

RECORD OF PROCEEDINGS

Minutes of

REGULAR

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held

December 1,

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The Council of the City of Centerville, County of Montgomery, State of Ohio met in Regular Session, Monday, December 1, 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, John McIntire, J.V. Stone, John Zengel, City Manager John Griffin, Engineer Frank Williams, Municipal Attorney Robert Farquhar, and Clerk of Council Marilyn McLaughlin.

The Public Hearing concerning the Loring Duff change in Zoning Request, Ordinance Number 49-69 was held. The Planning Commission recommended denial of this Rezoning Request. Mr. Wells moved that Ordinance Number 49-69: An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 17.013 Acres, More Or Less, From Washington Township R-3 Classification To Centerville R-1 Classification not be approved. Mr. Davis seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Zengel and Mr. McIntire voted no.

The Minutes of the Meeting of November 17, 1969 had been distributed prior to this Meeting. Mr. Zengel advised that the first sentence in the eight paragraph should read as follows: "Mr. Wells explained the Application for Variance by Zengel Builders, Inc. for the location of a carport on Poinciana Drive". Mr. Stone moved that the Minutes of the Meeting of November 17, 1969 as amended, be approved. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Wells reported for the Planning Commission. He explained the Plat Dedication of Virginia Avenue; that portion running from Spring Valley Road through the Development of the Kanter Corporation. The Planning Commission recommended approval of this street layout with a change in the curb lines onto Spring Valley Road. The plan includes a 30 foot pavement width and sidewalk on the west side. Engineer Frank Williams recommended that the amount for Bond be set at \$26,700.00 and an Inspection Fee of \$162.00 be required. Mr. Zengel felt that Virginia Avenue should be widened for a distance north from Spring Valley Road. Mr. Wells moved that the street dedication, the plat dedication of Virginia Avenue from Spring Valley Road through the Kanter Corporation Development to the north, with the amount for Bond being \$26,700.00, Inspection Fee \$162.00, be approved. Mr. Davis seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Zengel and Mr. McIntire voted no.

Mr. Wells reviewed the Variance Application of Richard and Beverly Kiser for a partial use of their property for a Pre-Primary School at 335 Cedarleaf Court, and reviewed the Public Hearing held before the Planning Commission. The Planning Commission moved that this Variance be denied, and the motion passed. Clerk of Council Marilyn McLaughlin advised that a Notice of Intent to Appeal has been filed by the Kisers.

Mr. Wells reviewed the Public Hearing held before the Planning Commission to consider the amendments to the Zoning Ordinance. Recommended changes will be incorporated in the Ordinance and made available for Council's review before Planning Commission action on the Amending Ordinance.

Mr. Wells advised that a Change in Zoning Request has been received from the First National Bank for approximately 2.8 acres of land on the south east corner of Zengel Drive and Route 48, to be changed from R-3 to B-1 Classification. Proposed to be constructed on this land is the First National Bank and a Medical Building.

Mr. Wells advised that a Public Hearing has been set by the Planning Commission for January 12, 1970 to consider the proposed Ordinance establishing Historic Preservation Districts and a Historic Preservation Commission in Centerville.

Clerk of Council Marilyn McLaughlin advised that Certification of the Result of Election on the two proposed Ordinances has been received from the Board of Elections. The proposed Ordinance To Amend Ordinance Number 6-1960, As Amended By Ordinance Number 25-69 On May 5, 1969, Which Amendment Established A City Planning Commission, By Amending Section 30,F.2. To Provide a Simple Majority

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Vote To Pass Or Reject Ordinances Recommended By The Planning Commission, passed. Ordinance Number 18-68 Amending Ordinance Number 15, Dated December 11, 1961, The Zoning Ordinance, By Rezoning 32.321 Acres More Or Less From R-1, R-2, And R-3 Classification to I-1, B-2, And R-3 Classifications, failed.

Mayor Hoy read the following Mayor's Report for the month of November, 1969.

