

RECORD OF PROCEEDINGS

Minutes of

REGULAR COUNCIL

Meeting

DAYTON LEGAL BLANK CO. 10144

Held December 17, 19 79

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, December 17, 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
 James Singer
 J. V. Stone
 Jeffrey Siler
 Clerk of Council Marilyn McLaughlin
 City Manager Darryl Kenning
 City Engineer Karl Schab
 Planner Alan Schwab
 Service Director Richard Bishop
 Director of Finance William Bettcher
 Chief of Police William Randolph
 Municipal Attorney Robert Farquhar
 Assistant City Manager Joseph Minner

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

Council Meeting - December 3, 1979.

Council Work Session Meeting - December 3, 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 seven ayes in favor of the motion.

Mrs. McLaughlin announced the receipt of a Notice of Intent to Appeal and the Appeal filed by Shell Oil Company against a decision of the Board of Architectural Review rendered December 4, 1979 to deny permission for the freestanding sign located at the corner of Main Street and Franklin Street to rotate. A Public Hearing has been scheduled.

Mayor Green reviewed correspondence received from Congressman Tony Hall announcing the creation of a Third District Congressional Senior Citizens Internship. Lodging, food and transportation expenses will be covered. Mr. Kenning will contact the Senior Citizens Organization in this area to solicit a person interested in the program.

Mayor Green thanked the entire City Staff and City Council for the excellent cooperation he received during his four years as Mayor. He wished the Citizens of Centerville a Merry Christmas and Happy New Year.

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

The Supervisory Council on Crime and Delinquency is preparing a three year criminal justice improvement plan for the communities in Montgomery County. According to this plan a minimum of \$407,000.00 per year, will be available for programs intended to improve the criminal justice system to reduce crime. By Federal and State guidelines the balance of projects will be funded for Police, Courts, Correction and Juvenile Justice. Public Hearings will be held Wednesday, January 16, 1980 from noon until 9:00 P.M. to obtain comments concerning anticipated projects to be funded. He encouraged attendance at these Public Hearings. These Hearings to be held at the Dayton Convention Center, Room 302.

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Mr. Kenning advised that the traffic signal at Fireside Drive and State Route 48 has been activated and seems to be working well.

Mr. Kenning reviewed rates of taxation for 1979, to be collected in 1980 for the Centerville-Washington Township area.

Mrs. Lake announced the appointment of Mr. John Vining as the new Director of the Miami Valley Regional Planning Commission.

ORDINANCE NUMBER 59-79 BOARD OF TAX APPEALS

The Public Hearing was held concerning Ordinance Number 59-79. Mr. Sweetman sponsored Ordinance Number 59-79, An Ordinance Appointing Robert P. Hensley, Stephen Mikula And Charles G. Taylor As Members Of The Board Of Tax Appeals For The City Of Centerville, Ohio, And Establishing Terms 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 60-79 APPROPRIATIONS 1979

Mr. Kenning reviewed a proposed Ordinance to transfer funds at year end. This Ordinance is 7.2% less than the original 1979 Appropriation Ordinance. It includes 1978 encumbrances to be paid in 1979. Mr. Stubbs sponsored Ordinance Number 60-79, An Emergency Ordinance To Amend Ordinances 64-78 And 3-79, To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1979, 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 61-79 APPROPRIATIONS 1979

Mr. Siler moved that Ordinance Number 61-79, An Ordinance To Amend Ordinance 64-78 And 3-79, To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1979, be set for Public Hearing on January 7, 1980. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Stubbs pointed out the fact that the 1980 Budget for the City will be reviewed during Public Hearing January 7, he welcomes Citizens' comments.

RESOLUTION NUMBER 60-79 INCOME TAX

Mr. Kenning reviewed a proposed Resolution to provide for the distribution of Income Tax moneys received in 1980. Mr. Sweetman sponsored Resolution Number 60-79, A Resolution Authorizing And Directing The Allocation Of Income Tax Receipts Between The General Fund, Capital Improvements Fund, Debt Retirement Fund And The Street Construction And Maintenance Fund Of The City Of Centerville For Budget Year 1980, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 61-79 WASTE COLLECTION

Mr. Kenning reviewed proposed Resolution Number 61-79, to allocate moneys from Waste Collection receipts to the Debt Retirement Fund for the year 1980. Mr. Stubbs sponsored Resolution Number 61-79, A Resolution Authorizing And Directing The Allocation Of Waste Collection Receipts Between The Debt Retirement Fund And The Waste Collection Fund Of The City Of Centerville For Budget Year 1980, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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ORDINANCE NUMBER 62-79 APPROPRIATIONS 1980

Mr. Kenning reviewed this proposed Ordinance which represents budget expenditures for 1980 and includes all changes made by the Council Finance Committee during their review of the Budget document. Grand total expenditures of \$4,179,045.00 are included. Mr. Stubbs sponsored Ordinance Number 62-79, An Emergency Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1980, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 63-79 APPROPRIATIONS 1980

