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The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, July 2, 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:

Deputy Mayor Russell Sweetman

Councilmembers James Singer

J. V. Stone

Jeffrey Siler

Nora Lake

Clerk of Council Marilyn McLaughlin

City Manager Darryl Kenning

Planner Alan Schwab

City Engineer Karl Schab

Director of Finance William Bettcher

Lieutenant William Lickert (Police Department)

Municipal Attorney Robert Farquhar

Administrative Assistant Joseph Minner

Mayor Green advised that Councilman Leonard Stubbs was out of town, thus his absence at the June 18, 1979 Council Meeting. Mrs. Lake moved that Mr. Stubbs be excused from the Council Meeting on June 18, 1979. Mr. Stone 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 18, 1979.

Council Work Session Meetings: June 18, 1979.

June 25, 1979.

Mr. Sweetman 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; however, Mrs. Lake abstained from the Minutes of the June 18, 1979 Meetings.

Mayor Green complimented the Centerville Police Department on the apprehension of the individual responsible for the recent vandalism in the center of town.

Mr. Preston Dawes, Executive Director, gave an overview of the first six months for South Montgomery Human Services; goals and objectives were outlined.

Mrs. McLaughlin announced the receipt of a letter from the Board of Architectural Review Members extending their resignation until September 18, 1979.

Mayor Green made reference to a letter he received from Senator Charles Curran relative to action taken by the Ohio Task Force on Auto Theft Prevention. Meetings are being scheduled to give input to local governments. The Meeting in this area is scheduled for 10:00 A.M., July 10, 1979, 1 Center Plaza, Middletown, Ohio.

Mayor Green announced the Americana Festival to be held Saturday, July 7, 1979 from 10:00 A.M. until 5:00 P.M.

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

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Indication has been received of a settlement in the amount of approximately \$15,000.00 for the waste packer truck recently destroyed by fire.

Items found in the Wright House will be sold during the Americana Festival; monies will be placed in the restoration fund.

The South Community Mental Health Center is organizing Citizen Advisory Councils in various areas, interested persons are encouraged to apply.

Mr. Kenning reviewed the Service Department Activity Report for the month of June, 1979.

The Building Inspection Report for the month of June was also reviewed.

TOM BARNES & ASSOCIATES CONDITIONAL USE REQUEST

Mr. Kenning reviewed the Planning Commission Meeting held June 26, 1979. The Commission unanimously recommended approval of a Conditional Use Request submitted by Tom Barnes & Associates to construct residential offices at 168 West Franklin Street. Mr. Sweetman moved that this Conditional Use be set for Public Hearing on August 6, 1979. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Cecil Hamilton, 130 Winchcomb Drive, representing Senior Citizens of Centerville, appeared to request Federal Revenue Sharing Funds from the 1980 Budget. Mayor Green advised that this request will be taken into consideration.

Councilman Leonard Stubbs entered the Meeting at this time; Councilman J. V. Stone left the Meeting at this time.

ORDINANCE NUMBER 21-78 REZONING ALEX INVESTMENT

The Public Hearing was held concerning Ordinance Number 21-78, an Ordinance to rezone approximately 25.2959 acres, more or less from Centerville R-0-I classification to Centerville R-4 classification. Mr. Schwab reviewed this Rezoning Request filed by Alex Investment for property located at the southwest corner of Alexandersville-Bellbrook Road and Clio Road; proposed is the construction of condominiums. Mr. Schwab reviewed the zoning and uses of adjacent land. The Planning Commission unanimously recommended approval of this Request in consideration of the following conditions:

1. The steep slopes, streams, and trees on this site limit the potential of office or industrial development.
2. The current R-0-I section of the Zoning Ordinance does not require an adequate buffer strip to be constructed between adjacent residential land.
3. Large tracts of undeveloped R-0-I land exist in the City; however, almost no undeveloped R-4 land exists.
4. The tract of land has good access to existing thoroughfare and shopping facilities.

Mr. Al Wahby, Professional Engineers and Planners, representing the Applicant, reviewed their Application and compared the proposed use to the Comprehensive Plan for Centerville. He believes that R-4 zoning will be more compatible with the single family homes to the east of the subject property. 102 units are proposed in three clusters of development.

Discussion followed concerning the right-of-way along Alexandersville-Bellbrook Road and Clio Road and the accessibility from these streets into the development. Also discussed was the permitted density under R-4 zoning. Mr. Sweetman expressed concern with the drainage of the property, sewage and the proposed street alignment in consideration of Ambridge Road across Clio Road.

Mr. Richard Reeves, 1001 Ambridge Road, spoke in favor of the condominium construction rather than a use permitted under current zoning.

Mayor Green wondered if perhaps more land in the overall area should be

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rezoned for multi family.

Upon question of Mr. Stubbs, Mr. Wahby advised that he sees no problem if the railroad becomes a Dart line. Adequate buffer is proposed for the convenience of the residents in the development.

Mr. Kenning pointed out the fact that Deed Restrictions could be considered to restrict the development of this property in accordance with the desires of Council. Mrs. Lake moved that the Rezoning Request of Alex Investment be tabled for discussion during a Council Work Session Meeting. Mr. Sweetman seconded the motion. A roll call vote resulted in four ayes in favor of the motion; Mr. Stubbs and Mr. Siler voted no.

