

Held February 6, 19 78

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, February 6, 1978 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend John Raikes from the Franklin Street Baptist Church 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 Leonard Stubbs

James Singer

J. V. Stone

Jeffrey Siler

Nora Lake

Clerk of Council Marilyn McLaughlin

City Manager Darryl Kenning

Assistant City Manager John Levermann

City Planner Garth Reynolds

City Engineer Karl Schab

Service Director Richard Bishop

Director of Parks and Recreation John Dunathan

Director of Finance William Bettcher

Chief of Police William Randolph

Municipal Attorney Robert Farquhar

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

Council Meeting - January 5, 1978.

Council Work Session Meetings - January 5, 1978.

- January 23, 1978.

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

Mayor Green reported on the Meeting he attended Friday, February 3, 1978 between the City of Dayton, Ohio Tax Institute, Representative Christman and the Tax Study Committee of the Montgomery County Mayors and Managers Association concerning the allocation of Local Government Funds. The Bill as proposed is a considerable improvement over present conditions; additional information will be forthcoming relative to the proposed Bill.

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

The Bigger Road/Alexandersville-Bellbrook Road intersection improvement project will go to bid this week. Construction will be completed mid summer. This project includes lane widening, additional signalization with vehicle actuation.

The Health Nurse Program has been revised to provide services once per month on the third Thursday from 1:00 to 4:00 P.M. in the Community Room. This change provides full screening services.

The Building Inspection Report for the month of January was briefly reviewed.

The Report of the Service Department for the month of January was also reviewed.

RED COACH WOODS

Mr. Reynolds reviewed the Planning Commission Meeting held January 31, 1978. The Planning Commission unanimously recommended approval of the Record Plan for Red Coach Woods, subject to the approval of the Fire Department. This Development is proposed to be located north of Valley Vista Way, south of Green Tree Road and west of the Penn-Central railroad tracks. It consists of 8 acres, zoned Washington Township R-4, minimum 20,000 square foot lots,

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15 lots proposed. The Developer proposes a deviation from the normal street pattern to save some very large trees: a boulevard type roadway with the trees in the median, then restricting the roadway to 20 feet instead of the required 28-feet in front of lot 14 and part of 15. The Planning Commission recommended approval of this Plan contingent upon approval of the Fire Department, which has not yet been received by the City of Centerville. Mr. Robert Booher, Developer, pointed out the fact that the strip of 20 foot roadway would be approximately 100 feet long, a 28 foot roadway provides for two traveled lanes and one parking lane, eliminated here would be the parking lane. Mr. Sweetman expressed concern with damage to trees during the construction process and the fact that these trees will be located in the dedicated right-of-way, he questioned whether this deviation would be in the best interest of the City of Centerville. Mr. Stubbs suggested and moved that this item be tabled until a recommendation is received from the Fire Department and an opinion can be obtained from a tree expert concerning damage to trees from construction. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion. Mr. Schab will obtain an opinion from a tree expert before the next Council Meeting. Mr. Reynolds will pursue the recommendation from the Fire Department.

CENTERVILLA SECTION TWO

Mr. Reynolds reviewed the request to vacate Centerville Plat, Section Two, a four lot development located along the west side of State Route 48, south of Spring Valley Road and north of the Elder-Beerman Store. The land is zoned B-3. The vacation would in no way affect the right of way for State Route 48 (which is 60 feet from centerline and conforms to Centerville's Thoroughfare Plan). The Planning Commission unanimously recommended approval of this request.

Mr. Abraham Bodenstein, representing the applicant, reviewed their request. The homes will be demolished, the land will be improved in conjunction with the Shopping Center as zoned.

Mr. Singer moved that Council approve the vacation of Centerville, Section Two, provided that the vacation shall in no way, vacate the existing right of way to the extent of 60 feet from the center of the roadway, it being understood that said vacation will, in effect, vacate a small triangle off the south east corner of the southern most lot. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mrs. Lake advised that she has been appointed to the Supervisory Council on Crime and Delinquency and did attend the all day Orientation Meeting held during the past week.

ORDINANCE NUMBER 2-78 INCOME TAX

The Public Hearing was held concerning Ordinance Number 2-78. Mr. Kenning reviewed the proposed Ordinance; it requires voter approval and would place the question before the electorate on April 11, 1978. The Ordinance proposes a 1/4% tax on income received by residents of Centerville. Mr. Kenning gave a brief outline of changes in the City's tax laws since 1970. He reviewed sources of revenue for the City of Centerville and compared services rendered to residents today vs. 1970, with little increase in number of personnel.

Upon question of Mrs. Donald Woods, 9095 Heather Lane, Mayor Green explained the provision in the proposed Ordinance which limits the credit given for tax paid to another municipality: all residents will pay a small portion of Income Tax to the City of Centerville.