Mr. Stubbs moved that Ordinance Number 63-79, An Ordinance To Make Appropriations For Current Expenses And Other Expenditures Of The City Of Centerville, State Of Ohio, During The Fiscal Year Ending December 31, 1980, be set for Public Hearing on January 7, 1980. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 64-79 PERSONNEL

Mr. Kenning reviewed a proposed Ordinance to establish a salary and wage plan for employees of the City of Centerville. This Ordinance includes an adjustment of 8% to the Merit Salary and Wage Plan plus some changes in the vacation schedule. Mrs. Lake sponsored Ordinance Number 64-79, An Emergency Ordinance To Amend Ordinance 66-78 And 20-79 To Establish Class Titles, Pay Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 65-79 PERSONNEL

Mrs. Lake moved that Ordinance Number 65-79, An Ordinance To Amend Ordinances 66-78 And 20-79 To Establish Titles, Pay Grades, Rates Of Pay, And Regulations For Employees Of The City Of Centerville, Ohio, be set for Public Hearing on January 7, 1980. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 62-79 THREE MILE JURISDICTION

Mr. Stone reviewed a proposed Resolution of understanding between the City of Centerville and Washington Township to resolve existing problems relative to Centerville's three mile jurisdiction into Washington Township. Mr. Stone sponsored Resolution Number 62-79, A Resolution Of Understanding Between The City Of Centerville And Washington Township Regarding The Exercise By Centerville Of Subdivision Review Within The Unincorporated Area of Washington Township, and moved that it be passed. Mr. Siler seconded the motion. Upon question of Mr. Singer, Mr. Stone advised that this Resolution is in agreement with the Washington Township Trustees, they will pass a similar Resolution at their Meeting to be held Tuesday, December 18, 1979. A roll call vote resulted in seven ayes in favor of the motion.

PLYMOUTH NOTCH SECTION THREE

Mr. Kenning reviewed the recommendation of the City Engineer for release of the \$2,500.00 Bond posted on Plymouth Notch, Section Three. Final inspection has been made, the concrete panels in the roadway prone to settlement have not deteriorated. Mr. Singer moved that the Bond of \$2,500.00 posted on Plymouth Notch, Section Three, be released. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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BLACK OAK FIVE SECTION FOUR

Mr. Kenning reviewed the recommendation of the City Engineer that the Performance Bond of \$12,000.00 posted on Black Oak Five, Section Four, be released. Settling of certain concrete panels has not occurred and the sealing compound which was applied is performing well. Mr. Stubbs moved that the Performance Bond posted on Black Oak Five, Section Four, be released subject to the receipt of a Maintenance Bond in the amount of \$600.00 for the duration of one year. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

CANDLEWYCK SOUTH

Mr. Kenning reviewed the recommendation of the City Engineer concerning Candlewyck South. The road construction is complete; catch basins, storm manholes and storm sewers are installed. Mr. Schab recommended the following: 1. The Performance Bond of \$46,705.00 be released entirely, subject to the receipt of a Maintenance Bond of \$2,335.00 to be in force for one year; and, 2. The Performance Bond for sidewalks be reduced to \$1,500.00. Mr. Singer moved that the Performance Bonds be released and reduced on Candlewyck South, in accordance with the recommendation of the City Engineer. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 63-79 I-675

Mr. Stone reviewed a Meeting held and Meetings to be held concerning the completion of the I-675 connector. He read and moved the adoption of Resolution Number 63-79, A Resolution Expressing City Council's Position With Respect To The Completion Of The I-675 Connector. Mr. Siler seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mrs. Lake abstained.

RESOLUTION NUMBER 64-79 TACTICAL CRIME SUPPRESSION UNIT

Mr. Kenning reviewed an Agreement between the Cities of Kettering, Miamisburg, Moraine, Oakwood, West Carrollton and Centerville for a Tactical Crime Suppression Unit. He recommended approval of this project funded by the Supervisory Council on Crime and Delinquency. Mr. Sweetman sponsored Resolution Number 64-79, A Resolution Authorizing The City Manager To Execute An Agreement To Join With The Cities Of Kettering, Miamisburg, Moraine, Oakwood And West Carrollton In A Tactical Crime Supporession Unit, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 65-79 SEASONS GREETINGS

Mayor Green sponsored Resolution Number 65-79, A Resolution Wishing The Citizens Of Centerville A Very Merry Christmas And Happy New Year And Wishing Said Citizens A Prosperous Future, and moved that it be passed. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mayor Green administered the Oath of Office to Board of Architectural Review Member Stanley Swartz.

There being no further business, the Meeting was adjourned.

Approved: _____

Mayor

ATTEST:

Marie McDonald
Clerk of Council