

Held July 18, 19 83

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, July 18, 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 James Singer

Bernard Samples

Shirley Heintz

Jeffrey Siler

Clerk of Council Marilyn McLaughlin

City Manager Darryl Kenning

Administrative Assistant Jon Bormet

City Planner Alan Schwab

Service Director Richard Bishop

City Engineer Karl Schab

Director of Finance William Bettcher

Police Lieutenant William Lickert

Municipal Attorney Robert Farquhar

Mayor Stone advised that Councilman Russell Sweetman had been detained this evening, thus his absence from this Meeting. Mr. Singer moved that Mr. Sweetman be excused from this Meeting. Mr. Siler seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

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

Council Meeting - June 20, 1983.

Council Work Session Meetings - June 20 1983.

- July 11, 1983.

Mrs. Heintz moved that the Minutes of the foregoing Meetings be approved, as distributed. Mr. Samples seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Stone outlined activities during the Americana Festival on the 4th of July in the City of Centerville. He thanked all volunteers for their assistance in the completion of the restoration of the Asahel Wright House. Representatives from Centerville's Sister City, Waterloo, Ontario Canada, were in Centerville to celebrate the 4th of July weekend.

Mayor Stone read a letter received from Mr. Gerry O'Neil, Business Development Director for the City of Waterloo, Ontario Canada, proposing a business and industrial exchange between the two Cities.

Mayor Stone expressed his appreciation to Councilman Russell Sweetman for the excellent Cable TV coverage given Centerville during the parade on the 4th of July.

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

The Franklin/Maple Avenue road improvement is complete, this is the last phase of the 1983 major contract street improvement program for the City of Centerville.

The State Route 48 improvement project is on schedule and should be completed by the deadline date of October 15, 1983. The Whipp Road, State Route 48 intersection improvement project is being scheduled for 1984.

The June, 1983 Building Inspection Report was reviewed for Council. Permits are thirty percent over 1982, year to date.

Held

July 18, 1983 continued

19

Mr. Kenning reviewed the Police Activity Report for the month of June, 1983. Average response time on all calls is 5.41 minutes by Centerville's Police Department.

Mayor Stone recognized the excellent care and beautification of the parkways in the City. He extended to the Police Department, Bethany Lutheran residents' appreciation for outstanding coverage.

ORDINANCE NUMBER 17-83 ZONING ORDINANCE AMENDMENT

Mr. Kenning reviewed the Planning Commission Meeting held June 28, 1983. Mr. Siler moved that Ordinance Number 17-83, An Ordinance Amending Ordinance 15-1961, The Zoning Ordinance By Providing For And Regulating Outdoor Sales Or Displays, be set for Public Hearing on September 19, 1983. Mr. Taylor seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Samples, as Chairman of the Zoning Task Force, advised that Cable Television will tape a series of programs defining items discussed by the Task Force; he encouraged the viewing public to offer feedback.

Mr. Kenneth Hahn, 311 South Village Drive, representing residents on South Village Drive, Wittington Drive, Marshall Road, Millbank Road and Laurelhurst Lane, reviewed for Council a continuing drainage problem in the Village South area, resulting from overflowing sewers, creeks and waterways during heavy rains. He expressed their concern with potential hazardous conditions in future years if this condition continues to exist. Mr. Hahn asked Council to recognize this serious drainage problem. Mayor Stone pointed out the fact that the City recognizes the problem, it is difficult to find a satisfactory solution. Mayor Stone agreed to appoint a Committee consisting of members from the Village South area, City Staff, City Council and a representative from the Park District to review this entire situation and resolve an equitable solution. This Committee will be appointed within the following two weeks. Mr. Singer volunteered to represent City Council on this Committee.

WALNUT HILLS ESTATES II CONDITIONAL USE

The Public Hearing was held concerning Walnut Hills Estates II.

Mr. Schwab reviewed the Conditional Use Request filed by P.R.D. Corporation, to permit the construction of a residential planned unit development to be known as Walnut Hills Estates II. The property is located as the extension of the existing Rhineway in Walnut Hills Estates I, being south of Centerville Station Road and west of Wilmington Pike. The overall subdivision is located both in Montgomery County and Greene County, with only the portion in Montgomery County being included in this Request. Proposed are 29 residential lots on 15.862 acres of land in Centerville. The Planning Commission unanimously recommended approval of this Conditional Use Request subject to the following conditions:

1. Try to eliminate the "S" curve within the right-of-way the best way possible.
2. A drainage plan shall be submitted to the City Engineer for approval.
3. Provide an access to the park allowing a 2 foot wide concrete walkway between lots 8 and 9 or 9 and 10, whichever is the safest.
4. Staff is instructed to send a letter to Greene County expressing the concern that an access in their jurisdiction to the park on lot 36 in an appropriate manner be provided.

Mr. Richard Pavlak, Developer, asked for clarification concerning the type of walkway to be provided to the park area. Mr. Schwab advised that the location and type of construction of the subject walkway can be resolved during Record Plan approval.

Held

July 18, 1983 continued

19

Mr. Bob Dean, 5010 Rhineway, expressed concern with the type of homes being proposed for construction in this development. Mr. Schwab reviewed for Mr. Dean the difference between a planned unit development and development under R-1 zoning. All the homes will be single family and the total density will be same as permitted according to R-1, equal to those already constructed in Walnut Hills Estates I. The homes will meet or exceed minimum square footage required.

Upon question of Mr. Taylor, Mr. Schab advised that drainage of this property will be coordinated between this property and that portion of property to be developed in Greene County. The Record Plan for the area in Centerville can be approved subject to water detention capability for the entire area. Mr. Schab is confident that the drainage potential can be resolved.

