

# RECORD OF PROCEEDINGS

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Minutes of

COUNCIL REGULAR

Meeting

Held October 16,1989

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, October 16, 1989 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Preston Dawes, City Chaplain, and the Pledge of Allegiance to the Flag with Mayor Shirley Heintz presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor James Singer  
Councilmembers J. V. Stone  
Sally Beals  
Brooks Compton  
Bernard Samples  
Jeffrey Siler  
Clerk of Council Marilyn McLaughlin  
City Manager Darryl Kenning  
City Engineer Norbert Hoffman  
Municipal Attorney Robert Farquhar  
Administrative Assistant Michael Haverland

The Minutes of the following Meetings had been distributed prior to this Meeting:

Council Meeting - September 18, 1989.  
Council Work Session Meetings - September 18, 1989.  
- October 2, 1989.

Mr. Siler moved that the Minutes of the foregoing Meetings be approved as distributed. Mr. Samples seconded the motion. The motion passed by unanimous vote; however Mayor Heintz abstained from the Minutes of the Meeting held October 2, 1989.

Mrs McLaughlin announced the receipt of correspondence from the Combined Health District Montgomery County scheduling flu shots at the Centerville Municipal Building in the Community Room on Thursday, November 2, 1989 from 1:30 P.M. until 4:00 P.M. The cost is \$5.00.

Mrs. Beals, as Chairman of the Recycling Task Force, outlined the City's volunteer recycling program to begin November 13, 1989 in the City of Centerville. Items to be recycled under this program are: clean, empty glass bottles and jars; aluminum cans; one gallon plastic milk jugs; two liter plastic pop bottles; and clean rags. These are those items which are marketable at this time. Recyclables should be placed in one container designated for such and will be collected on the same day as refuse pick-up. Items will be separated and sold by St. Vincents; money generated will be used for projects conducted by them, such as projects for the homeless.

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Mr. Singer read a Proclamation issued by Mayor Heintz designating the week of October 22-29, 1989 as Red Ribbon Week in the City of Centerville. This is a national campaign to reduce the need for drugs in our country. The Proclamation calls upon all citizens to wear red or a red ribbon demonstrating their commitment to a drug-free, healthy lifestyle during the week of October 22.

Mayor Heintz recognized Mary Higgins in attendance at this Meeting. Mrs. Higgins has won the nationwide Victory Garden award for her beautiful flowers and floral containers. Mr. Singer read a Certificate of Congratulations to Mary Higgins in recognition of this outstanding achievement. A slide presentation of Mrs. Higgin's gardens followed.

Mayor Heintz presented City Beautiful Awards to the following residents and businesses in Centerville for participation in the summer beautification contest:

**JUNE RESIDENTIAL**

|                           |                         |
|---------------------------|-------------------------|
| Paul & Mary Ann Ollier    | 1122 Green Tree Drive   |
| Don & Emma Lee Boggs      | 2706 Walford Drive      |
| Robert & Pam Brumfield    | 498 Cedarleaf Drive     |
| William & Susan Ahern     | 1153 Deer Run Road      |
| Derrel & Thelma O'Donnell | 8005 Station House Road |
| Mr. & Mrs. Sensenbaugh    | 163 Freyn Drive         |
| Michael Coleman           | 274 Roanne Court        |

**COMMERCIAL**

|                   |                       |
|-------------------|-----------------------|
| Centerville Lanes | 911 South Main Street |
|-------------------|-----------------------|

**JULY RESIDENTIAL**

|                         |                           |
|-------------------------|---------------------------|
| David & Brenda Mitchell | 6287 Millbank Drive       |
| Gary & Debbie Harlow    | 860 Fernshire Drive       |
| Ralph & Beth Pearson    | 234 Elmwood Drive         |
| Wayne & Linda Clark     | 1720 Ambridge Road        |
| Bruce & Marysue Pearson | 8045 Brainard Woods Drive |
| McBride's               | 210 Boyce Road            |
| Harold & Ida Scott      | 9416 Bonnie Anne Place    |

**COMMERCIAL**

|              |                        |
|--------------|------------------------|
| Steeplechase | 6790 River Downs Drive |
|--------------|------------------------|

**AUGUST RESIDENTIAL**

|                             |                      |
|-----------------------------|----------------------|
| Mike & Kathy Codispoti      | 5385 Royalwood Drive |
| Mark & Cindi Platt          | 815 Fernshire Drive  |
| Fred & Jane Marsh           | 171 Lyons Drive      |
| Mr. & Mrs. James Stritch    | 1445 Delynn Drive    |
| John & Sherry Glueckert     | 5015 Park View Court |
| Mr. & Mrs. Johannes Piigert | 44 Tuxworth Road     |
| Ms. Kit Davidson            | 9233 Stephanie Lane  |

