

Held December 15, 19 80

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, December 15, 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 James Singer
Russell Sweetman
Leonard Stubbs
Jeffrey Siler
Shirley Heintz

Clerk of Council Marilyn McLaughlin
City Manager Darryl Kenning
Assistant City Manager Joseph Minner
City Planner Alan Schwab
Service Director Richard Bishop
Director of Finance William Bettcher
Chief of Police William Randolph
Municipal Attorney Robert Farquhar

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

Council Meeting - November 17, 1980
Council Work Session Meetings - November 17, 1980.
- November 24, 1980.

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

Mayor Stone introduced Mrs. Jeanne Eickman, to give a status report on the Community Task Force Committee. Subcommittee reports have been completed and will be presented to Council in January 1981. At that time they will probably request an extension of six months in order for them to attend public meetings to receive community feelings prior to making their final recommendation concerning a common government for Centerville and Washington Township.

Mrs. McLaughlin announced the receipt of a letter of resignation from Community Fiscal Analysis Committee Member Cynthia L. Schwenke.

Mayor Stone updated City Council regarding anticipated events under Centerville's Sister City program. The exchange of fifteen students between Bad Zwischenahn, Germany and Centerville is being coordinated. Representatives from Waterloo, Ontario Canada are proposing a visit to Centerville during the early part of 1981. Ice will be obtained in an arena in order for Centerville's Hockey Team to play the team from Waterloo.

Mayor Stone briefly reviewed the National League of Cities Conference recently held in Atlanta, Georgia, and attended by Councilmembers Nora Lake and Russell Sweetman, City Manager Darryl Kenning and himself.

Mr. Kenning reported the following during his City Manager's Report:
Final preliminary census figures have been received for the City of Centerville setting the population at 18,953. Final data will be available in late spring 1981.

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Mr. Kenning announced the Meeting scheduled of the Community Fiscal Analysis Committee for Thursday, December 18, 1980 to begin at 7:30 P.M. in the Community Room.

Construction work on Clys Road is nearly complete for the winter months.

The Activity Report for the Police Department for the month of November 1980 was reviewed.

Mr. Kenning announced the Special Council Meeting scheduled for Monday, December 22, 1980, to consider the City Budget for 1981.

Mr. Sweetman complimented the Centerville City Staff for a fine job performed to bring the Clys Road improvement project ahead of schedule.

MICHAEL DARR CONDITIONAL USE

Mr. Kenning reviewed the Planning Commission Meeting held November 25, 1980. The Planning Commission unanimously recommended approval to Council of a Conditional Use Application submitted by Michael Darr to provide for the St. Joseph's Welfare Society to be located at 238 South Main Street. Mr. Sweetman moved that the Conditional Use Application submitted by Michael Darr for property located at 238 South Main Street, be set for Public Hearing on January 19, 1981. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

CENTERVILLE MILL HARDWARE SITE PLAN AMENDMENT

Mr. Kenning reviewed a proposed Site Plan Amendment for R. K. Associates for property located at 7991 Clys Road, the Centerville Mill Hardware. This Site Plan Amendment is requested to provide for the sale of cheese and associated products from a truck. Mr. Schwab located the property on a map and reviewed Planning Commission's recommendation that this amendment be approved for a temporary six months use of the property. Mr. Siler moved that the Site Plan Amendment for R. K. Associates, be denied. The motion died for want of a second. Mr. Stubbs moved that the Site Plan Amendment for R. K. Associates be approved for a period of six months. Mrs. Heintz seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mr. Siler voted no. Upon request of Mrs. Lake, Mr. Kenning will report back to Council and review this entire matter within the six month period.

BLACK OAK ESTATES FIVE SECTION FOUR RECORD PLAN REVISION

Mr. Kenning reviewed a proposed revision to the Record Plan for Black Oak Estates Five, Section Four, to provide for the relocation of a two foot wide sidewalk to the Black Oak East Park. The property is located east of Bigger Road and north of Centerville Station Road. The Park District offers no objection to this relocation. Mr. Schwab located the subject property on a map and reviewed Planning Commission's unanimous vote to recommend approval to City Council. On the approved Plan, the sidewalk access is located between lots 476 and 477; the request is to relocate the sidewalk between lots 473 and 474, two unapproved lots. Mr. Sweetman suggested that the sidewalk be put in place prior to the development of lots 473 and 474. Mr. Sweetman moved that the Record Plan Revision for Black Oak Estates Five, Section Four, be approved as requested. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Stubbs, Chairman of the Council Finance Committee, reported that Committee work is complete concerning the 1981 Budget for the City of Centerville.