Mayor's Court

| | |
|-----------------------|-----------|
| Fines and Forfeitures | \$ 504.00 |
| Costs | 272.00 |
| | <hr/> |
| Total | \$ 776.00 |

Zoning Permits

- 10 1-Family Residence
- 2 Additions to Residence
- 1 Antenna
- 1 Apartment Complex (127 units)
- 3 Commercials

Mr. Davis moved that the Mayor's Report as read, be accepted. Mr. Wells seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mayor Hoy abstained. Mr. McIntire was not present at this time.

The Public Hearing concerning the Jack Mitchell Application for a Conditional Use for a Day Nursery Building to be located in the Country Village Plat on Country Manor Lane, was held. This matter was tabled until information is received concerning the new Ohio Law concerning Nursery Schools, and from the County Child Welfare Association.

City Manager John Griffin explained Ordinance Number 50-69: An Ordinance Changing The Name Of Centerville Station Road And East Franklin Street To Station Road. The Petitions requesting the change were reviewed. Mr. Zengel wondered what percentage of the property owners on East Franklin and Centerville Station had signed the Petitions. Dr. Thomas Connair, 963 East Franklin Street appeared before Council in opposition to the name change. Mr. Stone moved that Ordinance Number 50-69 be set for Public Hearing on December 15, 1969. Mr. Wells seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. McIntire and Mr. Miller voted no.

Mr. Griffin reviewed his City Manager's Report. The traffic problem on East Alexandersville-Bellbrook Road at the Gold Circle Store was discussed. Council agreed that better markings and/or signs should be provided to alleviate the traffic hazard at this location. Mayor Hoy moved that the City Manager pursue the widening of East Alexandersville-Bellbrook Road in front of the Gold Circle Development vigorously. Mr. Wells seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Policy for Public Improvements drafted by Mr. Griffin was discussed by Council. Mr. McIntire advised that he does not intend to assess property owners for repair, maintenance, or reconstruction of existing streets and roadways. The Policy was reworked and the necessary Resolution will be prepared.

The canopy over the driveway area at the Payless Gas Station was discussed by Council. City Manager John Griffin will further pursue this matter with the Oil Company to obtain a cover which is not so obvious.

Mr. Griffin advised that he has requested an amended Certificate of Estimated Resources from the County Auditor's Office. Mr. McIntire requested that this matter be pursued until receipt of said Certificate.

Mr. Griffin advised that the cost for health services from the County Board of Health will be increased in 1970 for Centerville's share from \$8972.00 to \$9872.00. Mr. McIntire requested that, when this contract is presented for consideration, information be available concerning the services rendered by this Department to the City of Centerville.

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City Manager John Griffin advised that the Gold Circle Store has recommended that Council consider passing a no smoking Ordinance in retail stores. Mr. Davis felt that this would put merchants in the City in a serious disadvantage. Council agreed that more research concerning this is necessary before such an Ordinance is considered.

The release of the Performance Bond on the Irongate Manor Apartments on Maple Avenue was discussed by Council. Council requested that some minor repairs be made before release of this Bond: repair to Mrs. Lowry's barn, and shrubbery planting on Cemetary Drive.

Bond reduction for Country Village Apartments on Westerfield Drive, from \$21,782.00 to \$5,000.00 was discussed by Council. Engineer Frank Williams recommended reduction of this Performance Bond. Mr. Davis moved that Country Village Apartment's Bond be reduced from \$21,782.00 to \$5,000.00. Mr. Wells seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Bids were received concerning Closed Circuit Television equipment for use in the Police Department, were reviewed by City Manager John Griffin. Both Police Chief Smith and Mr. Griffin recommended that Council accept the bid of the Dayton Communication Corporation for the purchase of the Sony Closed Circuit Television System in accordance with the terms of their bid in the amount of \$2,978.00. He advised that the Department of Urban Affairs will pay 60% of the total price of this equipment, but not to exceed \$1,685.00. Mr. Wells introduced Resolution Number 12-69: A Resolution Authorizing The City Manager To Enter Into A Contract With Dayton Communication Corporation For The Purchase Of A Closed Circuit Television System, and moved that it be passed.

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

WHEREAS, Dayton Communication Corporation 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 Dayton Communication Corporation in accordance with the terms of the said bid. Mr. Davis seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

The Meeting was then adjourned.

Approved;


Mayor

Attest:


Clerk of Council