

RECORD OF PROCEEDINGS

Minutes of

REGULAR

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held

September 8,

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

The Minutes of the Meeting of August 18, 1969 had been distributed prior to this Meeting. Mr. Davis moved that the Minutes of the Meeting of August 18, 1969 as distributed, be approved. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Wells abstained.

Mr. Wells reported for the Planning Commission. He reviewed change in Zoning Request Z-3-69 submitted by the Olympian Club for 10 acres on Bigger Road, requested change from Washington Township R-4 to Centerville E-C. The Minutes of the Public Hearing before the Planning Commission concerning this request were reviewed. The Planning Commission voted not in favor of this rezoning Request. Mr. McIntire recommended that any further request for this property or any contiguous property to Wilmington Pike include a roadway and the width of right-of-way be shown on the plans. The Planning Commission recommended and Mr. Wells moved that Council reject this Rezoning Request and no Public Hearing be held. Mr. Davis seconded the motion. Mr. McIntire questioned the necessity of this motion. Discussion followed. Mr. Wells withdrew his motion, Mr. Davis withdrew his second to the motion. Mr. John McHugh, Attorney for the property owner in this case, appeared before Council and requested that a Public Hearing be held. Discussion followed concerning procedures set forth in the Ordinance establishing the City Planning Commission. Mr. Wells moved that Ordinance Number 40-69, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Rezoning Ten Acres, More Or Less, From Washington Township R-4, With Conditional Use Granted, Classification To Centerville E-C (Entrance Corridor) Classification be set for Public Hearing on November 6, 1969. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Wells advised that two Public Hearings are being held September 9, 1969 before the Planning Commission: A Request for Rezoning from Loring Duff for 17.013 acres on Mapleton Drive from Washington Township R-3 Classification to Centerville R-1 Classification; and, a Request for Rezoning from Paul Moody and Relp Woodley for 100.54 acres on Alexandersville-Bellbrook Road from Washington Township R-3 Classification to Centerville E-C Classification.

The Record Plan for Village South, Section Sixteen was discussed; Engineer Frank Williams explained the location and development of this Section. A Cost Estimate has been received. Discussion followed concerning the inclusion of the school site on this Plan. Mr. Farquhar advised that Council is being asked not to approve a school site but merely to approve a Plat. Mr. Zengel requested that a sidewalk be constructed on one side of Millbank Drive. Mr. Wells moved that the Record Plan and Construction Drawings for Village South, Section Sixteen be approved subject to construction of an additional sidewalk on the north side of Kentshire Drive and Marshall Road and a sidewalk to be constructed on the west side of Millbank Drive, and subject to the posting of a Performance Bond in the amount of \$45,000.00 and an Inspection Fee. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. McIntire abstained.

Clerk of Council Marilyn McLaughlin read a letter received from the City of Franklin requesting that the voice of our Municipality be added to theirs to encourage the Post Office Department's cooperation in halting the delivery of mail which contains offensive pornographic literature or advertisements to residents. Discussion followed. Council wondered whether the Post Office can recognize such mail. Mr. Zengel recommended that City Manager John Griffin conduct an investigation to determine what the Post Office could legally do if such a Resolution was passed.

Mr. McIntire advised that he has been in contact with Mr. Gene Cronk, Montgomery County Sanitary Department, concerning the water lines on East Franklin Street. Mr. Cronk has advised that his intentions are to immediately move a crew in and retap the water lines on the side at the bottom so the service connections could be lowered 6 to 8 inches, which he felt would add some bene-

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fit to the conditions prevailing now; and, that he will not send additional correspondence to residents as previously suggested. He advised that the base will be replaced by the County exactly as it comes out. City Manager John Griffin will co-ordinate with Mr. Cronk this improvement on September 9, 1969.

Mayor Hoy read the following Mayor's Report for the month of August, 1969:

Mayor's Court

Fines and Forfeitures	\$441.00
Costs	264.00
Total	<u>\$705.00</u>

Zoning Permits

- 13 one family residences
- 3 additions to residence
- 2 swimming pools
- 1 sign

Mr. McIntire moved that the Mayor's Report as read be accepted. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mayor Hoy abstained.

Engineer Frank Williams explained a corrected drainage plan submitted by the DeBartolo Corporation for their property on State Route 725. They are waiting for Council's recommendation for the road widening at this site. Mr. Williams, after looking at various shopping center deceleration and acceleration lanes, recommended that the minimum Council should ask for to widen State Route 725 is a 14 foot added strip for the full length of the 1200 feet plus at least 100 feet on the east and west ends. Mr. Wells moved that Council approve the drainage plans (drawing three) as revised August 22, 1969 subject to receipt of letter of agreement that the drainage ditch will be enclosed no later than three years from this date. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. McIntire was not present at this time.

