

DAYTON LEGAL BLANK CO. 10134

Held May 5, 19 80

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, May 5, 1980 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Councilman Leonard Stubbs and the Pledge of Allegiance to the Flag with Mayor J. V. Stone presiding. Councilmembers and City Staff present were as follows:

- Deputy-Mayor Nora Lake
- Councilmembers Shirley Heintz
 - Russell Sweetman
 - Jeffrey Siler
 - James Singer
 - Leonard Stubbs
- Clerk of Council Marilyn McLaughlin
- City Manager Darryl Kenning
- 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
- Assistant City Manager Joseph Minner

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

- Council Meeting - April 7, 1980.
- Council Work Session Meetings - April 21, 1980.
- April 28, 1980.

Mr. Siler moved that the Minutes of the foregoing Meetings be approved, as distributed. Mrs. Heintz seconded the motion. A roll call vote resulted in seven ayes in favor of the motion; however, Mr. Singer abstained from the Minutes of the April 7, 1980 Meeting.

The Oath of Office was administered to Arts Commission Member Lydia Hausman by Mr. Farquhar.

A Proclamation designating May 12 through May 18, 1980 as South Community Mental Health Agency Week in the City of Centerville, was read by Mrs. Lake and issued by Mayor Stone.

Mayor Stone read and issued a Proclamation designating May 10 to May 17, 1980 as clean-up time in the City of Centerville.

Mr. Kenning reported the following during his City Manager's Report:
A Public Hearing on Federal Revenue Sharing Funds will be held Tuesday, May 6, 1980 at 6:30 P.M. in the Council Chambers. Mr. Kenning encouraged input from citizens concerning the expenditure of these funds.

On behalf of the South Community Mental Health Agency, Mr. Kenning extended a special invitation to Council and to citizens at large, to an Open House on May 15, 1980 at the new Centerville-Washington Township Branch Office of South Community Mental Health Agency located at 270 Regency Ridge in the Normandy Office Complex.

Mr. Kenning reviewed the Service Department Activity Report and the Building Inspection Report for the month of April, 1980.

The improvement project at the intersection of Main and Franklin Streets is progressing well. Power will soon be installed for traffic signals. Mr. Sweetman suggested that some striping be put in place until the final layer of asphalt is applied.

Upon question of Mr. Stubbs, Mr. Kenning advised that receipts in the Building Inspection Department are below predictions. Mr. Stubbs suggested

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that a brief presentation concerning the financial situation in certain areas of the City government be given prior to the June election, perhaps during the next Council Meeting.

Mrs. Lake, in making reference to the County's request to private waste collectors that grass clippings not be placed in the packers for dumping, questioned the City's position if such a request was made to Municipalities. Mr. Kenning will further review this matter and report his findings to Council.

ORDINANCE NUMBER 19-80 ZONING ORDINANCE AMENDMENT PERFECT REAL INVESTMENT

Mr. Kenning reviewed the Planning Commission Meeting held April 29, 1980. The Planning Commission recommended that Council set a Public Hearing on a Rezoning Request filed by Perfect Real Investment Company for property located along the north side of Alexandersville-Bellbrook Road, just east of Loop Road. Mrs. Lake moved that Ordinance Number 19-80, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Rezoning 63.3 Acres More Or Less, From EC And I1 Classification To Centerville B2 And R4 Classification, be set for Public Hearing on June 16, 1980. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

SPRINGSTONE LEA PRELIMINARY PLAN

Mr. Schwab reviewed the Preliminary Plan for Springstone Lea, a development proposed to be located north of Centerville Station Road and east of Clio Road, containing 9.4 acres of land, 11 lots and thoroughfare improvements along Centerville Station Road. The Planning Commission recommended by a 5-1 vote approval of this Preliminary Plan subject to the street width being increased to 28 feet, to sidewalk being installed along one side of Stone House Road, and to water line sizes being approved by the Washington Township Fire Department. The City Staff had previously recommended to the Planning Commission that a stub street be required west to the adjacent property, however, following much deliberation by the Planning Commission, the Plan was recommended without the stub street. Mr. Sweetman expressed the necessity for this stub street in consideration of future development to the west.

Mr. Al Wahby, representing the Developer, reviewed this Preliminary Plan and explained the reasoning for this type layout, the development of 11 lots rather than the 16 lots permitted, to develop a Plan most sensible to the use of the land involved. He objected to constructing a stub street years in advance of being needed. He suggested that the width of pavement of the street serving the plat be 26 feet instead of 28 feet. Mr. Wahby requested more consideration relative to the improvement required to Centerville Station Road, making reference to varying widths along the roadway presently existing. Mr. Schwab reviewed for Council the varying widths along Centerville Station Road. Mr. Singer moved that the Preliminary Plan for Springstone Lea be approved, this lot layout without a stub street, subject to sidewalk being added to one side of Stone House Road and to water line sizes being approved by the Washington Township Fire Department, and that the pavement width of the interior street and the improvement width to Centerville Station Road be deferred until the Final Plan is considered. Mrs. Heintz seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mr. Sweetman, Mr. Siler and Mrs. Lake voted no.

