

## RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL

Meeting

Held May 16, 19 83

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, May 16, 1983 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, Pastor of the Heritage United Presbyterian Church and City Chaplain and the Pledge of Allegiance to the Flag with Mayor J. V. Stone presiding. Councilmembers and City Staff present were as follows:

Deputy-Mayor Charles Taylor  
 Councilmembers Jeffrey Siler  
                   James Singer  
                   Russell Sweetman  
                   Shirley Heintz  
                   Bernard Samples  
 Clerk of Council Marilyn McLaughlin  
 City Manager Darryl Kenning  
 City Planner Alan Schwab  
 Service Superintendent Ray Hannah  
 City Engineer Karl Schab  
 Director of Finance William Bettcher  
 Chief of Police William Randolph  
 Municipal Attorney Robert Farquhar  
 Administrative Assistant Jon Bormet

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

Council Meeting - May 2, 1983.  
 Council Work Session Meetings - May 2, 1983.  
   - May 9, 1983.

Mr. Taylor moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion; however, Mrs. Heintz abstained from the Minutes of the May 2, 1983 Meetings.

Mayor Stone presented to Councilman Sweetman a Plaque of Recognition for his service and commitment as Chairman of the Miami Valley Cable Television Council since 1980 and as a member of said Council since its inception.

Mayor Stone read a Certificate of Appreciation to be presented to Ronald D. Amlin in recognition of his services as a member of the Board of Architectural Review for the City of Centerville, Ohio.

Mayor Stone presented a Certificate of Appreciation to the following participants and contributors in the Centerville-Washington Clean-Up, Spruce-Up, Fix-Up Week and the Cloy Road Flower Bed Project:

Boy Scout Troop 516	Penbrooke Garden Club
Boy Scout Troop 116	Centerville Lions
Grass Roots Garden Club	Centerville Women's Civic Club
Penbrooke Pots and Pins 4-H	Dowlar Landscaping
Red Coach Garden Club	Washington Township Fire Department
Dr. John Hole Elementary School	Black Oak Forest Homeowners Association
Normandy Elementary School	Centerville Buckhorn Girl Scouts
W.A Driscoll Elementary School	Centerville Garden Club
W.O. Cline Elementary School	Centerville High School Key Club
C.L. Stingley Elementary School	Welcome Wagon
Centerville Jaycee Women	Centerville Lioness Club
Centerville Jaycees	Elder Beerman Centerville
CGI Consolidated Graphics	Centerville Kiwanis

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Meeting

DAYTON LEGAL BLANK CO. 10111

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Centerville Mill	Centerville-Washington Township Area
Centerville Woodbourne Girl Scouts	Chamber of Commerce
Community Grange	East Neighborhood Girl Scouts
Hillview Garden Club	

The Meeting was recessed at this time in order to participate in a reception in honor of these participants.

Mayor Stone reconvened the Meeting at this time, introducing Representative Robert Corbin. Mr. Corbin reviewed for the viewing audience various Bills currently being considered by the Ohio State Legislators.

Mrs. McLaughlin announced the receipt of the following two Notices received from the Ohio Department of Liquor Control:

Application for the transfer of a D1 and D2 Permit submitted by Vi Quach, 6090 Far Hills Avenue. This is a transfer from Gregg Pancero Inc., DBA Larosas Pizzeria, 6090 Far Hills Avenue.

Application for a new D1 Permit submitted by N R Dayton Mall Inc., DBA Noble Romans Pizza, 1069 South Main Street.  
Council indicated no objections to the issuance of these Permits.

Mr. Kenning reported the following during his City Manager's Report: Garden Plots are still available. Interested persons should contact the City of Centerville.

The Miami Valley Cable Television Council Consolidated Inspection Study has been funded. Requests for proposal have been sent to Contractors. Completion is expected before August 1, 1983.

The April, 1983 Police Activity Report was reviewed. Average response time is 4 minutes, 28 seconds; priority calls: 3 minutes, 8 seconds.

Mr. Kenning reviewed the schedule followed during "Youth in Government Day" in the City of Centerville. The Mock Council Meeting will be shown on TV Channel 11 immediately following this Meeting.

## SPRINGSTONE LEA

Mr. Kenning reviewed the Planning Commission Meeting held April 26, 1983. Mr. Schwab reviewed a proposed Record Plan for Springstone Lea, a development of 11 lots to be located north of Centerville Station Road, east of the Plymouth Notch subdivision and across from Southbury Drive. The zoning is R-1 providing a density of one-half acre lots. Three houses already exist on the subject property. There will be roadway dedication along Centerville Station Road and other improvements including sidewalk, curb and gutter in front of the development. The Planning Commission unanimously recommended approval to City Council with the following conditions:

1. Two fire hydrants shall be installed with their locations subject to approval by the Fire Department.

2. The easement along the northwest line of lot number 5 shall be 10 feet.

3. Sidewalks shall be required along Stonehouse Road extending from Centerville Station Road along the east side to the line between lot number 8 and lot number 9.

