

Held March 5, 19 79

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, March 5, 1979 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Nicholas Rachford, Chaplain for City Council and the Pledge of Allegiance to the Flag with Mayor Victor Green presiding. Councilmembers and City Staff present were as follows:

Councilmembers J. V. Stone
 Jeffrey Siler
 Leonard Stubbs
 James Singer
 Clerk of Council Marilyn McLaughlin
 Acting City Manager and Chief of Police William Randolph
 Administrative Assistant Joseph Minner
 Service Director Richard Bishop
 City Engineer Karl Schab
 Director of Finance William Bettcher
 Municipal Attorney Robert Farquhar

Mayor Green advised that Deputy Mayor Russell Sweetman and Councilwoman Nora Lake were on City business in Washington, thus their absence at this Meeting. Mr. Siler moved that Mr. Sweetman and Mrs. Lake be excused from this Meeting. Mr. Singer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

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

Council Meeting - February 19, 1979.
 Council Work Session Meetings - February 19, 1979.
 - February 26, 1979.

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

Miss Kathy Fritz, a student of Wright State University, School of Nursing, presented to Council a Community Project assessing health needs of the City of Centerville, prepared by a total of seven students. These students solicited the City's input concerning the establishment of a blood pressure screening program in this Community, to begin in April and continue for approximately five weeks. This Program will be pursued with the assistance of Mr. Minner.

Mayor Green announced the receipt of a letter from a gentlemen residing on Queensview Court in the City of Centerville, complimenting the Street Department on their recent efforts in clearing the streets of snow.

Mayor Green issued a Proclamation designating March 5, 1979 as Centerville Gymnastics Week in the City of Centerville.

Mayor Green left the Meeting at this time; Mr. Stone presided.

Mr. Minner reviewed the Planning Commission Meeting held February 27, 1979. He reviewed the Commission's unanimous approval of the Record Plans for Walnut Hills, Sections One-A and One-B, a subdivision to be located south of Centerville Station Road and west of Wilmington Pike. These Plans represent a split in the previously approved Record Plan for Section One. They include the relocation of the sanitary easement from the rear of lots 24 through 32 to the front of said lots, this has been approved by the Montgomery County Sanitary Department. Mr. Schab recommended that the following Performance Bonds and Inspection Fees be required:

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Section One-A Performance Bond - \$69,121.00 Inspection Fee - \$256.10
 Section One-B Performance Bond - \$77,431.00 Inspection Fee - \$257.40

WALNUT HILLS SECTION ONE-A, ONE-B

Mr. Siler moved that the Record Plan for Walnut Hills, Section One-A be approved subject to the receipt of a Performance Bond in the amount of \$69,121.00, a Subdividers Agreement and an Inspection Fee of \$256.10. Mr. Singer seconded the motion. A roll call vote resulted in four ayes in favor of the motion.

Mr. Siler moved that the Record Plan for Walnut Hills, Section One-B be approved subject to the receipt of a Performance Bond in the amount of \$77,431.00, a Subdividers Agreement and an Inspection Fee of \$257.40 and including the relocation of the sanitary easement from the rear of lots 24 through 32 to the front of said lots as approved by the Montgomery County Sanitary Department. Mr. Singer seconded the motion. A roll call vote resulted in four ayes in favor of the motion.

WALNUT HILLS SECTION TWO

Mr. Minner reviewed the recommendation of the City Engineer concerning a change in the Performance Bond required for Walnut Hills, Section Two. Since previous approval of the Record Plan for Section Two, minor improvements have been made, thus Mr. Schab recommends that a Performance Bond in the amount of \$72,662.00 be required instead of the previously approved Performance Bond of \$85,650.00. Mr. Singer moved that the Record Plan for Walnut Hills, Section 2, as previously submitted, be approved subject to the receipt of a Performance Bond in the amount of \$72,662.00, a Subdividers Agreement and an Inspection Fee of \$266.00 as recommended by the City Engineer. Mr. Siler seconded the motion. A roll call vote resulted in four ayes in favor of the motion.

Mayor Green returned to the Meeting at this time, and presided.

