ourselves. A roll call vote resulted in three ayes in favor of the motion. Mr. Green, Mr. Davis, Mr. McIntire, and Mayor Hoy voted no. Thus Council did not direct Mr. Wells as their representative to endorse or reject the Housing Plan when presented for approval at the MVRPC Meeting.

A Performance Bond reduction of 90% on Black Oak Estates II, Section Two was discussed by Council. Mr. John Black advised that he will correct the situation and repair the bad portion of Glenbrier Place at an estimated cost of \$2,000.00. Mr. Zengel and Mr. McIntire indicated their dissatisfaction with the construction of concrete streets in Black Oak Estates. Mr. Williams requested time on the agenda for the next Council Meeting to discuss concrete streets in Centerville. Mr. Wells moved that the Performance Bond for Black Oak Estates II, Section Two, be reduced 90%. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Hoy set a Special Council Meeting for Thursday, September 24, 1970 at 8:00 P.M.

The Meeting was then adjourned.

Attest:

Martha J. McLaughlin
Clerk of Council

Approved:

Paula Hoy
Mayor