

RECORD OF PROCEEDINGS

Minutes of

SPECIAL

Meeting

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 1097

Held

December 15,

19 69

SPECIAL MEETING

The Council of the City of Centerville, County of Montgomery, State of Ohio met in Special Session, Monday, December 15, 1969 at 7:30 P.M. at the Municipal Building with Mayor Paul Hoy presiding. Councilmen present were as follows: Richard Miller, John McIntire, John Davis, J.V. Stone, John Zengel, City Manager John Griffin, Engineer Frank Williams, Municipal Attorney Robert Farquhar, and Clerk of Council Marilyn McLaughlin.

The Minutes of the Meeting of December 1, 1969 had been distributed prior to this Meeting. Mr. Stone moved that the Minutes of the Meeting of December 1, 1969 as distributed, be approved. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. McIntire moved that the Minutes of the Regular Council Meeting of December 1, 1969 be amended to include in paragraph nine the fact that "he asked the question of the City Attorney Mr. Farquhar if those Ordinances approved or rejected needed numbered for codification at which point he stated, to the effect, that he would bring the answer in at the next Meeting." Mr. Davis seconded the motion. Mr. Farquhar advised that he phoned the answer to the Clerk of Council a few days following the Meeting. A roll call vote resulted in six ayes in favor of the motion.

City Manager John Griffin reported for the Planning Commission. He explained the application of Loring Duff, 7400 Pine Frost Lane, for a Special Use from Washington Township Zoning for his entire property. The Planning Commission deferred action on this application until their next Meeting.

Mr. Griffin reviewed the Public Hearing held before the Planning Commission concerning the Rezoning Request of the First National Bank of Miamisburg. The requested change is from R-3 to B-1 for the property located on the southeast corner of Route 48 and Zengel Drive. Proposed to be erected on this site is the Centerville Branch of the First National Bank and a Medical Building. No Planning Commission action was taken concerning this Request.

Mr. Griffin reviewed the proposed rezoning for four properties on South Main Street: Wear, McNeill, Puterbaugh and Troyan, from R-2 Classification to R-3 Classification. This proposed change is at the initiative of the Planning Commission rather than the residents and they recommended approval. Mr. Davis sponsored Ordinance Number 52-69: An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning 4.358 Acres, More Or Less, From Centerville R-2 Classification To Centerville R-3 Classification, and moved that it be set for Public Hearing on February 16, 1970. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Record Plan of Red Coach South, Section Three was discussed by Council. The Planning Commission recommended approval of this plan. Section Three includes a sidewalk on the south side of Kentshire Drive and no open ditches. Engineer Frank Williams advised that Bond should be in the amount of \$85,580.00 and an Inspection Fee of \$684.80 for this Section. Mr. Zengel felt that sidewalk should be constructed on Wynshire Drive to provide good access to the park for children. Discussion followed concerning the overall Preliminary Plan for Red Coach South. Mr. Zengel recommended that a sidewalk be constructed on the north side of Wynshire Drive and Fernshire Drive in their entirety. Mr. McIntire moved acceptance of this Section Three of Red Coach South with the addition of the sidewalk recommendation of Mr. Zengel and Bonding be brought up to that recommendation and upon receipt of such bond. Mr. Zengel seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Stone felt that Council's policy on sidewalks should be made known to Mr. Archdeacon for incorporation on future plans, and suggested that such a Resolution be prepared.

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Mr. Griffin explained a proposed street extension of Sheehan Road at the Steinbarker and Bartley Planned Multi-Family Apartment Development on South Main Street. Before the Planning Commission was approval or rejection of a small area in the Corporation of Centerville for dedication purposes. Mr. Robert Archdeacon advised that the Developer will appear before the Planning Commission to discuss this matter.

Mr. Griffin reviewed a proposed contract between Miami Valley Regional Planning Commission and the Centerville Planning Commission for Planning Consultant Services. The Planning Commission recommended that said contract be signed.

Mr. Griffin advised that a vacancy exists on the City Planning Commission, he suggested that this matter be considered in a Council Work Session.

Clerk of Council Marilyn McLaughlin read an appeal received from Beverly Kiser, 335 Cedarleaf Court, concerning the Planning Commission's decision rendered on November 25, 1969 in Case Number 69-9, for a variation for partial use of their premise for a private nursery school. A Public Hearing has been set for January 19, 1970.

Mrs. McLaughlin advised that two notices of receipt of application for D-3 permits have been received by the Ohio Department of Liquor Control: one from Anthony J. Dipasquale, DBA Antonios Restaurant, and one from Maureen M. Harbison, DBA Carriage House. Mayor Hoy requested that the Municipal Attorney review these two applications, and make comments to Council concerning the obligations and responsibilities of Council in reference to the applications. Mr. Farquhar explained the procedure for filing an objection; grounds for objection are reputability of the applicant or suitability of location. Christopher Carroll, representing the delegation of Centerville residents headed by Reverend Witt, appeared before Council to serve notice that on December 16, 1969 in Franklin County they are filing an application for a Temporary Restraining Order on the Ohio Board of Liquor Control to forestall any licensing procedures until the merits of the election can be certified on the grounds of substance and procedural defects. Council took no action of objection at this time.

Mr. Griffin reviewed his City Manager's Report. He reviewed the three applications which he has received for the Personnel Appeals Board. He is expecting additional applications, and recommended action be taken on December 29, 1969.

