

Held November 17,19 80

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, November 17, 1980 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Charles Whitaker, Chaplain for City Council, and the Pledge of Allegiance to the Flag with Mayor J. V. Stone presiding. Councilmembers and City Staff present were as follows:

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 Superintendent Ray Hannah  
 City Engineer Karl Schab  
 Director of Finance William Bettcher  
 Police Lieutenant William Lickert  
 Municipal Attorney Robert Farquhar  
 Assistant City Manager Joseph Minner

Mayor Stone advised that Deputy-Mayor Nora Lake was preparing for a Regional Meeting to be held November 18, 1980, thus her absence from this Meeting. Mr. Singer moved that Deputy-Mayor Lake be excused from this Meeting. Mr. Stubbs 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 Meetings - October 20, 1980.  
 November 3, 1980.

Council Work Session Meetings - November 3, 1980.  
 November 10, 1980.

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

Mr. Farquhar administered the Oath of Office to Personnel Appeals Board Member Charles P. Brown.

Mrs. McLaughlin announced the receipt of an Appeal to Council filed against a decision rendered by the City Planning Commission during their Meeting on Tuesday, October 28, 1980 to deny a Rezoning Request filed by Paul A. Lemon and Jean Lemon for property located at the north east corner of Cemetery Drive and East Franklin Street.

Mayor Stone advised that Officials from the City of Waterloo, Ontario, Canada, are planning to come to Centerville when their Hockey Team plays Centerville's Hockey Team near the first of January, 1981.

Mayor Stone outlined a student exchange program anticipated between Centerville and Bad Zwischenahn, technical difficulties are being reviewed.

Mayor Stone read two Proclamations issued during the previous week: Proclamation designating November 8, 1980 as Clarence L. Stingley Day in Centerville, and a Proclamation designating November, 1980 as Epilepsy Month.

DAYTON LEGAL BLANK CO. 19144

Held November 17, 1980 continued 19

Mr. Kenning reviewed the following during his City Manager's Report:  
A Meeting is being held November 18, 1980 at 11:00 A.M. in the Community Room with the Federal Emergency Management Agency regarding Flood Insurance in the Flood Plain area in Centerville. New maps and ramifications will be reviewed.

Clyo Road is approximately 85 percent complete. One week's work remains to be completed during 1980.

Mr. Kenning briefly reviewed a Conference he attended in Chicago concerning Mental Health problems on behalf of the South Community Mental Health Center.

Mr. Stubbs announced the Council Finance Committee Meeting scheduled for Saturday, November 22, 1980 to begin at 8:45 A.M. in the Council Chambers.

#### ORDINANCE NUMBER 49-80 WASTE COLLECTION

The Public Hearing was held concerning Ordinance Number 49-80. Mr. Kenning reviewed this proposed Ordinance which prohibits industrial and commercial waste collection during the hours of 9:00 P.M. and 7:00 A.M. This Ordinance is a result of complaints received from residents near industrial and commercial collection points.

Mr. Scott, representing N & N Commercial Waste and presently having the Contract to service all Centerville City Schools, explained their waste removal during the hours of 3:00 A.M. and 6:30 A.M. in consideration for safety of school children and to make such removals when traffic is less congested. The entire area is serviced three times during the week with some areas being served daily.

Mr. Siler described the annoyance which he experiences during early morning hours with the removal of waste at the school near his place of residence. He suggested removal during early evening hours. Mr. Sweetman questioned whether collection could be made while the children are in school and after peak traffic time. Mr. Scott further reviewed a problem with oversize vehicles using the narrow alleys during the later morning hours. Mr. Scott offered his willingness to reach a happy median for waste removal in Centerville.

Mr. Frank DePalma, representing the Centerville City Schools, expressed their concern for the safety of children, students begin arriving at schools at 7:00 A.M. Because of three different schedules, there is hardly a period of time during the day when students are not outdoors. There is also much activity during evening hours at the various schools. Mr. DePalma agreed that schools could be serviced on an abbreviated schedule during the summer months. He asked that schools be exempted, if the proposed Ordinance is passed.

Mrs. Heintz suggested that perhaps schedules could be changed to provide collection at schools in Centerville at the end of the route, thus providing collection in the most concentrated areas later in the morning.

Mr. Richard Fligor, Manager of Koogler Suburban in Dayton, reviewed the expense involved in changing route schedules. He encouraged Council to seriously review the proposed starting time for waste collection in Centerville.