**COMMERCIAL**

|                    |                      |
|--------------------|----------------------|
| Centerville Design | 28 South Main Street |
|--------------------|----------------------|



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**SEPTEMBER RESIDENTIAL**

|                             |                         |
|-----------------------------|-------------------------|
| Rodney & Phyllis Miller     | 320 South Village Drive |
| Charles & Neva Stuckey      | 106 Bradstreet Road     |
| Steven & Brenda Nord        | 1075 Ambridge Road      |
| Bryan & Suse Ann Fitzgerald | 8256 Station House Road |
| Lowell & Donna Hill         | 411 Roselake Drive      |

**COMMERCIAL**

|                               |                        |
|-------------------------------|------------------------|
| James C. Wilson, D.M.D., Inc. | 2 East Franklin Street |
|-------------------------------|------------------------|

Volunteer Coordinator Teresa Sherow reviewed the CIVIC volunteer program in the City of Centerville and outlined the many hours contributed throughout the year. Mayor Heintz and Mrs. Sherow recognized the following volunteers for their contributions:

|             |               |
|-------------|---------------|
| 50 Hours    | Grace Averitt |
|             | Cecy Greive   |
|             | Jo Oaks       |
| 150 Hours   | Shirley Allen |
|             | Marge Gentis  |
| 250 Hours   | Dusty Roads   |
| 350 Hours   | Howard Craven |
| 1,000 Hours | Karl Pauzar   |
| 1,500 Hours | Ila Pearsall  |

Mayor Heintz advised that a Proclamation had been issued designating the week of October 9, 1989 as Fire Prevention Week in Centerville.

Mr. Kenning reported the following during his City Manager's Report:

1200 tons of grass have been collected separately this year for deposit in a landfill rather than in the incinerator.

Free Health Screening will be provided at the Centerville Municipal Building on Friday, October 20, 1989 from 12:00 noon until 4:00 P.M. This service is being provided by the City of Centerville, the Miami Valley School of Nursing and the Combined Health District Montgomery County.

Mayor Heintz advised that Montgomery County has arranged for the deposit of hazardous household waste at the County Incinerator on Saturday, November 4, 1989.

**ORDINANCE NUMBER 17-89 BACKUS REZONING**

Mr. Kenning reported on the Planning Commission Meeting held September 26, 1989.

Mr. Compton moved that Ordinance Number 17-89, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 1.0789 Acres More Or Less, From R-1d

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Classification To Centerville Office Service Classification, be set for Public Hearing on December 18, 1989. Mrs. Beals seconded the motion. The motion passed unanimously. Mr. Kenning identified this being the Rezoning Request filed by Charles Backus for two properties located on the south side of West Franklin Street, west of Gershwin Drive.

## ORDINANCE NUMBER 18-89

Mrs. Beals moved that Ordinance Number 18-89, An Ordinance Amending Ordinance Number 11-86 Dated July 21, 1986, The Zoning Ordinance By Rezoning 2.994 Acres More Or less, From Office Service Classification To Centerville B2 Classification, be set for Public Hearing on December 18, 1989. Mr. Compton seconded the motion. The motion passed by unanimous vote. This is the Rezoning Request filed by the B. P. Oil Company for property located at the southwest corner of proposed Clyo Road and Wilmington Pike.

## ORDINANCE NUMBER 19-89 ZONING ORDINANCE AMENDMENT TEXT

Mr. Kenning reviewed a proposed Ordinance recommended by the Planning Commission to provide for rear yard setback requirements which will alleviate the need for variances for those properties already developed in the R-1c and R-1d zone districts. Mr. Siler moved that Ordinance Number 19-89, An Ordinance Amending Ordinance No. 11-86, The Zoning Ordinance Of Centerville, Ohio, Enacting Revised Minimum Residential Rear Yard Requirements For Certain Lots In The City Of Centerville, Ohio In Accordance With The Provisions Of Chapter 713 Of The Ohio Revised Code, be set for Public Hearing on December 18, 1989. Mr. Stone seconded the motion. The motion passed unanimously by City Council.

