

## RECORD OF PROCEEDINGS

Minutes of

Special

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held May 19,

19 69

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session, Monday, May 19, 1969 at 7:30 P.M. at the Municipal Building, with Mayor Paul Hoy presiding. Councilmen present were as follows: Harold Wells, Richard Miller, John Davis, J.V. Stone, Engineer Frank Williams, Director of Finance Ronald Budzik, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of April 28, 1969 had been distributed prior to this Meeting. Mr. Davis moved that the Minutes of the Meeting of April 28, 1969 as distributed, be approved. Mr. Wells seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Councilman John McIntire and Municipal Attorney Robert Farquhar entered the Meeting at this time.

The Minutes of the Meeting of May 5, 1969 had been distributed prior to this Meeting. Director of Finance Ronald Budzik advised that the fact that, he did state at the Meeting that an Ordinance could not be prepared for the increase in the Recreation Department without either lowering another fund or waiting until the money is in hand, should be contained in paragraph thirty-three. Mr. McIntire moved that the Minutes of the Meeting of May 5, 1969 be accepted including the dialogue which has been expressed by Mr. Budzik. Mr. Miller seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Clerk of Council Marilyn McLaughlin advised that a letter has been received from Frank C. Short congratulating Council on the passage of the Fair Housing Ordinance.

The Public Hearing on Ordinance Number 28-69 was held. Mr. Wells gave a brief description of this Ordinance. Mr. Wells sponsored Ordinance Number 28-69: An Ordinance Amending Ordinance Number 21-68 Dated December 30, 1968 By Adopting The Centerville Zoning Ordinance, With Exceptions For The Approximate 2,288 Acres In Washington Township Annexed By The Municipality Of Centerville In The Year 1967, and moved that it be adopted. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Councilman John Zengel entered the Meeting at this time.

The Public Hearing on Ordinance Number 29-69 was held. Mr. Davis sponsored Ordinance Number 29-69: An Ordinance Changing The Name Of East Village Road To Rolling Oak Drive, and moved that it be passed. Mr. Miller seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Public Hearing on Ordinance Number 31-69 was held. Discussion followed. Mr. McIntire sponsored Ordinance Number 31-69: An Ordinance Authorizing The City Manager To Enter Into A Written Contract With S-K Construction Company For Road Work To Be Performed On East Franklin Street In The City, for passage. Mr. Wells seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Wells wondered if it is necessary to pass Ordinances in regard to writing contracts, or if a Resolution would suffice. Mr. Farquhar will further study this matter.

Ordinance Number 33-69: An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning One Acre, More Or Less, From Washington Township R-4 Classification To Centerville I-1 Classification, was discussed by Council. This is the rezoning request of Floyd Malott to rezone one acre on the west side of Clio Road north of East Franklin Street. Engineer Frank Williams explained the location of the request and the existing neighborhood zoning. Mr. Wells advised that the Planning Commission approved this rezoning and recommended same to Council based upon the review by the Master Planner and the review of the Preliminary Land Use Plan. There were certain restrictions imposed upon this request: the right of way of Clio Road be enlarged to agree with the right of way of the land immediately south and on the opposite side of the street; that the building set back be such that it would be 100 feet from the centerline of the road; and that parking would be in back