Upon question of Mr. Stubbs, Mr. Scott advised that the City of Kettering has an Ordinance with starting limitations for waste removal being qualified according to areas involved. Mr. Stubbs wondered if the number of complaints received in Centerville justify passage of such an Ordinance. Mrs. Heintz moved that Ordinance Number 49-80, An Ordinance Amending The Centerville Code By Enacting Section 509.08 To Regulate The Hours For Industrial And Commercial Waste Collection, be discussed during a future

Held November 17, 1980 continued 19

Council Work Session Meeting. Mr. Singer seconded the motion. Mr. Siler requested that a copy of the City of Kettering's Ordinance be available for review during said Work Session. A roll call vote resulted in six ayes in favor of the motion. Mayor Stone advised that this matter will be an agenda item for the Council Work Session scheduled for Monday, November 24, 1980.

ORDINANCE NUMBER 50-80 PARKS AND RECREATION COMMISSION

Mr. Kenning reviewed a proposed Ordinance to create a Parks and Recreation Commission to replace the Youth Board and Parks and Recreation Board. Mr. Sweetman moved that Ordinance Number 50-80, An Ordinance Enacting 160 Of The Centerville Municipal Code Creating A Parks And Recreation Commission; Providing For Its Purpose, Organization, Rules, Regulations, Powers And Duties And Repealing Chapters 155 And 161, be set for Public Hearing on December 15, 1980. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

COUNCIL POLICY 1180-1

Council Policy Memo Number 1180-1 concerning appointments to Boards and Commissions was discussed by Council. Various aspects were outlined. Mr. Sweetman brought attention to the last sentence of the Policy "This Policy is based upon the premise that individuals residing in the Community who exercise their franchise, have the greatest interest in the formulation of Policy recommendations for City Council; and, as they may, from time to time, be spending local tax funds, it is felt that persons given that authority/responsibility, are more likely to be judicious if it is "their" tax money." Mr. Singer moved that Council Policy 1180-1: Policy Statement-Unless specifically exempted by Ordinance, appointees to all City Boards and Commissions shall be registered electors and/or resident aliens of the City of Centerville at the time of appointment. At any time thereafter, an appointee who, by virtue of a change of residence, shall no longer qualify for appointment, shall be deemed to have resigned his commission effective upon the date of change of residence; be adopted. Mrs. Heintz seconded the motion. Mr. Charles Brown recommended that information concerning this Policy be included on the Application Form for Boards and Commissions, and that it be included in the Oath of Office. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 51-80 SISTER CITY

Mr. Stubbs moved that Ordinance Number 51-80, An Ordinance Appointing Members To The Sister City Committee For The City Of Centerville, Ohio, And Establishing Terms Of Office, be set for Public Hearing on December 15, 1980. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

DAYTON-MIAMI VALLEY REGIONAL ARTS AND CULTURAL DISTRICT

Mayor Stone advised that Mr. Paul Perkins, Chairman of the Centerville Arts Commission, is willing to serve as Centerville's trustee to the Dayton-Miami Valley Regional Arts and Cultural District, for a term of three years. Mr. Sweetman moved that Paul Perkins be appointed as Centerville's trustee to the Dayton-Miami Valley Regional Arts and Cultural District for a three year term. Mrs. Heintz seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 56-80 DUMP TRUCKS

Mr. Kenning reviewed a proposed Resolution requesting the Fiscal Officer to certify the estimated life of four dump trucks to be at least five years, the maximum maturity of bonds for same. Mayor Stone sponsored Resolution Number 56-80, Resolution Requesting Fiscal Officer To Certify Maximum Maturity

Held November 17, 1980 continued 19

Of Bonds And Notes, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 52-80 DUMP TRUCKS

Mr. Stubbs sponsored Ordinance Number 52-80, An Ordinance Providing For The Issuance Of \$37,000 Of Notes Of The City Of Centerville, Ohio, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying At Maturity A Bond Anticipation Note Heretofore Issued For The Purpose Of Paying The Cost Of Acquiring Certain Motor Vehicles, To-Wit, Four Dump Trucks With Related Seasonal Accessories, And Declaring An Emergency, and moved that it be passed. Mrs. Heintz seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved: 

Mayor

ATTEST:

  
Clerk of Council