

NATION LEAD NEWS CO. 1974

Held October 1, 19 79

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, October 1, 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 Nora Lake
- Leonard Stubbs
- J. V. Stone
- James Singer
- Clerk of Council Marilyn McLaughlin
- City Manager Darryl Kenning
- Planner Alan Schwab
- Service Director Richard Bishop
- City Engineer Karl Schab
- Director of Finance William Bettcher
- Chief of Police William Randolph
- Municipal Attorney Robert Farquhar
- Assistant City Manager Joseph Minner

Mayor Green advised that Councilman Jeffrey Siler was out of town, thus his absence at this Meeting. Mr. Singer moved that Mr. Siler be excused from this Meeting. 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: September 10, 1979.
- Council Work Session Meetings: September 10, 1979.
- September 17, 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 September 10, 1979 Council Work Session Meeting Minutes.

Mr. Thomas Saygers, Director, Montgomery County Sanitary Engineering Department, was present to answer questions concerning water, wastewater and solid waste disposal. Upon question of Mr. Singer, Mr. Saygers reviewed causes for water back-up in basements during recent heavy rainfalls: over loaded storm sewers over flowed into the sanitary system. Discussion followed concerning smoke tests being made in various areas of Centerville. Mr. Sweetman suggested that better publicity be given when these tests are being conducted in a given area.

Mayor Green advised of a letter received from Pastor Tonn, Epiphany Lutheran Church, expressing their continued concern and willingness to cooperate with the installation of a traffic signal at Fireside Drive and State Route 48.

Mayor Green advised of his attendance at several Meetings concerning I-675, he is hopeful for some progress to report in the future.

Mr. Kenning reported the following during his City Manager's Report: Annual negotiations are concluded with Montgomery County for CETA positions for 1979-80; Centerville has received three sustained level positions, this is the same as received for the previous year.

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Planning Commission Meetings are being taped and re-broadcasted over the Cable TV system.

The Miami Valley Cable Television Council is developing through an IPA Grant, Police Selection Procedures for the six Cities south of Dayton; this program is progressing well and should be complete by year end. The Risk Management Program designed for Council Members and Staff should be developed this year. Other cooperative projects are underway.

The September Activity Report for the Service Department was reviewed.

Mr. Kenning outlined the Activity Report of the Building Inspection Department for the month of September.

Upon question of Mr. Stubbs, Mr. Kenning advised that the procedure for leaf collection will be included in the Centerville Town Crier.

The traffic flow at the Centerville High School following a sport event was discussed by Council. Mr. Sweetman advised that the method for discharging vehicles from the parking lot is working very smoothly. He suggested that a pedestrian crosswalk be installed across East Franklin Street.

#### PONDEROSA STEAKHOUSE

Mr. Kenning reported on the Planning Commission Meeting held September 25, 1979. Mr. Schwab reviewed a proposed amendment to the Site Plan for Ponderosa Steakhouse, located at 6230 Far Hills Avenue: the south east corner of State Route 48 and North Village Drive. Proposed is the enclosure of the porch area; deletion of two parking spaces; the free standing sign to remain as is and the wall mounted sign be altered, signage totaling 232 square feet. The Planning Commission recommended approval of the amended Site Plan conditioned upon no signage being permitted on the wall of the building. The applicant does not wish to alter the freestanding sign in order to place signage upon the building. Mayor Green offered no objection to the signage on the wall of the building as proposed, he believes that businesses bordering along such a highway need identity.

Shawn Walsh, a student from Alter High School and resident of Washington Township, offered his endorsement for signage along State Route 48. Businesses in this area need improvement, they increase tax dollars and increase employment in the City of Centerville.

Mr. Stone moved that the Site Plan amendment for Ponderosa Steakhouse be approved in accordance with the recommendation of the Planning Commission. Mr. Singer seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mayor Green voted no. Mrs. Lake emphasized the need to keep businesses in this entire area compatible with each other.

Mr. Stubbs announced the Pre-Budget Hearing to be held by the Council Finance Committee on October 11, 1979 to begin at 7:30 P.M.

Mr. Donn Stevens, 98 Jeanette Drive, appeared before Council to question the policy followed by volunteer firemen while using sirens. Mr. Kenning reviewed requirements of State Law for responding with emergency vehicles. Mr. Stevens compared response of the police vehicles with fire and other emergency vehicles. Police Chief Randolph explained the Police Department's policy for the use of signals and sirens at intersections. Mr. Stevens was referred to Washington Township for clarification of fire and emergency procedures.

#### ORDINANCE NUMBER 41-79 PROPERTY ACQUISITION

The Public Hearing was held concerning Ordinance Number 41-79, An Ordinance Authorizing And Directing The City Of Centerville TO Purchase The Property Described Herein From Phillips Marketing Properties, Inc. And

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Further Authorizing And Directing The Payment Of The Sum Of \$8,555.75 To Phillips Marketing Properties, Inc. For Same. Mr. Kenning explained the fact that this concerns a small portion of land needed for the improvement of the intersection of Main and Franklin Streets. Mr. Stubbs sponsored Ordinance Number 41-79 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 42-79 FIRE LANES

The Public Hearing was held concerning Ordinance Number 42-79. Mr. Kenning reviewed the proposed Ordinance; the establishment of fire lanes has been requested by the Fire Department through conversations with owners of various shopping centers. Mr. Sweetman sponsored Ordinance Number 42-79, An Ordinance Amending Chapters 351 And 1511 Of The Centerville Municipal Code By Granting To The City Manager The Power To Establish Fire Lanes And To Prohibit The Parking Of Vehicles Therein, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