Mr. Daniel Carfagno, 1450 Peck Lane, questioned why Centerville receives less property tax dollars today than before while the cost of property continues to rise. Mr. Kenning reviewed Centerville's decline in property taxation since 1970.

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Mayor Green outlined costs experienced by the Service Department during the past winters and expenses incurred this year during the snow emergency; the greatest portion of this additional tax money will defray street repair and maintenance expenses.

Mayor Green listed items which will be deleted from the 1978 Budget if this tax issue fails, totaling \$124,000.00.

Upon question of Mr. Carfagno, Mr. Kenning listed other ways reviewed by Council to obtain additional revenue, the tax credit limitation was chosen so that everyone will pay a small portion, not a few paying a large portion. Some Cities in northern Ohio have chosen this same process.

Mrs. Christine Snyder, 7897 Raintree Road, offered several general questions concerning the cost of a special election, the need for a special election, the effective date of the tax and how the tax will be collected. Her questions were answered by Mayor Green and Mr. Kenning.

Mr. Art Madden, 131 South Village Drive, wondered whether services will improve and/or be returned, if the tax issue passes. Mayor Green explained how the City of Centerville tries to offer services which are equal or better than other Municipalities. He explained why house line waste collection was changed to curb line and how residents, for adequate reason, can be exempt from the curb line service.

Mr. Clyde Conn, 196 Blackstone Drive, suggested that monies be used in a different manner than they are presently being used, he does not believe monies are being used to their best advantage. Mayor Green invited Mr. Conn to spend some time at the City Building or attend Budget Meetings to become familiar with the City's expenditure of funds.

Mrs. Lake sponsored 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, 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 6-78 ZONING ORDINANCE AMENDMENT REZONING

The Public Hearing was held concerning Ordinance Number 6-78. Mr. Reynolds reviewed the Rezoning Request filed by Trans America Realty, Inc. to rezone approximately .54 acres of land, from Centerville R-1 classification to Centerville Architectural Preservation classification. The property being located on the north side of West Franklin Street, approximately 315 feet east of Hampton Road. The Planning Commission unanimously recommended approval of this Rezoning subject to the owner working with the City Engineer to solve the drainage problems at the rear of the property and subject to relocation of the curb cut on Franklin Street to the westernmost property line.

Mr. Gerry Philhower, representing Trans America Realty, Inc., reviewed their Request. The property will be use for office purposes, conditions of the Planning Commission will be met.

Mr. Stone sponsored Ordinance Number 6-78, An Ordinance Amending Ordinance Number 15 Dated December 11, 1961, The Zoning Ordinance, By Re-Zoning .54 Acres, More Or Less, From Centerville R-1 Classification To Centerville Architectural Preservation Classification, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

WALNUT HILLS

The Public Hearing was held concerning the Conditional Use Request for Walnut Hills, to provide for a Residential Development Plan in a R-1 zoned district. Mr. Reynolds reviewed this Request and located the property on a map; being situated at the Montgomery County, Greene County Line, south of

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Centerville Station Road and west of Wilmington Pike. The Preliminary Plan includes 33.37 acres of land, 65 lots including a park lot, with an overall density of 19,580 square feet per lot. The lots range from approximately 6,500 to 30,000 square feet. The Plan includes a 50 foot right of way surface street. Access to the property is from Greene County. In order to provide services, Centerville will reach the development from Greene County.

Mr. Al Wahby, from PEP and representing the Developer, explained their Request. Upon question of Mrs. Lake, Mr. Wahby outlined the park plans in the area; the park land is proposed to be an open space natural park area, deeded to the Centerville-Washington Park District it would become a part of the overall park system in this area. Access to this park land would be through the Centerville Forest East Park, except for those residents adjacent to the park.

Mr. Richard Pavlak, Developer, advised that the Park District has been in contact with him encouraging the dedication of the proposed park area as park land for several years. Mrs. Lake offered her concern with public access to this public park. The Planning Commission unanimously recommended approval of this Preliminary Plan. Mr. Stone moved that Council approve the Conditional Use Request for Walnut Hills and that a Zoning Certificate be issued. Mr. Stubbs seconded the motion. A roll call vote resulted in five ayes in favor of the motion; Mr. Sweetman and Mr. Singer voted no.

ORDINANCE NUMBER 1-78 NATIONAL ELECTRICAL CODE

The Public Hearing was held concerning Ordinance Number 1-78. Mr. Sweetman cautioned residents of the danger existing with utility wires being located above and around swimming pools. Mr. Singer sponsored 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, 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 4-78 PLANNING COMMISSION

The Public Hearing was held concerning Ordinance Number 4-78. Mr. Stubbs sponsored Ordinance Number 4-78, An 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 seven ayes in favor of the motion.

