

RECORD OF PROCEEDINGS

Minutes of

SPECIAL

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held August 18,

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The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session, Monday, August 18, 1969, at 8:00 P.M. at the Municipal Building with Mayor Paul Hoy presiding. Councilmen present were as follows: Richard Miller, John Davis, John Zengel, John McIntire, J.V. Stone, Municipal Attorney Robert Farquhar, Engineer Frank Williams, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of July 31, 1969 had been distributed prior to this Meeting. Mr. McIntire advised that the fourth paragraph should include the fact that "methods of borrowing funds from any source and the legalities involved for borrowing funds would be investigated by the City Administration, and that this matter was referred to City Manager John Griffin for review with Mr. Budzik, Mr. Farquhar, and Mr. Griffin." Mr. McIntire moved that the minutes of the Meeting of July 31, 1969 be amended to include the other parts of investigating, financing, borrowing of money, the legalities involved, be included as part of the investigation by the City Administration. Mr. Zengel seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Davis abstained.

The Minutes of the Meeting of August 4, 1969 had been distributed prior to this Meeting. Municipal Attorney Robert Farquhar advised that the fourteenth paragraph should read that a survey will be made by the City Manager of how surrounding Communities handle their participation in improvement projects, and on the basis of such a survey a Resolution will be prepared. Mr. Miller moved that the Minutes of the Meeting of August 4, 1969 as amended, be approved. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. McIntire abstained.

Gary Maxton, 175 Bethel Road, appeared before Council concerning garbage collection in Centerville. He wondered if what has been done by the City is the best way to handle the problem. He requested that the City take necessary steps to rectify the problem of garbage collection late at night. Municipal Attorney Robert Farquhar advised that he has forwarded a letter requesting a claim form to file for Bond against the Travlers Insurance Company. Dan Dreyer (Dreyer Insurance Company) distributed a list of procedures by which the Koogler's Refuse Collection, Inc. will follow in the future. Mr. McIntire, in referring to the City Manager's Report on Waste Collection and the list of procedures advised that he prefers to attempt, if possible, to phase into Municipal Waste Collection while we have collection by a private Company who is attempting to rectify current problems; he feels this is the most logical solution to the problem.

Engineer Frank Williams reviewed the Record Plan for Black Oak III, Section Four, and recommended approval. He advised that a cost estimate has not been received. Mr. Zengel moved that Black Oak III, Section Four be approved subject to the receipt of a cost estimate by Thursday, August 21, 1969 and the City Engineer's approval of same, and the receipt of a Performance Bond. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Engineer Frank Williams reviewed the plan for Village South, Section Sixteen, this plan includes a school site. Discussion followed concerning the location and construction of the open ditch in this section. Mr. McIntire advised that, based upon the cost of appurtenances which the school is going to incur upon themselves in the development of this school site, he could not vote for approval of this plan. He felt that the school site should not be included in this plan, because by it's inclusion and by Council's approval they are approving of the school site. The need for sidewalk on both sides of streets near school sites was discussed. Mr. Miller advised that he would not vote for approval of this plan without sidewalks on both sides of the streets in the school area. Mr. Zengel moved that approval of Village South, Section Sixteen be deferred for further study, until the next Council Meeting. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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Changing the name of Centerville Station Road to East Franklin Street was discussed by Council. The Planning Commission recommended that this change be made. Mr. Zengel moved that the City Attorney draw up an Ordinance changing the name of Centerville Station Road to East Franklin Street. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Hoy read a letter received from James Good, President of the Village South Civic Association in which he advised that the executive committee unalterably opposes the creation of a drainage district in Village South and the subsequent assessment of homeowners within that district for the purpose of cleaning, paving or putting tile in the ditch between Whittington and South Village Drives. They asked that the City assume the responsibility and pay for cleaning the open ditch.

Clerk of Council Marilyn McLaughlin read a letter written by Dan Dreyer and Richard Rose which was sent to residents in Washington Park concerning a zone change for the south side of East Alexandersville-Bellbrook Road from State Route 48 to one lot east of Willowhurst. The change would be from R-1 to B-1. The letter asked that the residents let their feelings be known on this change to the Planning Commission. Mrs. McLaughlin advised that 85 cards have been received, all opposed to the change in zoning. A letter was also read, signed by Dan Dreyer directed to Harold Wells and Centerville City Council in which he said that not one person with whom he spoke was in favor of the change. Many of the residents expressed approval of a solid divider in the center of Alexandersville-Bellbrook Road from just east of Willowhurst Street to State Route 48.