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of the building line. Mr. Miller advised that neighboring residents were opposed to this rezoning at the Public Hearing, and this should be considered. Discussion followed concerning Mr. Malott's first request. Mr. Wells advised that the Planning Commission recommended, at their meeting of July 17, 1968, that application Z-2-68 (Malott's first request) be denied without prejudice pending development of the general plan for this area so that requirements would be uniform. Mr. McIntire felt it important that consideration be given to all of the land owners in this area, he feels this does indicate spot zoning, it does reflect a premature action for the general area, and it does show some excessive liabilities on owners of adjacent property in regards to sanitary and water facilities. Discussion followed concerning restrictions to be placed upon this property through covenants. Mr. Davis moved that Ordinance Number 33-69 be tabled until it can be established that covenants can be obtained to provide proper protection and restrictions upon this property. Mr. McIntire seconded the motion. Mr. Zengel recommended that restrictions be contained in the covenants to provide for only the type of operation which has been specified. Mr. McIntire felt that if the property is zoned I-1 than the owner should be permitted to follow the zoning as it is. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Robert Archdeacon reviewed the plan for Revere Village, the proposed apartment project on South Main Street in the EC Zoning. He advised that: in conjunction with the plan for the apartment project and the medical complex the access road will extend on the west side of Route 48 south across the land that is being retained by Carl Linxweiler; there will only be one access onto Route 48 from the apartment complex; a 60 foot strip will be dedicated for the improvement of Route 48, to provide a deceleration and an acceleration lane onto 48; and, Virginia Avenue will be extended to Spring Valley Road with a sidewalk on the west side. Mr. Wells advised that the Planning Commission recommended approval of the issuance of a Zoning Certificate upon the finding of the Planning Commission that the Public Health, Safety, Morals and General Welfare of the City will not be substantially adversely affected by the establishment of such apartment use on the tract of land proposed for that purpose, and recommended to Council that a Zoning Certificate be issued. Mr. Wells moved that Council issue a Zoning Certificate. Mr. Davis seconded the motion. Mr. Zengel felt that it was important to have a sidewalk on the east side of Virginia Avenue and that the roadway width of Virginia be at least 35 feet. He felt that this plan could have been better laid out so as to provide a better view from Virginia Avenue. Mr. McIntire felt that consideration should be given to these three items. Mr. Charles Abramovitz explained how these items have been considered. A roll call vote resulted in five ayes in favor of the motion. Mr. Zengel and Mr. McIntire voted no.

Mr. Stone moved to defer any action concerning the Recreation Program until further discussion with City Manager John Griffin. Mr. McIntire seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Engineer Frank Williams submitted a cost estimate and explained two plans for the construction of the Westerfield parking lot. Mayor Hoy suggested that the construction of this parking lot meet a medium between the two plans. Mr. McIntire felt that the curb or wall should be kept down as low as possible yet retaining any slope toward Westerfield Lane or ducting it out to and through the curb onto the existing pavement. Mr. McIntire moved that Centerville proceed with the On Street Parking on the west side of Westerfield Lane in accordance with Frank Williams' drawing of May 12, 1969 relating to a design of which will incorporate the best of both plan Y and Z which will be included on that drawing. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Engineer Frank Williams submitted a cost estimate and explained a plan for improvement of Weidner Lane. Discussion followed concerning the property at the corner of Weidner Lane and West Franklin Street. The street would be approximately 16 feet narrower at this location than the rest of the roadway. Mr. McIntire suggested that the City Administration study this situation and work with the property owner to secure a solution to the problem. Mr. Williams will contact this owner and see what can be done about the street width, and will prepare a cost estimate for the property owners on Weidner Lane.



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Engineer Frank Williams submitted an analysis of bids for street resurfacing in 1969. Four bids were received:

	<u>Tac Coat</u>	<u>T-35</u>
Ziehler Road Materials, Inc.	\$ 2,538.00	\$39,538.00
Dayton Asphalt Paving, Inc.	3,666.00	42,082.00
Carey Paving Co., Inc.		41,870.00
S-K Construction Company	2,538.00	44,414.00

Mr. Williams and City Manager John Griffin recommended acceptance of the bid of Ziehler Road Materials, Inc. Mr. McIntire sponsored Resolution Number 5-69:

A Resolution authorizing the City Manager to enter into a contract with Ziehler Road Materials, Inc. for street repairs within the city.

WHEREAS, it appears that, pursuant to public notice in accordance with established bidding procedure, sealed bids were received and;

WHEREAS, Ziehler Road Materials, Inc. has submitted the lowest and best bid as evidenced by the "Analysis of Bids" Marked exhibit "A", attached hereto and made a part hereof;

NOW, THEREFORE BE IT RESOLVED that the City Manager is hereby authorized to execute a contract with the said Ziehler Road Materials, Inc. in accordance with the terms of the said bid.

and moved that it be passed. Mr. Wells seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. McIntire requested that Mr. Griffin extend some publicity through the newspapers concerning our 1969 Street Resurfacing Program.

Director of Finance Ronald Budzik requested that Council give serious consideration to revenues while setting up new programs, and look to where new revenues could be received.

The Meeting was then adjourned.

Approved:

  
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Mayor

Attest:

  
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Clerk of Council