4. Receipt of a Performance Bond and Inspection Fee, in the amounts to be determined by the City Engineer, and the execution of a Subdivider's Agreement.

Mr. Schwab reviewed two other conditions discussed by Council during a previous Work Session Meeting: 1. That Stonehouse Road be changed to Stonehouse Court to reflect the type of street, and 2. That the storm water detention area be located in lot number 6B rather than between lots 7 and 8. The City Staff also recommended that lots 6A and 6B be called lot 6, with part 1 and part 2 to assure one ownership. Mr. Kenning further pointed out

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the fact that Council expressed concern with sidewalks just on one side of the street vs sidewalk on both sides of the street.

Mr. David Blum, 1625 East Centerville Station Road, developer and owner of the property in question, reviewed his proposed Record Plan. He believes sidewalks on both sides of Stonehouse Court are unnecessary, his primary intent is to preserve as much green space and trees as possible. He reviewed City Council's approval of this same Record Plan on August 4, 1980 with sidewalk on just one side of Stonehouse Court. Mr. Blum explained reasons for the development delay in 1980. He pointed out the fact that Plymouth Notch, a subdivision to the west of this property has no sidewalks. Mr. Schwab advised that this reapproval is necessary due to the expiration of the previous Record Plan and to some very minor changes in lot lines. Mr. Taylor moved that Council approve the Record Plan for Springstone Lea, subject to the recommendations of the Planning Commission, to the name of the street being changed to Stonehouse Court and subject to the approval of the City Administration in the handling of lots 6A and 6B concerning ownership and maintenance of the water detention area of lot 6B. Mrs. Heintz seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

#### TOM HARRIGAN AUTO DEALERSHIP

Mr. Schwab reviewed a Site Plan for Tom Harrigan Auto Dealership proposed to be located along the south side of Loop Road, east of State Route 48 and between Bob Ross Buick and Voss Chevrolet. He located this property on a map and reviewed elevations of the proposed structure. The Planning Commission unanimously recommended approval of this Plan to City Council, subject to the following conditions:

1. Both curb cuts shall be a maximum of 35 feet in width.
2. Channelizing islands along the entrance driveways shall be a raised curb and along both sides of each driveway.
3. A drainage plan shall be submitted to the City Engineer for approval.
4. Detailed drawings of each type of lighting fixture shall be submitted to staff for approval.

Mr. Schwab pointed out the fact that the Applicant has presented a revised Site Plan for Council's consideration, however, he recommended that two items be deleted from the approval of the Plan: 1. That no signage (freestanding or building mounted signage) be approved on this Site Plan, and 2. That no future expansion of any kind (gas pump or addition to building) be approved at this time. By this deletion, additional construction would require a Site Plan Amendment being approved by the Planning Commission and City Council.

Mr. Paul Striebel, Architect for Tom Harrigan, was present to answer any questions arising concerning the proposed revised Site Plan. He recognizes the fact that signage and lighting are items to be further reviewed.

Mr. Sweetman moved that the revised Site Plan for Tom Harrigan Auto Dealership, located on Loop Road in the City of Centerville; the Site Plan Submitted and received by the City of Centerville on May 13, 1983 be approved, subject to the following conditions:

1. That no signage of any kind be approved with this Site Plan: freestanding and/or signage on the building.
2. That no use of any type be permitted in the area approximately 340' x 80' to the rear of the building - no paving, no parking of cars, no lights, no gas pumps and no permits for buildings be received before having received approval from the City of Centerville.
3. Subject to the conditions as recommended by the Planning Commission.

Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Singer complimented Tom Harrigan for locating this business in the City of Centerville.

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BOSTON LEGAL BLANK CO. 10114

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Mr. Samples announced the addition of Deputy-Mayor Charles Taylor to the Zoning Task Force Membership. Mr. Taylor will serve in this capacity on an interim basis. Mr. Samples thanked the news media for their fine articles relative to the Task Force Committee.

## ORDINANCE NUMBER 8-83 CITY BEAUTIFUL COMMISSION

The Public Hearing was held concerning Ordinance Number 8-83. Mr. Siler sponsored Ordinance Number 8-83, An Ordinance To Appoint Lois Dowlar To The City Beautiful Commission For The City Of Centerville, Ohio, And Establish A Term Of Office, and moved that it be passed. Mr. Taylor seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Kenning recommended that the road construction project for the current year be extended to provide for the repair and resurfacing of West Ridgeway Road, for the resurfacing of the Municipal Building parking lot and other miscellaneous street projects. Mr. Samples moved that Council authorize the extension of the road construction project for 1983 by \$47,000.00 in order to repair and resurface West Ridgeway Road, to resurface the Municipal Building parking lot and to provide other special road and street projects and that moneys for these projects come from three related funds as outlined by the City Manager. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## ORDINANCE NUMBER 9-83 MOPEDS