Mr. Sweetman presented to Mayor Stone a Plaque of Appreciation to the City of Centerville from the Miami Valley Cable Television Council for use of the South Suburban facility during previous years.

Mr. Charles Whitty, 6466 Little John Circle, presented to Council a Petition signed by area residents, requesting the installation of a traffic

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signal at the intersection of Thomas Paine Parkway and Bigger Road. He reviewed traffic problems at this intersection and requested favorable consideration. This matter was referred to City Staff for review.

ORDINANCE NUMBER 12-80 SUBDIVISION REGULATIONS

The Public Hearing was held concerning Ordinance Number 12-80. Mr. Kenning reviewed this proposed Ordinance which changes the width of McEwen Road to 82 feet to coincide with Montgomery County Transportation Plans. Mr. Sweetman sponsored Ordinance Number 12-80, An Ordinance Amending Exhibits "B" And "C" Of The Subdivision Regulations Of The City Of Centerville, Ohio As Adopted By Ordinance 10-1958 And Subsequently Amended And Amending Section 1121.01 (a) (10) Of The Centerville Municipal Code, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 14-80 BUILDING AND STRUCTURAL NUISANCES

The Public Hearing was held concerning Ordinance Number 14-80. Mr. Kenning reviewed this proposed Ordinance which adds sidewalk to the definition, provides a procedure when no objection is filed and provides for the recovery of costs of abatement. Mr. Singer sponsored Ordinance Number 14-80, An Ordinance Amending Chapter 1351 Of The Centerville Municipal Code Relating To Building And Structural Nuisances, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 16-80 PLANNING COMMISSION

The Public Hearing was held concerning Ordinance Number 16-80. Mr. Stubbs sponsored Ordinance Number 16-80, An Ordinance Appointing Marian S. Simmons As A Member Of The City Planning Commission For The City Of Centerville, Ohio, And Establishing A Term Of Office, and moved that it be passed. Mrs. Heintz seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 17-80 PLANNING COMMISSION

The Public Hearing was held concerning Ordinance Number 17-80. Mr. Singer sponsored Ordinance Number 17-80, An Ordinance Appointing Dallas F. Horvath As A Member Of The City Planning Commission For The City Of Centerville, Ohio, And Establishing A Term Of Office, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 18-80 PLANNING COMMISSION

The Public Hearing was held concerning Ordinance Number 18-80. Mr. Siler sponsored Ordinance Number 18-80, An Ordinance Appointing Elmer C. Tate, Jr. As A Member Of The City Planning Commission For The City Of Centerville, Ohio, And Establishing A Term Of Office, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 20-80 COMMUNITY FISCAL ANALYSIS COMMITTEE

Mayor Stone reviewed a proposed Ordinance to appoint certain electors and residents of Centerville to a Committee organized to aid City Council in forming fiscal policy for the City of Centerville. Mr. Sweetman moved that Ordinance Number 20-80, An Ordinance Appointing Various Citizens To Serve As Members Of The Community Fiscal Analysis Committee For The City Of Centerville, Setting Terms Of Office And Designating The Chairman For Said Committee, be set for Public Hearing on May 19, 1980. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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ORDINANCE NUMBER 21-80 MEMBERSHIP FEES

Mayor Stone reviewed a proposed Ordinance to serve as a stop-gap to provide for the payment of fees to professional organizations by the City of Centerville pending amendment to the State Code. Mrs. Lake moved that Ordinance Number 21-80, An Ordinance To Authorize Payment By The City Of Centerville Of Fees For Membership Of Public Officials And Employees Of The City And Various Professional Organizations, be set for Public Hearing on May 19, 1980. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 22-80 PERSONNEL

Mrs. Lake moved that Ordinance Number 22-80, An Ordinance Amending Ordinance No. 18-79, By Repealing The Personnel Policies Adopted And Adopting A New Personnel Policy, be set for Public Hearing on May 19, 1980. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Stone left the Meeting at this time due to a potential conflict of interest in the following matters to be considered; Mrs. Lake presided.