BIGGER PLAT

Mr. Minner reviewed the Record Plan for Bigger Plat, a subdivision of two lots located on the southeast corner of Bigger Road and Thomas Paine Parkway. The Planning Commission approved this Record Plan subject to two additional feet of right-of-way along Bigger Road, a set back of 50 feet instead of 35 feet from Bigger Road and the installation of sidewalks on the north side of the two lots (being the south side of Thomas Paine Parkway.) It was understood by the Developer that the State of Ohio, in the construction of I-675, will be requiring a total right-of-way of 120 feet for Bigger Road which means approximately 60 feet east of the centerline. Mr. Schab recommended that approval of this Plat also be subject to the receipt of a Performance Bond of \$6,524.00 + \$1,173.00 and a Subdividers Agreement. Mr. Robert Archdeacon, from the Ralph Woolpert Company and representing the Developer, objected to the requirement of sidewalks along the south side of Thomas Paine Parkway. These sidewalks at the present time will go nowhere. Mr. Archdeacon advised that the Developer would be receptive to the installation of sidewalks if sidewalks were constructed along the remaining portion of Thomas Paine Parkway; he suggested that sidewalks be constructed along the entire area on an assessment basis. Mr. Schab advised that the Township would install sidewalks in front of the fire house if other sidewalks were provided. Discussion followed concerning the requirement of sidewalks and the method by which they should be installed. Mr. Stubbs moved that the Record Plan for Bigger Plat be approved in accordance with the recommendation of the Planning Commission with the exclusion of sidewalks being required along the south side of Thomas Paine Parkway, and subject to

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the receipt of a Performance Bond in the amount of \$6,624.00 and a Subdividers Agreement. Mr. Singer seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mayor Green abstained.

Mr. Stubbs moved that the City Manager be directed to prepare the assessment process for the installation of sidewalks along the south side of Thomas Paine Parkway from Bigger Road east to and including the last industrial zoned lot on Thomas Paine. Mr. Singer seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mayor Green abstained. It was pointed out by City Council that the previous actions concerning the Bigger Plat were due to circumstances and are not to be considered precedence for future approvals. In this case none of the other adjoining lots have sidewalks and the City believes it best to coordinate the entire sidewalk project, this can only be accomplished through an assessment project.

ORDINANCE NUMBER 6-79 BOARD OF ARCHITECTURAL REVIEW

The Public Hearing was held concerning Ordinance Number 6-79. Mr. Stone sponsored Ordinance Number 6-79, An Ordinance Appointing Robert Nichol To The Board Of Architectural Review Of 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 five ayes in favor of the motion.

ORDINANCE NUMBER 7-79 ARTS COMMISSION

The Public Hearing was held concerning Ordinance Number 7-79. Mr. Siler sponsored Ordinance Number 7-79, An Ordinance Appointing Jane F. Cluett To The Arts Commission Of The City Of Centerville, Ohio, And Establishing A Term Of Office, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 8-79 SISTER CITY COMMITTEE

The Public Hearing was held concerning Ordinance Number 8-79. Mr. Stubbs sponsored Ordinance Number 8-79, An Ordinance Appointing Phillip Marriott To The Sister City Committee Of The City Of Centerville, Ohio, And Establishing A Term Of Office, and moved that it be passed. Mr. Siler seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Mayor Green advised that he has been informed by State Senator Charles Curran that legislation concerning campaign practices is moving forward, it should be before the Senate soon for debate and passage. Also under consideration is indemnity legislation to protect public officials.

CONNEMARA

Mr. Stone moved that the Municipal Attorney be authorized and directed to conclude a compromise settlement of Case Number 78-2073, Common Pleas Court of Montgomery County, Ohio with Park Lake Development, Inc. the terms of which shall include the requirement that said Park Lake Development, Inc. construct one six foot berm on Rahn Road bordering its development, the improvement work on Alexandersville-Bellbrook Road specified in a letter from the Montgomery County Engineers Office to John W. Judge Engineering Company dated February 14, 1979 and that no sidewalks be required in the Connemara Development. Mr. Siler seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mr. Stubbs abstained. Mr. Stubbs pointed out the fact that this is a departure from the City's policy in the past concerning sidewalks, however, this has been requested by the Township Trustees and the Developer of the Plat. This is the last Plat to be developed in a large area having no sidewalks. Mr. Farquhar explained that this a compromise settlement resulting from Court action taken by the Developer.