1980 TAX BUDGET

The Public Hearing was held concerning the proposed 1980 Tax Budget. Mr. Kenning briefly reviewed the budget as proposed for submission to the Montgomery County Budget Commission for their consideration.

Councilman J. V. Stone entered the Meeting at this time.

Mr. Sweetman moved that the 1980 Tax Budget as proposed, be approved. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 25-79 CITY PLANNING COMMISSION

The Public Hearing was held concerning Ordinance Number 25-79. Mr. Sweetman sponsored Ordinance Number 25-79, An Ordinance Appointing M. Brian Bergsten To The City Planning Commission For 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 seven ayes in favor of the motion.

ORDINANCE NUMBER 26-79 CITY PLANNING COMMISSION

The Public Hearing was held concerning Ordinance Number 26-79. Mr. Siler sponsored Ordinance Number 26-79, An Ordinance Appointing Bernard Samples To 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 27-79 EQUIPMENT

Mr. Kenning reviewed proposed Ordinance Number 27-79, an Ordinance to provide for the issuance of notes in order to pay the cost of the 1975 waste packer truck. Mr. Sweetman sponsored Ordinance Number 27-79, An Ordinance Providing For The Issuance Of \$16,191 Of Notes Of The City Of Centerville, Ohio, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying The Cost Of Certain Solid Waste Collection Equipment, And Declaring An Emergency, 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 28-79 EQUIPMENT

Mr. Kenning reviewed a proposed Ordinance to provide for the issuance of notes for the purpose of paying for the 1978 waste packer trucks. Mr. Sweetman sponsored Ordinance Number 28-79, An Ordinance Providing For The Issuance Of \$41,900 Of Notes Of The City Of Centerville, Ohio, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying The Cost Of Acquiring Two Motor Vehicles For Municipal Use, And Declaring An Emergency, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 22-79 SOLID WASTE DISPOSAL

Mr. Stone sponsored Resolution Number 22-79, A Resolution Authorizing

DAYTON LEGAL BLANK CO. 10111

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And Directing The City Manager To Enter Into A Contract Between Montgomery County And The City Of Centerville, Ohio, For Solid Waste Disposal By The Montgomery County Sanitary Engineering Department, 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 29-79 CITY PLANNING COMMISSION

Mr. Singer moved that Ordinance Number 29-79, An Ordinance Appointing Stanley A. Morrow To The City Planning Commission For The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on July 16, 1979. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 23-79 CONCRETE STREET REPAIRS

Mr. Kenning reviewed the following Bids received for the repair of certain concrete streets in the City of Centerville:

Carey Paving Company	\$157,174.40
Finke Construction Company	170,435.00
Urbana Tar and Asphalt Company	220,684.40

He recommended accepting the Bid of Carey Paving Company in an amount not to exceed \$157,174.40. Funds are budgeted and available as a Bond Levy project. Mr. Schab advised that the work should be completed in 45 to 90 days and will begin mid July, 1979. Mr. Singer sponsored Resolution Number 23-79, A Resolution Accepting The Bid Of Carey Paving Company To Supply Concrete Street Repairs 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. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Sweetman, in consideration of the amount of asphalt this same money could buy, suggested that the City consider repairs in the future of asphalt rather than concrete. Mr. Kenning outlined some problems which might be encountered by so doing.

RESOLUTION NUMBER 24-79 SALT STORAGE BUILDING

Mr. Kenning reviewed the following Bids received for the construction of a salt storage facility:

Seitz Builders	Alternate 1	\$48,000.00
	Alternate 2	55,000.00
Debco General Contractors	Alternate 1	49,350.00
	Alternate 2	59,950.00
Guaranteed Maintenance Corporation		52,313.00
Bemis & Son, Incorporated		60,000.00
Hillsmith Construction Company		66,900.00

He recommended that the Bid of Seitz Builders be accepted. Constructed will be a wood dome structure to be completed approximately the 1st of September, 1979. Funds have been budgeted. Mr. Stubbs sponsored Resolution Number 24-79, A Resolution Accepting The Bid Of Seitz Builders To Supply One Salt Storage Building 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. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 30-79 TRAFFIC CONTROL

Mr. Sweetman moved that Ordinance Number 30-79, An Ordinance Amending Section 303.01 Of The Centerville Municipal Code By Changing The Penalty To Comply With Similar Provisions Of The Ohio Revised Code, be set for Public Hearing on July 16, 1979. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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ORDINANCE NUMBER 31-79 TRAFFIC CONTROL

Mr. Sweetman moved that Ordinance Number 31-79, An Ordinance Amending Section 373.02 (e) Of The Centerville Municipal Code To Comply With Recent Amendments To The Ohio Revised Code, be set for Public Hearing on July 16, 1979. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 25-79 CLYO ROAD

Mr. Stone sponsored Resolution Number 25-79, A Resolution Ratifying The Action Taken By The City Manager To Execute An Agreement Between The Design Enterprise, Ltd, And The City Of Centerville, Ohio For Engineering Services Necessary For The Reconstruction Of Clyo Road, and moved that it be passed. Mr. Stubbs 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