

Held January 30, 19 78

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, January 30, 1978 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 Victor Green presiding. Councilmembers and City Staff present were as follows:

Councilmembers J. V. Stone  
 Jeffrey Siler  
 Nora Lake  
 Leonard Stubbs  
 James Singer

Clerk of Council Marilyn McLaughlin  
 City Manager Darryl Kenning  
 Assistant City Manager John Levermann  
 City Planner Garth Reynolds  
 Service Director Richard Bishop  
 City Engineer Karl Schab  
 Director of Parks and Recreation John Dunathan  
 Chief of Police William Randolph  
 Municipal Attorney Robert Farquhar

Mayor Green advised that Councilman Russell Sweetman was on active duty with the U.S. Army Reserves, thus his absence at this Meeting. Mr. Stubbs moved that Mr. Sweetman be excused from this Meeting. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Mayor Green announced the receipt of several complimentary letters from residents of the City of Centerville concerning services during the snow emergency period.

Mr. Dan Dreyer, representing the Businessmen located in the Architectural Preservation District, appeared to request of Council a Work Session to discuss their findings and proposals concerning an Ordinance for the AP District. Said Meeting was scheduled for February 13, 1978. Mr. Singer requested a copy of their proposals prior to the Meeting for Council's review. A representative from the Planning Commission and a representative from the Board of Architectural Review will also be invited to attend this Meeting.

Mayor Green gave his Annual Report for the year 1977.

Mr. Kenning reported the following during his City Manager's Report:  
 The following Meeting schedule has been set between the City of Centerville and the School Board and Park District:

City Council/Centerville Washington Park District - April 24, 1978  
 - August 28, 1978  
 City Council/Centerville City Schools - March 13, 1978  
 - September 25, 1978

Agendas have not been set, items for discussion should be offered prior to the Meeting.

The City of Centerville has received a Federal Grant in the amount of \$13,674.00 for the purchase of microfilm equipment for use in the Police Department. This has been received through the Supervisory Council on Crime and Delinquency. The City's share in this purchase will be \$684.00.

For the seventh consecutive year, the City of Centerville has received a pedestrian safety award for the year 1977.

Attention was brought to the brochure published by the National Cash Register Company, in which photos taken inside the Centerville Municipal Building are included.

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Mr. Kenning advised that "water guards" are being offered for sale in the Centerville Municipal Building. These are being promoted by the League of Women Voters; the price is \$2.00. The use of which should conserve approximately 30% water consumption.

The overflight being provided by NASA to conduct a color thermographic scan to indicate heat loss from buildings in Centerville will take place approximately February 1, 1978. It will be performed late at night or early in the morning on a very cold, crisp day.

Mr. Kenning reviewed for Council the removal of snow from January 8 to date. He complimented the Service and Safety Departments for their performance during this time.

Mayor Green brought attention to a safety problem: bicycles riding along streets, not properly reflected. Under present conditions bicycle riders have no where to ride except in the street which creates a serious hazard for motorists. Bicycle safety must be emphasized.

#### GREENBRIER COMMONS SECTION ONE-B

Mr. Reynolds reviewed the Planning Commission Meeting held January 10, 1978. He explained the Record Plan for Greenbrier Commons, Section One-B, a multi-family development on 4.8 acres of land, zoned Entrance Corridor, located north of Alexandersville-Bellbrook Road and west of Bigger Road. The Planning Commission recommended approval of this Record Plan. Mr. Stone moved that Council approve the Record Plan for Greenbrier Commons, Section One-B as presented. Mr. Siler seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### ROSE ESTATES SECTION 13

Mr. Reynolds reviewed the Record Plan for Rose Estates, Section 13 and located the subject property on a map, being a 9.76 acre tract of land situated along the west side of Sheehan Road between Spring Valley Road and Social Row Road. Proposed for development are 20 lots. Sidewalks will conform to sidewalk policy followed in adjacent Sections of Rose Estates. Mr. Kenning reviewed the City Engineer's recommendation for approval, subject to the receipt of a Subdividers Agreement, a Performance Bond in the amount of \$46,000.00 and an Inspection Fee of \$208.70. Mr. Stubbs expressed his desire for sidewalks on both sides of the streets in this Section. Discussion followed concerning the policy previously adopted for sidewalks throughout this Subdivision. Mr. Singer moved that Council approve the Record Plan for Rose Estates, Section 13, in accordance with the recommendation of the City Engineer. Mrs. Lake seconded the motion. Mr. Stubbs moved to amend the previous motion to include sidewalks on both sides of Shawnee Trail. Mr. Stone seconded the motion. A roll call vote resulted in four nays against the motion; Mr. Stubbs and Mr. Stone votes yes. A roll call vote on the main motion resulted in four ayes in favor of the motion; Mr. Stubbs and Mr. Stone voted no.

Mrs. Lake reviewed the possibility of a joint planning grant for the City of Centerville and Washington Township. She suggested that the City invite the Township to join in on a unified grant for planning assistance under 701 funds. Mrs. Lake moved that Council invite the Township Trustees to participate in the application for a joint planning grant for 701 funding. Mr. Stone seconded the motion. A roll call vote resulted in six ayes in favor of the motion. Mr. Duane Snyder, Washington Township Trustee, advised that the majority of the Trustees are in agreement with this joint endeavor.