Mayor Stone reviewed a proposed Ordinance to establish certain regulations for the operation of mopeds within the City of Centerville. He encouraged interested persons to express their thoughts at the Public Hearing to be set on the Ordinance. Mr. Kenning advised that this proposed Ordinance will require the wearing of helmets for all those under the age of 18 and limits no passengers. Mayor Stone reminded the listening public that this legislation may be passed as an emergency measure on June 20, 1983. Mr. Sweetman emphasized the need for this type legislation, many other Cities in Ohio are considering the same, as well as the State Legislators. Mr. Sweetman moved that Ordinance Number 9-83, An Ordinance Enacting Chapter 377 Of The Centerville Municipal Code Regulating Mopeds Within The City, be set for Public Hearing on June 20, 1983. Mr. Taylor seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## RESOLUTION NUMBER 18-83 BUILDING INSPECTION SERVICES

Mr. Kenning reviewed a proposed Contract with the City of Kettering to provide assistance with respect to building inspection services and to provide payment therefor to the City of Kettering. Mr. Siler sponsored Resolution Number 18-83, A Resolution Ratifying The Action Taken By The City Manager To Execute An Amendment To An Agreement With The City Of Kettering For Building Inspection Services, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## ORDINANCE NUMBER 10-83 CITY PLANNING COMMISSION

Mr. Singer moved that Ordinance Number 10-83, An Ordinance To Appoint David L. Hall To The City Planning Commission For The City Of Centerville, Ohio, And Establish A Term Of Office, be set for Public Hearing on June 20, 1983. Mrs. Heintz seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## ORDINANCE NUMBER 11-83 CITY PLANNING COMMISSION

Mrs. Heintz moved that Ordinance Number 11-83, An Ordinance To Appoint M. Brian Bergsten To The City Planning Commission For The City Of Centerville, Ohio, And Establish A Term Of Office, be set for Public Hearing

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on June 20, 1983. Mr. Samples seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## BUDGET 1984

Mr. Kenning recommended that Council set for Public Hearing a proposed Budget for 1984 to be submitted to the Budget Commission of Montgomery County. Mr. Taylor moved that a Public Hearing be held on June 20, 1983 concerning the proposed Budget for the year 1984. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Siler left the Meeting at this time due to a potential conflict of interest with the next agenda item.

## RESOLUTION NUMBER 19-83 PUBLIC DEPOSITORY

Mr. Kenning reviewed a proposed Resolution to establish public depositories for the deposit of public monies in the City of Centerville. This action is required by Ohio Law. Mr. Sweetman sponsored Resolution Number 19-83, A Resolution Estimating The Probable Amount Of Public Monies To Be Deposited, Setting A Date For The Designation Of Public Depositories And Authorizing Notice, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Siler returned to the Meeting at this time.

## RESOLUTION NUMBER 20-83 WATER AND SEWER

Mr. Kenning reviewed a proposed Resolution to affirm the authority of Montgomery County to construct, maintain and operate water and sewer lines in the City of Centerville. Mrs. Heintz sponsored Resolution Number 20-83, A Resolution Of The Council Of The City Of Centerville Affirming The Authority Of The Montgomery County Board Of County Commissioners To Construct, Maintain, And Operate Water And Sewer Lines Within The City of Centerville, and moved that it be passed. Mr. Samples seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

## RESOLUTION NUMBER 21-83 INCOME TAX

Mr. Kenning reviewed a proposed Resolution to reallocate Income Tax receipts for the remainder of this year, 1983, to bring totals at the end of this fiscal year in line with budget projections. Mrs. Heintz sponsored Resolution Number 21-83, A Resolution Amending Resolution Number 39-82 Authorizing And Directing The Allocation Of Income Tax Receipts Among The General Fund, Capital Improvements Fund, Debt Retirement Fund, Street Construction And Maintenance Fund, The Central Vehicle Purchase Fund And The Equipment Reserve Fund Of the City Of Centerville For The Remainder Of Budget Year 1983, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Upon question of Mr. Samples, Mr. Kenning advised that the Walking Tour Booklet for the City of Centerville has been prepared as a cooperative effort between the City of Centerville and the Centerville Historical Society. It will be distributed by the Centerville Historical Society.

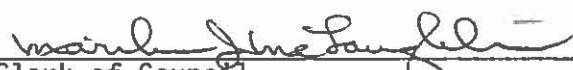
Mayor Stone advised that Council is meeting on summer schedule, the next Meeting will be held June 20, 1983.

There being no further business, the Meeting was adjourned.

Approved: \_\_\_\_\_

Mayor 

ATTEST:

  
Clerk of Council