

## RECORD OF PROCEEDINGS

Minutes of Regular Meeting

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held July 7, 1969

19

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session, Monday, July 7, 1969, at 7:30 P.M. at the Municipal Building with Mayor Paul Hoy presiding. Councilmen present were as follows: Harold Wells, John Davis, John McIntire, City Manager John Griffin, Engineer Frank Williams, Municipal Attorney Robert Farquhar, and Director of Finance Ronald Budzik.

Mr. Wells reported for the Planning Commission. At the June 18, 1969 Meeting the following officers were elected: Harold Wells - Chairman, John Butler - Vice-Chairman, and Bruce Baker - Secretary.

Councilman John Zengel entered the meeting at this time.

The Planning Commission Meeting of June 24, 1969 was reviewed; all members were present at this Meeting.

The Rezoning Request Z-3-69 submitted by the Olympians Club to rezone 10 acres from Washington Township R-4 (Special Use) to Centerville E-C was discussed. The Planning Commission denied this request without prejudice based on the information which was available to them. Mr. Richard Bourne presented his case to Council and explained some changes they purpose to the plans as previously submitted. City Manager John Griffin recommended that this case be referred back to the Planning Commission for review of additional information.

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

Mr. Bourne agreed to a 45 day extension of his Rezoning Request. Mr. Wells moved that Rezoning Request Z-3-69 be referred back to the Planning Commission for further study and Public Hearing, and that this does not mean mandatory acceptance by the Planning Commission. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The application for Curb Cuts for the Service Station on the southeast corner of Route 48 and Franklin Street was discussed. This application is for four cuts, two on Main Street and two on Franklin. The applicant will provide an additional width of ten feet to South Main Street to create an additional right turn lane on Route 48. The Planning Commission approved the request and dedication with the requirement that the curb cut nearest Main on Franklin be clearly marked "entrance only" by the owners. Mr. Wells advised that this seems to be the only reasonable solution to the request. City Manager John Griffin advised that this plan has been reviewed by the Chief of Police and he is not in favor of the congestion that will result in this area. Discussion followed concerning the map showing entrances and exits, the wall and planting, and the pump islands. Mr. Wells moved that the applicant meet with Council in a work session to further define curb cuts on properties at East Franklin Street and South Main. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Ponderosa Restaurant at North Village Drive and State Route 48 was discussed. The wall at this location has not been constructed as approved by the Planning Commission. Mr. McIntire felt that the owner should be notified by the Municipal Attorney by letter, of their violation of the Zoning Ordinance. Mr. McIntire moved that Council direct the Law Director to write to Mr. Charles Klepps, Executive Vice President of Ponderosa Systems, Inc., copies of which will be forwarded to their local management, including the management of this store informing them of the various violations of our zoning laws which they have incorporated in their Ponderosa Restaurant on Far Hills Avenue in Centerville and to show cause why the wall should not be torn down. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.



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The Grading and Storm Drainage Plan for the Gold Circle Store was reviewed by Mr. Wells; this Plan includes an open ditch. The Planning Commission had no objection to the grading but did not agree with the open ditch in this area. The objections were:

1. It would stifle further development in the area.
2. Planning Commission could not see Commercial Development having open ditches of this nature.
3. They did not agree on the size of the open ditch nor it's construction.

The Planning Commission recommended that an underground culvert be installed the full length of the ditch to their property line, and that road plans be submitted for their widening of State Route 725. Mr. Wells moved that this plan not be approved with an open ditch. Mr. Davis seconded the motion. Mr. Zengel moved to amend the previous motion by adding "and that the developer be given 30 days to show their intent on this development." Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Minutes of the Meeting of June 16, 1969 had been distributed prior to this Meeting. Mr. Stone moved that the Minutes of the Meeting of June 16, 1969 as distributed, be approved. Mr. Zengel seconded the motion. Discussion followed concerning the dialogue of paragraph fifteen. Council agreed to defer passage of these Minutes until this paragraph is rewritten. The motion and second to the motion were withdrawn.

Mayor Hoy read a communication received from James M. Good, President of the Village South Civic Association, concerning the condition of the drainage ditch in Village South. They believe it is the responsibility of the City to provide proper drainage of this area, and this is what they requested in their letter. City Manager John Griffin advised that the Village South Ditch has been under review for the last few months; he reviewed what has been done. He advised that it has not been Council's policy to pick up the cost of fixing up ditches in the past. Mayor Hoy suggested that Council observe this ditch and come to some conclusion at the next Council Meeting. Municipal Attorney Robert Farquhar will compile information concerning the establishment of a ditch district.

In the absence of the Clerk, Director of Finance Ronald Budzik advised that a Resolution has been received by the City from the County Commissioners, amending boundaries for project 6812 W, Clys Road, Water, Greater Moraine Beavercreek Sewer District.