Mr. Snyder outlined two problem areas which have been revealed during the snow emergency. He suggested that the entire Community require that manholes be placed behind curb lines wherever possible, thus eliminating

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some obstacles from streets for plows while removing snow.

Mr. Snyder also suggested that Developers be required to plow snow from streets which remain undedicated in new subdivisions, if this is not done then the Municipality be permitted to do so and deduct the costs from the Performance Bonds.

Mr. Dean Brandt, 196 Joy Elizabeth Drive and Chairman of the Citizens for Cooperative and Responsive Government Committee, expressed his satisfaction with the cooperation which is taking place between the City of Centerville and Washington Township.

#### RESOLUTION NUMBER 11-78 APPRECIATION

Mrs. Lake read and sponsored Resolution Number 11-78, A Resolution Of Appreciation to J. V. Stone as Deputy Mayor from January 3, 1974 to January 5, 1978, and moved that it be passed. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mr. Stone abstained.

#### RESOLUTION NUMBER 10-78 APPRECIATION

Mayor Green advised that Resolution Number 10-78 is a Resolution ratifying action taken by Council on the 9th day of January expressing appreciation to the Commissioners of the City of Dayton for their cooperative spirit concerning U.S. 35 west and I-675, east and west. Mayor Green read the Resolution. Mrs. Lake sponsored Resolution Number 10-78, A Resolution Of Appreciation And Support, 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 1-78 NATIONAL ELECTRICAL CODE 1978

Mr. Stubbs moved that Ordinance Number 1-78, An Ordinance Adopting The National Electrical Code 1978 Compiled And Published By The National Fire Protection Association Pursuant To Section 5.06 Of The Centerville Charter With The Exception Of That Portion Of Section 680-8 Of Article 680 Which Permits The Installation Of Utility Owned, Operated And Maintained Supply Lines Or Service Drops Above Swimming Pools, be set for Public Hearing on February 6, 1978. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### ORDINANCE NUMBER 3-78 PLANNING COMMISSION

Mr. Siler sponsored Ordinance Number 3-78, An Emergency Ordinance Appointing Dallas Horvath To The Centerville Planning Commission For The Unexpired Term Of Michael Thill, 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 4-78 PLANNING COMMISSION

Mrs. Siler moved that Ordinance Number 4-78, An Ordinance Appointing Dallas Horvath To The Centerville Planning Commission For The Unexpired Term Of Michael Thill, be set for Public Hearing on February 6, 1978. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

#### CONDLEWYCK SOUTH

Mr. Kenning reviewed the recommendation of the City Engineer that the Performance Bond posted on Candlewyck South for street construction be reduced from \$46,705.00 to \$9,500.00. Nearly all street improvements, except the sidewalks, are in place. The Bond posted on the sidewalks to remain unchanged. Mr. Singer moved that Council approve the reduction of the Performance Bond on Candlewyck South in accordance with the recommendation

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of the City Engineer. Mr. Siler seconded the motion. A roll call vote resulted in six ayes in favor of th e motion.

FRANKLIN EAST SECTION TWO

Mr. Kenning reviewed the recommendation of the City Engineer to reduce the Performance Bond posted on Franklin East, Section Two, from the original amount of \$76,500 to \$34,000; the \$30,000 Bond for the improvement of Clio Road to remain unchanged. A Letter of Credit had been posted instead of a Performance Bond. Mr. Farquhar explained the difference between a Letter of Credit and a Performance Bond. Mr. Stubbs moved that Council approve the reduction of the Performance Bond posted on Franklin East, Section Two to \$64,000 total, in accordance with the recommendation of the City Engineer. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 5-78 PERSONNEL

Mrs. Lake sponsored Ordinance Number 5-78, An Emergency Ordinance Authorizing Salary Payments And Overtime Payments For The Two Crisis Days The City Offices Were Closed Because Of The Snow Emergency, and moved that it be passed. Mr. Siler seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

ORDINANCE NUMBER 2-78 INCOME TAX

Mr. Singer moved that Ordinance Number 2-78, An Ordinance Amending Chapter 191 Of The Centerville Municipal Code To Provide For A One Quarter Of One Percent Tax On Income In Addition To The One Percent Tax On Income Currently Being Levied And Collected And Limiting The Credit Given For Tax Paid To Another Municipality, be set for Public Hearing on February 6, 1978. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Upon suggestion of Mr. Stubbs, Mayor Green called a Council Work Session Meeting for Saturday, February 4, 1978 to discuss the promotion of the 1/4% Income Tax Issue.

Mr. Singer briefed Council on the presentation he attended concerning Solid Waste Management given by the Mitre Corporation. He suggested that Centerville consider taking action to affect Montgomery County's decision concerning Resource Recovery. Mayor Green suggested that a Resolution of endorsement be prepared for this purpose, for consideration at the February 6 Council Meeting.

There being no further business, the Meeting was adjourned.

Approved: Victor A. Green  
Mayor

ATTEST:  
Marilyn M. Saugle  
Clerk of the Council