Mr. Singer moved that the Conditional Use Request for Walnut Hills Estates II to permit the construction of a residential planned unit development be approved, in accordance with the recommendation of the City Planning Commission with the following conditions:

1. The "S" curve be subject to the guidelines as set forth in Centerville's Subdivision Regulations relating to radius and straight-a-way.
2. The drainage plan, retention basin be submitted to the City Engineer for approval.
3. Subject to the provisional walkway, the exact location and surface to be determined at the Record Plan stage.

Mrs. Heintz seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Dean asked City Council and the Planning Commission to consider the condition of Rhineway being constructed to Wilmington Pike prior to construction to avert construction traffic through an already existing area. Mayor Stone suggested that alternatives be reviewed by the City during the construction phase; Mr. Dean will be so notified.

ORDINANCE NUMBER 13-83 CITY BEAUTIFUL COMMISSION

The Public Hearing was held concerning Ordinance Number 13-83. Mrs. Heintz sponsored Ordinance Number 13-83, An Ordinance To Appoint Michael L. Fanning To The City Beautiful Commission For The City Of Centerville, Ohio, And Establish A Term Of Office, and moved that it be approved. Mr. Taylor seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 14-83 SISTER CITY COMMITTEE

The Public Hearing was held concerning Ordinance Number 14-83. Mr. Singer sponsored Ordinance Number 14-83, An Ordinance To Appoint Jeffrey D. Schrader To The Sister City Committee For The City Of Centerville, Ohio, And Establish A Term Of Office, and moved that it be approved. Mr. Siler seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 15-83 PERMIT FEES

The Public Hearing was held concerning Ordinance Number 15-83. Mr. Kenning reviewed this proposed Ordinance which reduces the Permit Fee for projects costing less than \$500.00. Mr. Taylor sponsored Ordinance Number 15-83, An Ordinance Amending Chapter 1321 Of The Centerville Municipal Code Relating To Permit Fees, and moved that it be passed. Mr. Siler seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 16-83 CITY BEAUTIFUL COMMISSION

The Public Hearing was held concerning Ordinance Number 16-83. Mrs. Heintz sponsored Ordinance Number 16-83, An Ordinance To Appoint Linda K. Neufeld To The City Beautiful Commission For The City Of Centerville, Ohio, And Establish A Term Of Office, and moved that it be passed. Mr. Samples

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK CO. 10114

Held July 18, 1983 continued 19

seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 18-83 PERSONNEL

Mr. Kenning reviewed a proposed Ordinance to provide supplemental compensation for certain employees upon retirement, those meeting defined requirements. Mr. Taylor moved that Ordinance Number 18-83, An Ordinance To Amend Ordinance 45-82 By Establishing A Supplemental Retirement Plan, be set for Public Hearing on August 15, 1983. Mr. Samples seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Councilman Jeffrey Siler left the Meeting at this time due to a potential conflict of interest in remaining agenda items.

ORDINANCE NUMBER 19-83 BOARD OF ARCHITECTURAL REVIEW

Mrs. Heintz moved that Ordinance Number 19-83, An Ordinance To Appoint Barbara R. Talmage To The Board Of Architectural Review For The City Of Centerville, Ohio, And Establish A Term Of Office, be set for Public Hearing on August 15, 1983. Mr. Singer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 24-83 PUBLIC DEPOSITORY

Mr. Kenning reviewed the following Resolutions designating Public Depositories and awarding public moneys for the period commencing August 23, 1983 and ending August 22, 1985. It is required by Ohio State Law to designate these depositories and set maximum amounts to be deposited at any one time in each bank making application for same. Resolution Number 24-83 designates the First National Bank, Miamisburg, Ohio, maximum amounts being: Active Deposits: \$500,000.00, Interim Deposits: \$500,000.00. Mr. Taylor sponsored Resolution Number 24-83, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mrs. Heintz seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 25-83 PUBLIC DEPOSITORY

Mr. Kenning reviewed this Resolution designating Bank One, Dayton, Ohio, as Public Depository, maximum amounts being: Active Deposits: \$1,000,000.00, Interim Deposits: \$10,000,000.00. Mr. Samples sponsored Resolution Number 25-83, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 26-83 PUBLIC DEPOSITORY

Mr. Kenning reviewed this Resolution designating BancOhio National Bank, Dayton Area Office, Dayton, Ohio, maximum amounts being: Active Deposit: \$2,000,000.00, Interim Deposits: \$2,000,000.00. Mr. Singer sponsored Resolution Number 26-83, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mrs. Heintz seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 27-83 PUBLIC DEPOSITORY

Mr. Kenning reviewed this Resolution designating Gem Savings Association, Dayton, Ohio, maximum amount being for Interim Deposits \$5,000,000.00. Mrs. Heintz sponsored Resolution Number 27-83, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Held July 18, 1983 continued 19

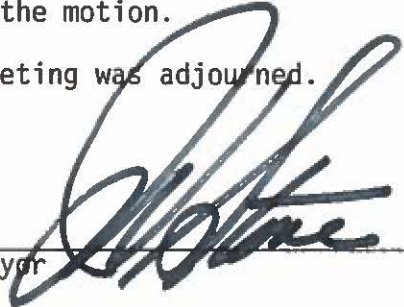
RESOLUTION NUMBER 28-83 PUBLIC DEPOSITORY

Mr. Kenning reviewed this Resolution designating First National Bank, Dayton, Ohio, maximum amounts being: Active Deposits: \$1,000,000.00, Interim Deposits: \$3,000,000.00. Mrs. Heintz sponsored Resolution Number 28-83, A Resolution Designating A Public Depository And Awarding Public Monies, and moved that it be passed. Mr. Samples seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved: _____

Mayor



ATTEST:

Maui McLaughlin
Clerk of Council