## ORDINANCE NUMBER 45-79 PREVAILING WAGE LAW

The Public Hearing was held concerning Ordinance Number 45-79. Mr. Kenning reviewed this proposed Ordinance to exempt Centerville from Sections 4115.01 through 4115.16 of the Ohio Revised Code which requires that on all City public works projects, the prevailing wage be paid. Mayor Green made reference to a letter received from Mayor Charles Horn, City of Kettering, giving examples of wages paid for projects in Kettering under the prevailing wage law. Mayor Horn asked Council to consider the passage of a Resolution to express support for passage of House Bill #544 to abolish the prevailing wage law. Mr. Sweetman sponsored Ordinance Number 45-79, An Ordinance Amending Section V Of The Centerville Administrative Code By Providing For Wages And Hours On Public Works, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

## RESOLUTION NUMBER 44-79 THOMAS PAINE PARKWAY ASSESSMENT

Mayor Green advised that proposed Resolution Number 44-79 appoints Jarred G. Haney, Casimer K. Salys and Kenneth F. Dubis to the Assessment Equalization Board and establishes their first Meeting date as October 23, 1979 at 7:30 P.M. in the Centerville Municipal Building. Mr. Stone sponsored Resolution Number 44-79, A Resolution Appointing An Assessment Equalization Board To Hear Objections Relative To The Construction Of A Concrete Sidewalk Four Feet In Width And Four Inches In Depth Along The South Side Of Thomas Paine Parkway From A Point 40 Feet East Of The Center Line Of Bigger Road Eastwardly Approximately 1350 Feet To The Terminus Of The Existing Sidewalk, Together With Related Driveway Adjustments And Appurtenances Necessary And Proper Therefor, In The City Of Centerville, Ohio, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

## ORDINANCE NUMBER 46-79 BOARD OF ARCHITECTURAL REVIEW

Mrs. Lake sponsored Ordinance Number 46-79, An Emergency Ordinance Appointing Michael T. Pekarek To The Board Of Architectural Review For The City Of Centerville, Ohio, To Fill The Unexpired Term Of Garfield J. Judkins, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

## ORDINANCE NUMBER 47-79 BOARD OF ARCHITECTURAL REVIEW

Mr. Sweetman moved that Ordinance Number 47-79, An Ordinance Appointing Michael T. Pekarek To The Board Of Architectural Review For The City Of Centerville, Ohio, To Fill The Unexpired Term Of Garfield J. Judkins, be set

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for Public Hearing on October 15, 1979. Mr. Stubbs seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 45-79 APPRECIATION

Mr. Sweetman sponsored Resolution Number 45-79, A Resolution Of Appreciation For The Services Of Barbara J. Hohman As A Member Of The Arts Commission Of The City Of Centerville, Ohio, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 46-79 ASAHIL WRIGHT HOUSE

Mr. Kenning reviewed the following two bids received for the restoration of the Asahel Wright House:

Horn and Jones Construction Company	\$150,300.00
Alternate 1	1,300.00
Alternate 2	9,000.00
Alternate 3	3,300.00
Colonial Enterprises and Fred W. Weir, Inc.	\$254,677.00
Alternate 1	4,000.00
Alternate 2	4,000.00
Alternate 3	2,375.00

This is a Federally Funded project, no City funds are included. At the present time, \$65,000.00 Federal dollars have been committed for the project. Mr. Kenning recommended that the low bid be accepted in an amount not to exceed \$163,900.00 and conditioned upon should the restoration project be completed in two or more phases, the City not enter into a contract for a particular phase unless funds are immediately available. Upon question of Mr. Sweetman, Mr. Kenning agreed that no City money, in any way, will be expended on this project. Mrs. Lake sponsored Resolution Number 46-79, A Resolution Accepting The Bid Of Horn & Jones Construction Company To Supply Restoration Of The Asahel Wright House 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 conditioned upon the fact that the amount does not exceed \$163,900.00 and should the restoration project be completed in two or more phases, the City not enter into a contract for a particular phase unless funds are immediately available. Mr. Stone seconded the motion. Mr. Kenning outlined what can be completed to the exterior of the building for \$65,000.00. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 48-79 CITY BEAUTIFUL COMMISSION

Mr. Sweetman moved that Ordinance Number 48-79, An Ordinance Appointing Phyllis Keller To The City Beautiful Commission For The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on October 15, 1979. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 49-79 CITY BEAUTIFUL COMMISSION

Mr. Stubbs moved that Ordinance Number 49-79, An Ordinance Appointing Virginia Krymow To The City Beautiful Commission Of The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on October 15, 1979. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RESOLUTION NUMBER 47-79 APPRECIATION

Mr. Sweetman sponsored Resolution Number 47-79, A Resolution Of Appreciation For The Services Of Nancy Snyder As A Member Of The Sister City Committee Of The City Of Centerville, Ohio, and moved that it be passed.

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Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mr. Stubbs asked for recommendations as to how the intersection of Bristol Drive and State Route 48 could be improved for safety. He made this request to the City Manager to be forthcoming within 30 days.

Upon question of Mr. Stubbs, Mr. Kenning explained various areas in which additional revenue is anticipated by year end to reflect projected receipts in the Budget for 1979. Mr. Kenning also reviewed how spending has been restricted at the present time.

Mayor Green suggested that the City investigate the possibility of entering into a Contract with someone interested in answering animal calls during off hours to relieve the police officers of this duty. This perhaps could be done on a per call basis.

Mrs. Lake suggested that Centerville offer some support concerning the question of EPA in the State of Ohio. This is in consideration of problems currently facing Montgomery and Greene Counties.

There being no further business, the Meeting was adjourned.

Approved:

Mayor

*Victor A. Green*

ATTEST:

Clerk of the Council

*Maril D. Laughlin*