## ORDINANCE NUMBER 16-89 SWIMMING POOL MAINTENANCE

The Public Hearing was held concerning Ordinance Number 16-89. Mr. Kenning reviewed this proposed Ordinance to provide for proper care and maintenance of swimming pools to prevent the collection of stagnant, foul, putrid, or pest infested water in the City of Centerville. This is an amendment to Ordinance Number 33-84, the City's property maintenance Ordinance. Mr. Kenning recommended that the following be added to this Ordinance; "Specifically in the instance of violations concerning swimming pools and surrounding deck areas (Sec. 301.02 (4), the property owner must comply with the correction order within five (5) days of the receipt of said order, and" (this is an amendment to Section I, Article 2, ES-107.2 of the property maintenance Ordinance). Mr. Stone moved that the previously recommended sentence be added to the proposed Ordinance. Mrs. Beals seconded the motion. The motion passed unanimously. Mr. Siler sponsored Ordinance Number 16-89, An Ordinance Amending Ordinance Number 33-84 to Provide For The Regulations Of Swimming Pools Within The City, and moved that it be passed as amended. Mr. Compton seconded the motion. The motion passed by unanimous vote.



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## ORDINANCE NUMBER 20-89 OLD WHIPP COURT

Mr. Kenning reviewed a proposed Ordinance to rename that portion of East Whipp Road which will end in a cul-de-sac caused by the realignment of East Whipp Road to intersect Wilmington Pike at Feedwire Road. This will avoid two streets having the same name. Mr. Siler moved that Ordinance Number 20-89, An Ordinance Changing The Name Of A Portion Of East Whipp Road To Old Whipp Court In The City Of Centerville, Ohio, be set for Public Hearing on November 20, 1989. Mr. Singer seconded the motion. The motion passed unanimously.

## DEER RUN PHASE I PERFORMANCE BOND REDUCTION

Mr. Kenning reviewed a report prepared by the City Engineer stating that many of the public improvements have been completed in Deer Run, Phase I. Regular inspections have been conducted by the City Staff to assure construction according to City specifications. Improvements yet to be completed are the installation of 450 feet of sidewalk and seven driveway approaches along the south side of Deer Run Road immediately west of Clyo Road. Mr. Kenning recommended that the original Performance Bond of \$50,938.50 be reduced to \$5,750 to cover the remaining improvements to be completed in the public right-of-way. Mrs. Beals moved that the Performance Bond posted on Deer Run, Phase I be reduced to \$5,750 as recommended by the City Manager. Mr. Siler seconded the motion. The motion passed six ayes in favor of the motion, Mr. Stone abstained.

## DEER RUN PHASE IV PERFORMANCE BOND APPROVAL

Mr. Kenning advised that the original Subdivider's Agreement and Record Plan for Deer Run, Phase IV were never executed. The developer chose to proceed with many of the public improvements in lieu of posting a Performance Bond in the amount of \$39,350. Regular inspections were made to assure that City specifications were met. The remaining public improvements include the final layer of asphalt, sidewalks and miscellaneous work estimated at \$12,250. Mr. Kenning recommended that the Performance Bond requirement be revised to \$12,250. The original conditions of the Subdivider's Agreement and inspection fees will be complied with by the developer. Mr. Siler moved that the Performance Bond for Deer Run, Phase IV be set at \$12,250. Mr. Compton seconded the motion. The motion passed six ayes in favor of the motion, Mr. Stone abstained.

Mrs. Beals left the Meeting at this time due to a potential conflict of interest in the next agenda item.

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RESOLUTION NUMBER 56-89 STORM WATER DRAINAGE PLAN

Mr. Kenning outlined the need for a comprehensive storm water drainage plan for the entire City of Centerville. Requests for Proposals were solicited from various consulting firms for the development of such a plan. A City Staff Review Team analyzed the proposals received and unanimously recommended that a Contract be executed between the City of Centerville and Camp, Dresser & McKee not to exceed \$250,000. Mr. Singer, speaking as Chairman of the Drainage Task Force Steering Committee, offered their unanimous support for acceptance of this proposal. Mr. Singer outlined the areas which will be covered by the Consultant as he prepares the plan. Mr. Singer sponsored Resolution Number 56-89, A Resolution Authorizing And Directing The City Manager To Execute A Contract Between The City Of Centerville And Camp, Dresser & McKee To Prepare A Comprehensive Storm Water Drainage Plan For The City of Centerville, Ohio, and moved that it be passed. Mr. Compton seconded the motion. The motion passed unanimously.

Mrs. Beals returned to the Meeting at this time.

Mayor Heintz advised that the term of Roger Krass will soon expire as a Member of the Board of Architectural Review. Mr. Compton moved that Mr. Krass be reappointed to another three year term as a Member of the Board of Architectural Review. Mr. Samples seconded the motion. The motion passed by unanimous vote.

There being no further business, the Meeting was adjourned.

Approved: Shirley F. Heintz  
Mayor

ATTEST:

Maril J. McLaughlin  
Clerk of Council