ORDINANCE NUMBER 23-80 CLYO ROAD

Mr. Sweetman sponsored Ordinance Number 23-80, An Emergency Ordinance To Appropriate Certain Real Estate Of John P. Chaney And Linda J. Chaney For The Clyo Road Improvement Project In The City Of Centerville, Ohio, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 24-80 CLYO ROAD

Mr. Stubbs moved that Ordinance Number 24-80, An Ordinance To Appropriate Certain Real Estate Of John P. Chaney And Linda J. Chaney For The Clyo Road Improvement Project In The City Of Centerville, Ohio, be set for Public Hearing on May 19, 1980. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 25-80 CLYO ROAD

Mrs. Heintz sponsored Ordinance Number 25-80, An Emergency Ordinance To Appropriate Certain Real Estate Of Willard C. Nearing And Marjorie L. Nearing For The Clyo Road Improvement Project In The City Of Centerville, Ohio, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 26-80 CLYO ROAD

Mr. Stubbs moved that Ordinance Number 26-80, An Ordinance To Appropriate Certain Real Estate Of Willard C. Nearing And Marjorie L. Nearing For The Clyo Road Improvement Project In The City Of Centerville, Ohio, be set for Public Hearing on May 19, 1980. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 27-80 CLYO ROAD

Mrs. Heintz sponsored Ordinance Number 27-80, An Emergency Ordinance To Appropriate Certain Real Estate Of Willard C. Nearing And Marjorie L. Nearing For The Clyo Road Improvement Project In The City Of Centerville, Ohio, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 28-80 CLYO ROAD

Mrs. Heintz moved that Ordinance Number 28-80, An Ordinance To Appropriate Certain Real Estate Of Willard C. Nearing And Marjorie L. Nearing

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For The Clio Road Improvement Project In The City Of Centerville, Ohio, be set for Public Hearing on May 19, 1980. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 29-80 CLYO ROAD

Mr. Sweetman sponsored Ordinance Number 29-80, An Emergency Ordinance To Appropriate Certain Real Estate Of Southwestern Reserve Company For The Clio Road Improvement Project In The City Of Centerville, Ohio, and moved that it be passed. Mrs. Heintz seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 30-80 CLYO ROAD

Mr. Singer moved that Ordinance Number 30-80, An Ordinance To Appropriate Certain Real Estate Of Southwestern Reserve Company For The Clio Road Improvement Project In The City Of Centerville, Ohio, be set for Public Hearing on May 19, 1980. Mrs. Heintz seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 31-80 CLYO ROAD

Mr. Singer sponsored Ordinance Number 31-80, An Emergency Ordinance To Appropriate Certain Real Estate Of Ned J. Haverstick, Joseph B. Haverstick And Alberta Z. Haverstick For The Clio Road Improvement Project In The City Of Centerville, Ohio, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 32-80 CLYO ROAD

Mr. Singer moved that Ordinance Number 32-80, An Ordinance To Appropriate Real Estate Of Ned J. Haverstick, Joseph B. Haverstick And Alberta Z. Haverstick For The Clio Road Improvement Project In The City Of Centerville, Ohio, be set for Public Hearing on May 19, 1980. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 21-80 TCC

Mr. Kenning reviewed a proposed Resolution to authorize an Agreement with the Miami Valley Regional Planning Commission for the Montgomery-Greene County Transportation and Development Planning Program. Mrs. Lake sponsored Resolution Number 21-80, A Resolution Authorizing Agreement With The Miami Valley Regional Planning Commission, On Behalf Of The Montgomery Greene County Transportation And Development Planning Program To Provide For Participation And Cooperation Between And Among The Boards Of County Commissioners And City And Village Councils Within The Montgomery-Greene County Area In The Maintenance And Operation Of The Montgomery-Greene County Transportation And Development Planning Program, and moved that it be passed. Mrs. Heintz seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mayor Stone had returned to the Meeting at the onset of this agenda item.

RESOLUTION NUMBER 22-80 CLYO ROAD

Mr. Kenning reviewed the following bids received for the reconstruction of Clio Road:

S.K. Construction Company	\$1,398,328.02
Urbana Tar & Asphalt Company	1,448,098.67
Pyper Construction Company	1,466,755.60
Don Cisle Constructors	1,491,647.46
John R. Jurgensen	1,502,335.39
Sycamore Builders	1,519,597.67
Butler Asphalt Company	1,668,781.25
	1,635,405.62 Alt.

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B. G. Danis Company	\$1,758,257.40	
Finke Construction Company	1,881,359.56	
Centerville Lawn and Landscaping	15,134.08	Erosion Control
	24,734.00	Landscaping

Mr. Kenning recommended acceptance of the low bid submitted by S.K. Construction Company, plus authorization for an amount not to exceed \$75,000.00 for contingency purposes. Mr. Singer sponsored Resolution Number 22-80, A Resolution Accepting The Bid Of S.K. Construction Company To Supply Clyo Road Reconstruction-1980 To The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed, including authorization for an amount not to exceed \$75,000.00 for contingency purposes. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Upon question of Mr. Singer, Mr. Kenning advised that preliminary grading work should begin the week of May 12, 1980; essential completion should be by the end of the construction season.

ORDINANCE NUMBER 33-80 CITY BEAUTIFUL COMMISSION

Mrs. Heintz moved that Ordinance Number 33-80, An Ordinance Appointing Nancy Lee Schardt As A Member Of The City Beautiful Commission For The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on May 19, 1980. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved: 

Mayor

ATTEST:


Clerk of the Council