RESOLUTION NUMBER 12-78 INCOME TAX

Mr. Sweetman sponsored Resolution Number 12-78, A Resolution Specifying April 11, 1978 As The Date For Submitting To The Electors Of The City Of Centerville (Montgomery County) Ohio For Their Approval The Levying Of An Additional Tax On Income At The Rate Of One Quarter Of One Percent In Addition To The One Percent Currently Being Levied And Collected; Limiting The Tax Credit Granted For Municipal Income Taxes Paid To Other Municipalities By Residents Of Centerville, Ohio; And Directing The Board Of Elections Of Montgomery County To Conduct The Election, and moved that it be passed. Mr. Stone seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 13-78 RESOURCE RECOVERY

Mayor Green read Resolution Number 13-78, a Resolution endorsing a waste disposal resource recovery system for the region. Mr. Sweetman sponsored Resolution Number 13-78, A Resolution Endorsing Waste Disposal Resource Recovery, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

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RESOLUTION NUMBER 14-78 POLICE VEHICLES

Mr. Kenning reviewed the following bids received for the purchase of five vehicles for use in the Police Department:

Tilton-Schmid, Inc.		A. \$5,635.76 each
	Alternate	A. 5,362.39 each
		B. 4,803.73 each
	Alternate	B. 4,957.36 each
		C. 1,400.00 total
Salem Chrysler-Plymouth		A. 5,416.99 each
		B. 5,078.78 each
		C. 2,485.00 total
Borchers Ford	Alternate	A. 5,305.00 each
		C. 2,100.00 total
Stengers Ford		A. 5,858.52 each
		B. 5,260.35 each
		C. 2,600.00 total
Voss Chevrolet		A. 6,038.13 each
		B. 4,816.88 each
		C. 1,500.00 total

A - Marked police vehicles

B - Unmarked police vehicles

C - Trade-in - 5 vehicles

Mr. Kenning recommended that Council accept the bid of Borchers Ford for three LTD II at a net cost of \$14,415.00 and to accept the bid of Voss Chevrolet for two Novas at a net cost of \$9,233.76. The total cost is within the amount budgeted. Mr. Stone sponsored Resolution Number 14-78, A Resolution Accepting The Bid Of Borchers Ford To Supply Three Ford LTD II Police Vehicles 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.

RESOLUTION NUMBER 15-78 POLICE VEHICLES

Mr. Sweetman sponsored Resolution Number 15-78, A Resolution Accepting The Bid Of Voss Chevrolet, Inc. To Supply Two Police Vehicles 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.

RESOLUTION NUMBER 16-78 STAFF VEHICLES

Mr. Kenning reviewed the following bids received for the purchase of four vehicles to be used by the City Staff:

T.D. & P.A. Peffley, Inc.		A. \$4,705.00 each
		B. 4,025.00 each
Tilton-Schmid, Inc.		A. 4,712.25 each
		B. 4,030.26 each
Eastgate Ford		A. 4,738.00 each
		B. 3,890.00 each
	Alternate	A. 4,852.00 each
		B. 3,953.00 each
Borchers Ford, Inc.		A. 4,749.00 each
		B. 3,955.00 each
Salem Chrysler-Plymouth		A. 4,765.33 each
		B. 4,564.21 each
Frank Z. Chevrolet		A. 4,796.04 each*
		B. 3,570.18 each*

A - Station Wagons

B - Compacts

* - Exception to bid specifications

OPTIONAL FORM NO. 1034

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Mr. Kenning recommended that Council accept the bid of Eastgate Ford, Inc. for the purchase of two 1978 Pinto's at a cost of \$7,180.00 and the bid of Tilton-Schmid, Inc. for two station wagons at a cost of \$9,424.50. The total cost of the bids are within the budget. Tilton-Schmid, Inc. was recommended over Peffley Ford based upon the location of their Dealerships. Mr. Sweetman sponsored Resolution Number 16-78, A Resolution Accepting The Bid Of Eastgate Ford, Inc. To Supply Two 1978 Pinto Runabouts 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. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

RESOLUTION NUMBER 17-78 STAFF VEHICLES

Mr. Stubbs sponsored Resolution Number 17-78, A Resolution Accepting The Bid Of Tilton-Schmid, Inc. To Supply Two 1978 Station Wagons 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. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 7-78 STREET NAME CHANGE

Mayor Green advised that a request had been received from property owners to change Stanford Court to Sunnyglen Circle in Black Oak Estates Five, Section Four. This change has been requested due to the fact that there is a similar sounding street in the Washington Township area, namely Stamford Place. Mr. Stone moved that Ordinance Number 7-78, An Ordinance Changing The Name Of Stanford Court To Sunnyglen Circle, be set for Public Hearing on February 20, 1978. Mr. Sweetman 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: Victor A. Green
Mayor of the City of Centerville, Ohio

ATTEST:

Marilyn J. Saughlin
Clerk of the Council