The widening of State Route 725 was discussed by Council. City Manager John Griffin recommended that the City write the State to request two additional moving lanes and a left turn lane at the Shopping Center and be north of the centerline. He advised that Engineer Frank Williams is working on a sketch describing what the City desires. Mr. McIntire felt that Council should study the drawing before a letter and drawing is submitted and that this matter should be expedited immediately. Mayor Hoy advised that a Special Meeting will be called as soon as the sketch is prepared. Council discussed requesting that Alexandersville-Bellbrook Road be widened through to the Corporation Line. Mr. McIntire requested and Council agreed that South Main Street be included in the request to the State.

Centerville South, Sections Three and Four were discussed by Council. Engineer Frank Williams advised that the builder has conformed to the Court decision concerning these two Sections. Mr. Wells moved that Centerville South, Sections Three and Four be accepted. Mr. Williams advised that the necessary Bonds have been posted. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Williams explained the location and construction of Concept, Sections Eleven and Twelve. Section Twelve includes a concrete ditch which has been cleaned. He recommended acceptance of both Sections. Mr. Davis moved that Council accept ^{Concept} Centerville South, Section Eleven subject to the receipt of a Maintenance Bond in the amount of \$2,807.00. Mr. Wells seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Wells moved that Council accept Concept, Section Twelve. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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Clerk of Council Marilyn McLaughlin read correspondence received from the First National Bank of Centerville asking the City's acceptance of an agreement for deposits of public funds. The agreement is effective for a two year period. Mr. McIntire sponsored Resolution Number 9-69: Resolution Designating Public Depository And Awarding Monies Pursuant To The Uniform Depository Act Of Ohio, By The City Of Centerville, Ohio and moved it's adoption.

WHEREAS, the Council of the City of Centerville desires to designate a depository for the holding of active deposits of the City for the two (2) year period beginning at the expiration of the current depository agreement; and

WHEREAS, it is estimated by the Council of the City of Centerville that the probable amount of public monies to be deposited at the beginning of the period of designation will be \$110,000.00 and that the probable maximum amount subject to a deposit at any time during such period will be \$175,000.00; and

WHEREAS, a written application has been received from the Centerville Branch of the First National Bank of Miamisburg; and

WHEREAS, Section 135.04 of the Ohio Revised Code requires that any institution mentioned in Section 135.03 of the Ohio Revised Code which has an office located within the territorial limits of Centerville is eligible to become a public depository of the active public monies of Centerville; and

WHEREAS, the Centerville Branch of the First National Bank of Miamisburg is within the territorial limits of Centerville;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Centerville as follows:

That the deposit of the monies of the City of Centerville, Ohio, be awarded in the case of active deposits to the Centerville Branch of the First National Bank of Miamisburg, which bank shall become the depository for such monies of the City for a period of two (2) years from the end of the current depository agreement, upon duly executing and delivering a written memorandum or agreement for the deposit of public funds and duly pledging and depositing eligible securities for the repayment of all public monies to be deposited in the public depository in accordance with Ohio Revised Code Sections 135.10, 135.13, 135.17 and 134.18.

Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

City Manager John Griffin made reference to a letter received from the Board of Building Standards in Columbus requesting a copy of Centerville's Ordinance authorizing the Building Inspection Department to request certification to enforce the Ohio Building Code. Mr. Davis sponsored and moved the passage of Ordinance Number 41-69: An Emergency Ordinance Authorizing And Directing The City Manager To Request Certification Of The Centerville Building Division. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Stone was not present at this time.

Mr. Davis sponsored Ordinance Number 42-69: An Ordinance Authorizing And Directing The City Manager To Request Certification Of The Centerville Building Division, and moved that a Public Hearing be set for October 6, 1969. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Stone was absent at this time.

John Griffin gave his City Manager's Report. He reviewed the Building Inspector's monthly report and the East Franklin Street Improvement Project.

The Susan Drive improvement was discussed. Mr. Griffin recommended that this improvement be all north of Clareridge Lane at this time. Engineer Frank Williams explained his plan for said improvement. Mr. McIntire felt that street improvements is Centerville's responsibility, while Curb and Gutter is the responsibility of the property owner. Mr. McIntire felt this project

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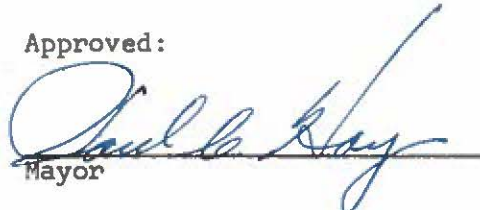
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should be expedited and requested that basic funds other than contracted price be drawn together for Council's consideration for the next Meeting.

The Meeting was then adjourned.

Approved:


Mayor

ATTEST:


Clerk of Council