Mr. Sweetman introduced to Council Mr. Jack Lane, Executive Director for the Cable TV Council.

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ZONING ORDINANCE AMENDMENT LEMON REZONING

Mayor Stone advised that the Public Hearing scheduled concerning An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance By Rezoning 0.639 Acres More Or Less, From Centerville R-2 Classification To Centerville O-S Classification, has been cancelled. The Appeal submitted by Paul Lemon to City Council has been withdrawn.

RESOLUTION NUMBER 57-80 COMMUNITY REINVESTMENT AREA

Mr. Kenning reviewed a proposed Resolution to designate the Architectural Preservation District as a Community Reinvestment Area, to assist people in making investments and reinvestments within the Community. Mr. Singer sponsored Resolution Number 57-80, A Resolution Making Findings And Determinations As Permitted In Sections 3735.65 To 3735.70 Of The Ohio Revised Code, Establishing And Describing The Boundaries Of A "Community Reinvestment Area" And Designating A Housing Officer To Administer The Program, 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 48-80 ZONING ORDINANCE AMENDMENT AP DISTRICT

The Public Hearing was held concerning Ordinance Number 48-80, An Ordinance Amending Ordinance Number 15-1961 And Ordinance Number 28-73 And Repealing Ordinances Numbers 80-71, 70-72, 20-73 And 36-79 To Provide For Uses, Requirements And Procedures In The Architectural Preservation District And To Establish A Board Of Architectural Review In the City Of Centerville, Ohio. Mr. Minner gave a brief background concerning the AP District and outlined proceedings to amend the original Ordinance. He reviewed the four procedures defined in the proposed Ordinance.

Mr. Robert Perkins, Chairman of the Board of Architectural Review, making reference to a letter dated December 2, 1980 from the Board to City Council, encouraged the denial of the proposed Ordinance. He believes the Ordinance fragments procedure and fractionalizes authority, he believes the BAR should have single responsibility, single authority. He suggested that maintenance qualifications be tied into the Ordinance. Mr. Perkins offered the BAR's assistance to make changes which they believe are necessary in order for the Ordinance to be workable and enforceable.

Mr. Robert Nichol, Vice-Chairman of the Board of Architectural Review, outlined certain individual items contained in the Ordinance with which he disagrees. If the Ordinance is passed as proposed, he suggested that a guideline be prepared to assist applicants for approvals in the AP District.

Mr. Stanley Swartz, Secretary of the Board of Architectural Review, recognizes the Board as being very qualified, he believes the Board is capable of having the authority to make decisions.

Mr. Dallas Horvath, 300 Village Square Road and member of the Centerville Planning Commission, recognizes many good qualities in the proposed Ordinance; he believes the procedures are workable.

Mrs. Heintz questioned some provisions included in Procedure Two, perhaps they should remain the authority of the BAR. She also questioned whether Procedure Four should be included. Mr. Siler pointed out the fact that changes can be made to this Ordinance from time to time as they become necessary. Various members of City Council complimented the BAR for a fine task performed during previous years in the Architectural Preservation District. Emphasis was placed upon the time involved trying to perfect this amendment to the AP District Ordinance. Mrs. Lake suggested that formal guidelines need to be developed in certain areas of this Ordinance, these can proceed following adoption of the subject Ordinance. Mr. Stubbs asked the Board of Architectural Review to bring forth recommended changes to the Ordinance.

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Mr. Siler sponsored Ordinance Number 48-80, An Ordinance Amending Ordinance Number 15-1961 And Ordinance Number 28-73 And Repealing Ordinances Numbers 80-71, 70-72, 20-73 And 36-79 To Provide For Uses, Requirements And Procedures In The Architectural Preservation District And To Establish A Board Of Architectural Review In The City Of Centerville, Ohio, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion; Mrs. Heintz voted no.

