

Held March 17, 1969

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The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session, Monday, March 17, 1969 at 7:30 P.M. at the Municipal Building with Deputy-Mayor John Davis presiding. Councilmen present were as follows: Harold Wells, Richard Miller, John McIntire, John Zengel, City Manager John Griffin, Engineer Frank Williams, Municipal Attorney Robert Farquhar, Director of Finance Ronald Budzik, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of March 10, 1969 had been distributed prior to this Meeting. Mr. McIntire advised that the fourth sentence should include the fact that he expressed concern concerning the tightness of the Street Budget this year and that his consideration would have been to commit directly toward the street work by placing those funds in question within the Street Budget. Mr. Zengel advised that the fourteenth paragraph should read "Mr. Zengel advised that only four or five of the adjacent property owners out of thirty-five have voiced opposition to the proposal". Mr. Wells moved that the Minutes of the Meeting of March 10, 1969 as amended, be approved. Mr. McIntire seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

The Minutes of the Meeting of March 11, 1969 had been distributed prior to this Meeting. Mr. Zengel moved that the Minutes of the Meeting of March 11, 1969 as distributed, be approved. Mr. Miller seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mr. Davis abstained.

Mr. Dick Smith, representing the S.K. Construction Company, appeared before Council concerning their interest in the East Franklin Street improvement project. He was curious as to why Council awarded the contract for a concrete street rather than an asphalt street. Mr. Davis advised that Council wished to try some concrete streets and they felt this was a good place to start.

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

Engineer Frank Williams appeared before Council concerning the status of the proposed amendment to the Zoning Ordinance. Discussion revealed that the Ordinance, last presented to Council, is a correct copy of that which was prepared by the Zoning Ordinance Review Committee. Mr. Davis advised that he hopes this Ordinance will be on the agenda for the next Council Meeting.

The Ordinance to establish Historic Preservation Districts and a Historic Preservation Commission in Centerville was discussed by Council. Council agreed to familiarize themselves with this Ordinance and then set a work session with residents in Centerville for further discussion concerning the Ordinance.

Mr. Wells reported for the Planning Board. Mr. Joseph Johnson, representing Federated Department Stores, and Mr. Robert Bartlet, Attorney for Federated appeared before Council concerning the proposed shopping center at Alexandersville-Bellbrook Road and Route 48. Mr. Wells explained the layout and landscaping for this proposal. The plan has been revised according to the Planning Commission's request: the arches in front of the Gold Circle Store have been removed, the signs will be no taller than the buildings, and there will be sheltered entrances to the Gold Circle Store as well as to other stores. It was indicated on the plan that there can be future expansion to the proposal. The developers will construct the Loop Road north to the Interstate, the Davis Property will pick up the Loop Road and extend it to Route 48. Mr. Wells advised that the Loop Road has been approved by the State Highway Department and that the Federal Government will build a bridge over the Loop Road for the Interstate Highway. Traffic Studies indicate that the Loop Road will handle the increased flow of traffic. Mr. McIntire questioned what unique features are in this complex of Federated Stores that will be provided the City of Centerville. Mr. Johnson advised that the Gold Circle Store will be a soft goods and fashion type store, and one which will compliment Federated Department Stores. The additional roadway width of Route 725, to be provided by the developer, was discussed by Council. Engineer Frank Williams advised that there is presently one lane of pavement on the north side of the centerline of this State Highway and there was just one lane on the south side until Washington Park added another lane to the south, this developer proposes to add one

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Minutes of

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

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more lane of pavement on the north. The curb line will be just one lane north of the existing edge of the asphalt. Mr. McIntire, under the circumstances of Route 725, would like for Council to consider reverting this plan back to the Planning Commission until they get an absolute comprehensive understanding as to what additional roadway width will be provided on the north side of Route 725, by the developer. Mr. Johnson advised that there is a time problem facing the developers for this proposal. Mr. McIntire objected to the request for the urgent issuance of a Zoning Certificate for this Shopping Center, due to the fact that the first consideration was for a eighteen million dollar Mall, now the proposal is for a Gold Circle Store, and due to the uncertainty of the roadway width of State Route 725. Prior delays in the rezoning of this land were discussed by Council. Mr. McIntire advised that the delays were a result of two law suits caused by errors made by the then Municipal Solicitor Frederick N. Young. He advised that the one lane, contiguous with Washington Park, is not adequate for State Highway traffic, that this lane is not even considered as a part of the State Highway. He requested comments from Engineer Frank Williams concerning the adequacy of this highway. Mr. Williams advised that the highway is inadequate as far as construction, engineering, slope and standards are concerned. Mr. Wells advised that the roadway width will be provided on the construction drawings when presented at a later date and that now they are asking only for the issuance of a Zoning Certificate. He advised that the finding of the Planning Commission is as follows: "in as much as the requirements for the financial study, traffic plan study, market survey and development plan for a shopping center at Route 725 and Route 48 have been met and finding by the Commission that the public health, safety, morals, and general welfare of the City will not be substantially adversely affected by the establishment of this shopping center on the tract proposed for that purpose, it is moved by the Commission that a recommendation be made to Council that a zoning certificate be issued." Mr. McIntire personally expressed absolute concern in that he does not feel the highway project was comprehensively presented. Mr. Davis recommended that the Minutes of previous Meetings be reviewed to ascertain the agreement made with Edward J. DeBartolo concerning Route 725. Engineer Frank Williams will pursue the erection of a sidewalk on the back side of the screen planting along Route 725. Mr. Johnson advised that some type of bumpers will be provided in the parking area for this proposal. Mr. Wells moved that the Zoning Certificate be issued to DeBartolo and Federated Stores. Mr. Zengel seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mr. Miller and Mr. McIntire voted no.