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RESOLUTION NUMBER 7-79 WRIGHT HOUSE

Mr. Stone sponsored Resolution Number 7-79, A Resolution Ratifying The Action Taken by the City Manager To Execute A Proposal Between The City Of Centerville, Ohio And Robert C. Gaede A.I.A., Architect For A Fabric Analysis And Schematic Study For The Wright House and Site, 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 8-79 NORTH MAIN STREET

Mr. Minner reviewed a proposed Resolution to ratify the action taken by the City Manager in executing a contract to provide engineering services for the improvement of North Main Street from Loop Road to 400 feet north of Whipp Road. The contract provides for the final design plans and bid document for the south project (Loop Road to North Village Drive) and the preliminary engineering for the north project (North Village Drive to just north of Whipp Road. Mr. Singer sponsored Resolution Number 8-79, A Resolution Ratifying The Action Taken By The City Manager To Execute An Agreement Between Engineering And Associated Design Services (EADS) And The City Of Centerville, Ohio Concerning The North Main Street Safety Improvement Project In The City Of Centerville, Ohio, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 9-79 BIGGER ROAD

Mayor Green explained a proposed Resolution to provide for the engineering services for the improvement of Bigger Road; maximum cost for this project is \$41,448.00 of which 70% will be funded by the Federal Government. The remaining 30% will be jointly paid by the City of Centerville and the City of Kettering. Mr. Schab reviewed the improvement extending from Alexandersville-Bellbrook Road to Andrews Road in the City of Kettering, but excluding approximately 800 feet included in the design for I-675. If I-675 is not constructed their will be an additional cost not to exceed \$23,988.00 for the improvement of the said 800 feet. Mr. Stone sponsored Resolution Number 9-79, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract Between Kraft-Shaw-Weiss And Associates, Consulting Engineers, And The City Of Centerville, Ohio, To Perform Engineering Services And Prepare Contract Plans For Improvements To Bigger Road In The City Of Centerville, Ohio, and moved that it be passed. Mr. Siler seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 10-79 WHIPP ROAD

Mr. Minner reviewed a proposed Resolution authorizing a contract for preliminary engineering services relative to the improvement of East Whipp Road from State Route 48 east to the Centerville corporation line. The study will concern the widening of Whipp Road to four lanes and the straightening of the curve. The maximum cost of the study is just over \$74,000.00 of which 70% will be funded by the Federal Government, the remaining 30% will be jointly paid by the City of Centerville and Washington Township. Mr. Singer sponsored Resolution Number 10-79, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract Between Lockwood, Jones And Beals, Civil And Structural Engineers, And The City Of Centerville, Ohio For Engineering Services For The East Whipp Road Preliminary Development Phase, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 11-79 EQUIPMENT

Mr. Minner reviewed the following bids received for the purchase of

DAYTON LEGAL BLANK CO. 10134

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two passanger sedans and two police vehicles for the City of Centerville:

Borchers Ford	
2 passanger sedans	\$10,414.16
2 police vehicles	13,055.52

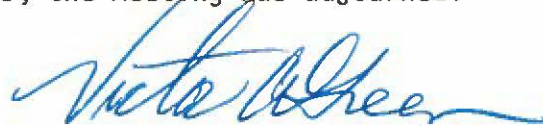
Following a complete review of the bids received, the City Manager recommended that the bid for the passanger sedans be accepted and that the bid for the two police vehicles be rejected and the same be readvertised. Mr. Stubbs sponsored Resolution Number 11-79, A Resolution Accepting The Bid Of Borchers Ford To Supply Two Passanger Sedans 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; and that the bid received for the two police vehicles be rejected. Mr. Singer seconded the motion. A roll call vote resulted in five ayes in favor of the motion. The City Staff considered the bid for the passanger sedans a competitive price but that perhaps it would be beneficial to seek additional bids for the police vehicles.

Mr. Singer suggested that the Safety Council Committee continue review of the Disaster Safety Program and proceed with a recommendation to City Council for final acceptance.

Mayor Green announced the Citizens Committee for Responsive and Cooperative Government Meeting scheduled for Wednesday, March 7, 1979 to begin at 7:30 P.M. at the Centerville Municipal Building. Mr. Stubbs requested that final financial data concerning the Youth Center be available at this Meeting.

Mayor Green made reference to correspondence he received from the National Citizens Participation Council in Washington, D.C. announcing a series of sessions dealing with Community Development Block Grant legislation, regulations and policies for residents of various communities on a national basis. The agenda deals with energy, weatherization assistance, solar programs, etc. He suggested that the City consider attendance at the session to be held in Dayton, Ohio.

There being no further business, the Meeting was adjourned.



Mayor of the City of Centerville, Ohio

ATTEST:



Clerk of the Council