Mr. Griffin advised that the City has the deeds for the additional twelve feet for right of way on East Alexandersville-Bellbrook Road for the entire length of the B-3 zoned area. Mr. Farquhar advised that the deeds will be recorded soon.

During discussion of current traffic problems Mr. Zengel referred to Mr. McIntire's recommendation a few months ago: that there be a right turn lane for traffic to proceed north on Route 48 from East Alex-Bell Road, and felt this should be pursued.

Mr. Griffin reviewed proposed traffic signal changes to alleviate current problems and future work for 1970. Mayor Hoy advised that Washington Township should be contacted concerning the proposed lights by which they will benefit. Mr. McIntire felt that the light which the City has should be put into use either at Whipp and Marshall Roads or at East Franklin Street and Johanna Drive.

Mr. Griffin reviewed the Amended Certificate of Resources received from the County Auditor.

Mr. Griffin reviewed additional information which is needed by the State Board of Building Standards, and how the City can conform to this.

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Mr. Griffin reviewed the re-surfacing proposal from Division 8, State of Ohio, Department of Highways for Main Street, State Route 48. Centerville's estimated share will be about \$11,000.00 or 20% of the total cost. Mr. McIntire felt that Centerville should pursue this re-surfacing project with Division 8, but questioned what improvements are planned for residential streets in plats for 1970. Mr. Stone moved that Council express an intent to proceed with this project. Mr. Davis seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

The Public Hearing concerning Ordinance Number 50-69: An Ordinance Changing The Name Of Centerville Station And East Franklin Street To Station Road, was held.

Dr. Thomas Connair, 963 East Franklin Street, spoke in behalf of the silent majority, and submitted three petitions in opposition to the proposed street name change: One-signed by 20 owners of lots in the City using the name of East Franklin Street as their address, one-signed by 8 individual residents of East Franklin Street but not property owners and, one-signed by 11 businessmen who use East Franklin Street as their address.

Max Sellers, Minister of the Centerville United Methodist Church on East Franklin Street, urged Council to retain the name of Franklin Street.

Mr. Zengel felt that more consideration should be given this matter. Council must plan for the future in making a decision.

Mr. Miller felt that East Franklin Street and Centerville Station Road should remain as it is today.

Mr. McIntire was desirous of dropping the whole subject.

Mr. Davis felt that it should be left as is but perhaps Franklin Street should be legally continued to Clio Road.

Mr. Griffin advised that three residents have requested that their names be removed from the petition previously circulated by Mr. Pat Jackson: Mr. & Mrs. M.A. Christie, 117 East Franklin Street, Mrs. Ida Purdin, 62 East Franklin Street, and Mrs. Merle Bradstreet 68 East Franklin Street.

Bruce Baker, representing the Planning Commission, advised that their recommendation was based on the fact that one street with two names is not good planning.

Mayor Hoy moved that Ordinance Number 50-69 be tabled indefinitely. Mr. McIntire seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Stone sponsored Ordinance Number 53-69: An Ordinance Authorizing A Contract Between The City Of Centerville And The Montgomery County Board Of Health For Health Services, and moved that it be set for Public Hearing on December 29, 1969. Mr. Miller seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Davis sponsored Ordinance Number 54-69: An Ordinance Authorizing The City To Enter Into An Agreement For Comprehensive Transportation Studies And Designating A Representative To The Transportation Coordinating Committee, and moved that it be set for Public Hearing on December 29, 1969. Mr. Stone seconded the motion. Mr. McIntire made reference to the City Manager's Report in consideration of proposed street expenditures for 1970, he felt it is unfortunate in American Government that it has reached a deterioration whereas local Communities have to pay tax monies from a very lean coffer to acquire tax money that they have already sent to Washington for such projects. He felt that the program, while transportation is necessary, is founded from the Federal level on very poor regulations. Based on these principles Mr. McIntire advised that he could not go along with the type of poorly based economics involved with these type of Federal bureaucracies. A roll call vote resulted in five ayes in favor of the motion. Mr. McIntire voted no.

Mr. Griffin reviewed Resolution Number 13-69 adopting a policy for the City concerning Public Improvements. Mr. Zengel advised that he would like to see some examples and dollar figures for item number 2 under paragraph E. Mayor Hoy asked Engineer Frank Williams to bring such examples to the next Council Meeting.

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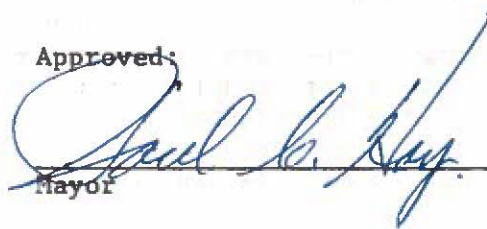
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Mr. McIntire sponsored the following Resolution: Resolution Number 14-69: Be it resolved that Richard P. Miller has served his community as an elected Councilman with great merit and that Council and the residents of the City of Centerville extend their sincere appreciation for his service. Mayor Hoy seconded the motion. A roll call vote resulted in five ayes in favor of the motion. Mr. Miller abstained. Mr. McIntire requested that this be presented to Mr. Miller after it has been drafted. Mayor Hoy requested that it be framed. Mr. McIntire extended his personal respect and appreciation for all that Mr. Miller has contributed during the past four years.

The Meeting was then adjourned.

Approved:



Mayor

Attest:



Clerk of Council