Ordinance Number 20-69, an Ordinance granting the Dayton Power & Light Company an Electric Franchise in the City of Centerville was discussed by Council. Mr. Phil Webb from the Dayton Power and Light Company advised that the Ordinance now includes the fact that replacements shall be made according to Centerville Standards of Street Construction. Mr. Wells sponsored Ordinance Number 20-69: An Ordinance Granting The Dayton Power And Light Company, Its Successors And Assigns, An Electric Franchise In The City Of Centerville, State Of Ohio, For A Period Of Twenty-Five (25) Years, Commencing On The 10th Day Of May, 1969, and moved that it be posted in accordance with law and a Public Hearing be set for April 7, 1969. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Public Hearing on Ordinance Number 15-69 was held. Mr. Stone moved that Ordinance Number 15-69: An Ordinance To Ratify And Confirm A Contract Between The City And Paul E. Swartzel Insurance Service Agent For The Buckeye Union Insurance Company To Purchase A General Liability Automobile Policy be approved. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Public Hearing on Ordinance Number 11-69 was held. Mr. McIntire sponsored Ordinance Number 11-69: An Ordinance For A Table Of Organization Personnel Classifications, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, And Repealing Ordinance Numbers 3-68, 5-68, 8-68, 12-68 And 24-68 And Any Other Prior Ordinance In Conflict Herewith, and moved that it be approved. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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Ordinance Number 12-69, an Ordinance defining acceptance of Subdivision Plats was discussed by Council. City Manager John Griffin advised that the changes have been made in this Ordinance, as requested by Council. Mr. McIntire sponsored Ordinance Number 12-69: An Ordinance Defining Acceptance Of Subdivision Plats, Reduction Or Release Of Performance Bonds, Acceptance Of Maintenance Bonds, And Amending Ordinance 12-66, and moved that it be posted in accordance with law and a Public Hearing be set for April 7, 1969. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Ordinance Number 13-69, an Ordinance defining the procedure for Competitive Bidding was discussed by Council. City Manager John Griffin reviewed the corrections made to this Ordinance. Mr. Miller sponsored Ordinance Number 13-69: An Ordinance Defining The Procedure For Competitive Bidding Under Section 7.07 City Charter, and moved that it be posted in accordance with law and a Public Hearing be set for April 7, 1969. Mr. Wells seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Resolution Number 3-69 was discussed by Council. Mr. Wells advised that this Resolution is necessary to inform the State Highway Planners and The Federal Government that Bigger Road will be wider than the two lanes it is today, the bridge as presently planned would limit Centerville to just two lanes. Mr. McIntire suggested that the City Manager pursue Green County to proceed for the same roadway width for their portion of Wilmington Pike. Mr. Wells moved that Resolution Number 3-69: A Resolution Declaring Wilmington Pike and Bigger Road Major Arterial Streets, From Centerville Station Road To The North Corporation Line, be approved.

WHEREAS, major development of property and the construction of an interstate highway in the vicinity of Wilmington Pike and Bigger Road will require suitable roadway capacity; and

WHEREAS, good planning requires proper design and layout of streets to provide for traffic conditions; and

WHEREAS, the Planning Commission recommended this Resolution unanimously and the planning consultant endorsed the recommendation;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Centerville, that Wilmington Pike and Bigger Road, from Centerville Station Road north, to the north corporation line, are declared major arterial streets.

RESOLVED, further that Wilmington Pike and Bigger Road shall each have a right-of-way of ninety (90) feet, including a median strip and two moving lanes each direction north and south, of twelve (12) feet each.

RESOLVED, further, that the Clerk is hereby directed to cause copies of this Resolution to be mailed to the Centerville-Washington Township Joint Planning Committee; Division 8, State Highway Department; and the Planning Consultant. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

John Griffin gave his City Manager's Report:

1. He reviewed the Senate Annexation Bill # 122 and the Municipal League sponsored Annexation Bill which is before the House.

2. The Street Department equipment presently owned and additional, was discussed by Council. Council agreed that Mr. Griffin should proceed with what ever is most practical and the best over all long range program. Mr. McIntire indicated that the 1963 Dump Truck was not in good operating condition when it was purchased, and for this reason, Centerville should press International Harvester very hard concerning this matter and secure either a good trade in or a transmission to compensate for the condition of this truck.

The Meeting was then adjourned.

Attest:

Approved:

Mayor

Clerk of Council