Mr. Budzik also advised that a notice has been received from the Ohio Department of Liquor Control concerning an application for a liquor permit, class C-1-2, submitted by Federated Department Stores, Inc. for the Gold Circle Store on Alexandersville-Bellbrook Road. This will permit them to sell 3.2 and 6% beer and wine. Mr. Davis moved that Council has no objection to the issuance by the Ohio Department of Liquor Control of a license to the Federated Department Stores, Inc. Mr. Wells seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Hoy read the following Mayor's Report for the Month of June, 1969:

Mayors Court	
Fines and Forfeitures	\$ 664.00
Costs	512.00
Kettering Court	<u>200.00</u>
	\$1,376.00



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#### Zoning Permits

15	1 Family residences
5	additions to residence
1	swimming pool
1	20 unit apartment complex

Mr. Davis moved that the Mayor's Report as submitted by approved. Mr. Zengel seconded the motion. A roll call vote resulted in four ayes in favor of the motion. Mayor Hoy abstained. Mr. McIntire was not present at this time.

The Public Hearing concerning the granting of a Conditional Use for a Residential Development Plan in R-1 classification for Terrace Villa, was held. Engineer Frank Williams located the area in question on a map; it lies on the west side of Route 48 immediately south of the Activity Center.

Dan Dreyer, 179 Goldengate Drive, questioned where the street in the project will go.

Mr. Williams advised into Hampton and Lyons Drive.

Paul Harper, 141 Sheldon Drive, wondered what future plans have been made for the open ditch in the area; he was concerned with the traffic problem present and anticipated increase at Ridgeway Road and North Main Street; and he did not see the need for an additional playground adjacent to an existing playground.

Mr. McIntire advised that this open space area will be donated to the City and could be used for Municipal purposes other than a playground.

Mr. Wells read the minutes of the Planning Commission Meeting of April 29, 1969 in which the Planning Commission recommended approval of this Preliminary Plan. Mr. Williams, at this Meeting, recommended that the large amount of drainage water that crosses this land be considered when detailed plans are submitted. Mr. Wells moved that the Preliminary Residential Development Plan for Terrace Villa, be approved. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Public Hearing concerning the granting of a Conditional Use for a Residential Development Plan in R-1 classification for Red Coach South, was held. Mr. Wells, as Chairman of the Planning Commission, reviewed this request; this land is on the south side of East Whipp Road and just east of the railroad tracks.

Nat Arslanian, 1430 Bimni Drive, wondered if this land is a part of the 227 acres which is under referendum.

Mr. Wells advised that it is, but regardless whether the amendment to the Zoning Ordinance is approved or not, 20,000 square foot lots will be required. The requested EC and R3 areas have been excluded from the Plan.

Dan Dreyer, 179 Goldengate Drive, expressed concern over a possible speed problem on the connecting road through this development.

Robert Archdeacon advised that curves are planned in this road to eliminate this problem.

Mr. Wells advised that the Planning Commission recommended to Council that this Preliminary Residential Development Plan be approved. Mr. Wells moved that Council give approval to the Preliminary Residential Development Plan of Red Coach South. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Red Coach South, Section Two was discussed by Council. Mr. Wells read a letter received from Engineer Frank Williams in which he recommended that the width of Milshire be 33 feet instead of 29 feet as indicated on the Plan, that the Bond be in the amount of \$76,000, and the Inspection Fee be \$488.80. The Planning Commission recommended that this Plan be approved and that Milshire Drive be at least 29 feet. Mr. McIntire recommended amending the Planning Commission's recommendation on this Section Two in Red Coach South to increase the width of Milshire Drive from 29 to 33 feet, curb to curb, supporting the recommendation of the City Engineer. Mr. Wells moved that Red Coach South, Section Two, be approved. Mayor Hoy seconded the motion.



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Mr. McIntire moved to amend Mr. Wells' motion to include the width of Milshire Drive to be 33 feet instead of 29 feet, curb to curb, for it's full length in the corporate limits, and additionally move the north-south sidewalk, which is on the west side of said street, 1 foot to the west to the property lines; and to include acceptance of the original motion subject to proper and correct bond received by the City. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion. A roll call vote on the main motion, as amended, resulted in six ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 39-69 was held. City Manager John Griffin reviewed the Ordinance. Mr. Wells moved that Ordinance Number 39-69: An Ordinance To Appoint Members To The Planning Commission Of The City of Centerville as Established By Ordinance Number 25-69 And To Establish Terms For Said Appointees, be approved. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Public Hearing concerning the Budget for the City of Centerville for the next succeeding fiscal year ending December 31, 1970, was held. City Manager John Griffin explained the proposed budget. Discussion followed. Mr. McIntire objected to the 2000 per cent increase for 1970 over this year's appropriations in Public Recreation. He felt this is secondary to basic services. Mr. Zengel stated that he would rather spend the money on streets than on the Recreation Department at this time; streets are a necessity, recreation is a luxury. Council agreed to distribute the \$19,000 in the Budget under Public Recreation as follows:

\$3500.00	Planning Commission
7000.00	Streets
8500.00	Public Recreation

Mr. Davis moved that Council accept the Budget to be presented to the County Budget Commission, as amended. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Griffin gave his City Manager's Report. He advised that, relative to the improvements on Weidner Lane, Mr. Miller has advised that he will not permit the complete 15 feet to be dedicated on the west side of his property; it would have to be less. Further contact will be made.

The need for Zoning Ordinance changes was expressed by Mr. Wells. Council will meet in a joint work session with the Planning Commission on July 14, 1969 to consider the proposed amendments to the Zoning Ordinance.

Director of Finance Ronald Budzik distributed to Council and reviewed his quarterly financial report.

The Meeting was then adjourned. Approved:

  
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 Mayor

Attest:

  
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 Clerk of Council