Robert Schreiber, Chief Counsel, and David Curl, Project Engineer, for the DeBartolo Corporation, appeared before Council to present their drainage ditch plan and highway widening plan. Mr. Schreiber advised that since the entire project will not be developed at this time they cannot properly locate or determine size for an enclosed ditch, for this reason an open ditch has been planned. He requested approval of the plan for an open ditch since they do not have adequate information to design an underground pipe at this time. Concerning the widening of Alexandersville-Bellbrook Road, Mr. Schreiber advised that his Corporation has always contemplated, since their commitment, to widen Alexandersville Bellbrook Road, that they would ask the State to participate in the widening to the extent of their share. The State is agreeable to discussing with the DeBartolo Corporation the widening and how it is going to be provided and how it is going to be paved. The State has asked that the request to widen Alexandersville Bellbrook Road come from the City of Centerville. He advised that they have asked the City to forward such a request with the understanding that any share of the widening that the State would call upon the City to pay for, the DeBartolo Corporation would honor their commitment: that the road will be widened at no expense to the City. He advised that their Traffic Report provides for a 48 foot pavement (4 lanes) which was submitted to the Planning Commission at the time of acquiring their Zoning Certificate. Mr. McIntire stated that at the time of Rezoning, the Street Committee did submit a proposal for a concrete boulevard be constructed to segregate those lanes added by the developer on the south and so that the shopping center traffic would not infringe upon the Washington Park Development. Mr. McIntire felt that Centerville's request should be for that amount of roadway which would be adequate for State Highway width. Mr. Zengel felt that the width should be what is needed in the future. Mr. Stone suggested that City Engineer Frank Williams determine what the County plan is, what State projections are, and present a recommendation to Council as to what Centerville's request should be. Mr. McIntire requested that the Engineer's Report be submitted at the next earliest Council Meeting and that it include Centerville's recommendations as previously indicated. Mr. Schreiber advised that, concerning the cleanliness of an open ditch, a maintenance crew will be responsible for it's maintenance. Mr. Zengel recommended relocating this ditch so as to proceed westward and then south thus requiring only a swell which could be planted in sod. A revised plan will be submitted to the Planning Commission which will include Mr. Zengel's recommendation.

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Mr. Robert Archdeacon presented and explained a Partial Replat Plan for Black Oak III, Section Three A. The Planning Commission recommended approval of this Plan. Mr. Stone moved that the request from Swango Homes to move the lot line between 1088 and 1089 be granted as shown on Woolpert Company drawing 7025, July, 1969. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Engineer Frank Williams gave cost estimates on the improvement of the drainage ditch in Village South. Discussion followed. Mr. McIntire felt that if an overall project for ditch improvements is incorporated, precedence in sequence of development would prevail, there are other ditches in the City in terrible condition. Mayor Hoy recommended that a survey be made of all conditions in the City which will need improving, so that Council before making a decision on this ditch, will know what the situation is throughout the entire City concerning future improvement projects such as this one in Village South. Engineer Frank Williams will review the possibility of cleaning the Village South ditch and submit a report at the next Council Meeting, and at the same time review all ditches in Centerville.

Final approval of Centerville South, Sections Three and Four was discussed by Council. Engineer Frank Williams advised that Maintenance Bonds to cover these two Sections are on file. This matter was deferred until Mr. Williams researches the Sections to determine whether the terms and conditions have been met as established by the Court of Montgomery County pertaining to these two Sections.

Engineer Frank Williams explained the location and the development of Village South, Section Fifteen. He recommended acceptance of this Section and release of the Construction Bond. Mr. Davis moved that Section Fifteen, Village South be accepted and release of the Performance Bond be approved subject to the receipt of a Maintenance Bond in the amount of \$1950.00. Mr. Zengel seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. McIntire was not present for this item of business.

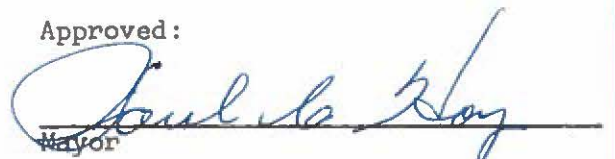
Council reviewed the possibility of relocating the Incarnation Church Building, to be used for Municipal purposes. Mr. Davis moved that the City advise the Church that we are unable to use the Building at this time and express appreciation for the offer. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Municipal Attorney Robert Farquhar explained the need for an amendment to the Zoning Ordinance providing a definition for a Drive-In Restaurant and to include a Carry-Out Restaurant. Discussion followed concerning whether this should include Carry-Outs, and whether they should be confined to only the B-2 area. Mr. Farquhar will prepare an Ordinance and submit it to the Planning Commission and Council for study.

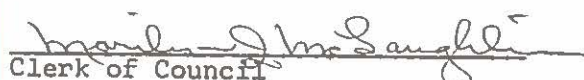
Engineer Frank Williams gave a progress report on the East Franklin Street project. Mr. Zengel advised that he has heard that the water main on East Franklin Street at the present construction site is only a couple inches below sub-grade, there is a problem, and Gene Cronk (Montgomery County Sanitary Engineer) said he will not accept responsibility of this line. Mr. Williams explained that, at the uncovered point, he observed that it was about one foot below sub-grade and back onto that was filled about twenty inches of gravel and asphalt. Council agreed that a letter be written to the County Sanitary Department informing them that this water line is their responsibility. Mr. Miller moved that the City advise the County Sanitary Department that the water system in the area of East Franklin Street under construction is their responsibility. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Meeting was then adjourned.

Approved:


Mayor

Attest:


Clerk of Council