ORDINANCE NUMBER 50-80 PARKS AND RECREATION COMMISSION

The Public Hearing was held concerning Ordinance Number 50-80. Mr. Kenning reviewed this proposed Ordinance to create a Parks and Recreation Commission and dispose of the Parks and Recreation Board and Youth Board. It consolidates the charges of two groups onto one Commission. Mr. Stubbs encouraged this combination to one common purpose, to bring needed programs into the Centerville area in the future. Upon question of Mrs. Heintz, Mr. Kenning reviewed cooperation provided in the Ordinance with other Boards and Commissions. Mr. Stubbs sponsored Ordinance Number 50-80, An Ordinance Enacting Chapter 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, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mayor Stone solicited applicants for membership on this Commission as soon as possible.

ORDINANCE NUMBER 51-80 SISTER CITY COMMITTEE

The Public Hearing was held concerning Ordinance Number 51-80, an Ordinance to appoint Susalee Wildason Grey, James W. Albrecht, Ronald Helms and Ted van Ruiten to the Sister City Committee. Mr. Sweetman sponsored Ordinance Number 51-80, An Ordinance Appointing Members To The Sister City Committee For The City Of Centerville, Ohio, And Establishing Terms Of Office, 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 53-80 WASTE COLLECTION

Mrs. Lake moved that Ordinance Number 53-80, An Ordinance Amending The Centerville Code By Enacting Section 509.08 To Regulate The Hours For Industrial And Commercial Waste Collection At Certain Periods Of Time, be set for Public Hearing on January 5, 1981. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 54-80 BOARD OF TAX APPEALS

Mrs. Lake moved that Ordinance Number 54-80, An Ordinance Appointing Members To The Board Of Tax Appeals For The City Of Centerville, Ohio, And Establishing Terms Of Office, be set for Public Hearing on January 5, 1981. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 55-80 COMMUNITY FISCAL ANALYSIS COMMITTEE

Mr. Sweetman moved that Ordinance Number 55-80, An Ordinance Appointing Donald Bixler As A Member Of The Community Fiscal Analysis Committee For The City Of Centerville, Ohio, To Fill The Unexpired Term Of Cynthia L. Schwenke, be set for Public Hearing on January 5, 1981. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

WALNUT HILLS ESTATES

Mr. Kenning reviewed the following recommendation of the City Engineer concerning release of Performance Bonds posted on Sections 1A, 1B and 2 of Walnut Hills Estates. Road construction and installation of the storm

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sewer system in these three Sections is complete. Since only a limited number of sidewalks are in place, Mr. Schab recommended the following:

Section 1A: Original bond of \$69,121.00 be released, subject to receipt of a new Performance Bond for sidewalks in the amount of \$11,340.00 and also subject to receipt of a Maintenance Bond of \$2,460.00.

Section 1B: Original bond of \$77,431.00 be released, subject to receipt of a new Performance bond for sidewalks in the amount of \$14,220.00 and also subject to receipt of a Maintenance Bond of \$2,870.00.

Section 2: Original bond of \$72,662.00 be released, subject to receipt of a new Performance Bond for sidewalks in the amount of \$7,500.00 and a Maintenance Bond of \$2,630.00.

All Maintenance Bonds pertain to road construction and storm sewers, and are to run for a period of one year from date of receipt.

Mr. Sweetman moved that Performance Bonds for Walnut Hills Estates, Sections 1A, 1B and 2 be released as recommended by the City Engineer. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 58-80 TRAFFIC SAFETY EDUCATIONAL PROGRAM

Mr. Kenning reviewed an Agreement between the City of Centerville and the Ohio Department of Highway Safety for a \$12,200.00 project to be administered through the Centerville Police Department to provide audio and visual aids to be presented to Community groups for educational purposes. Mrs. Lake sponsored Resolution Number 58-80, A Resolution Authorizing And Directing The City Manager To Execute An Agreement Between The City Of Centerville, Ohio, And The Ohio Department Of Highway Safety To Provide A Traffic Safety Educational Program Relating To Motor Vehicle, Bicycle/Moped And Pedestrian Safety, 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 56-80 SISTER CITY COMMITTEE

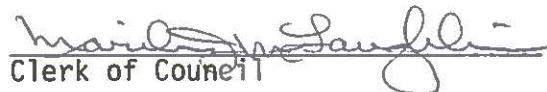
Mr. Sweetman moved that Ordinance Number 56-80, An Ordinance Appointing Ernest N. Vines As A Member Of The Sister City Committee For The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on January 5, 1981. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

There being no further business, the Meeting was adjourned.

Approved: 

Mayor

ATTEST:


Clerk of Council