

Held February 20, 19 78

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, February 20, 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 Kenneth Liu from the Centerville Community 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 Jeffrey Siler
Leonard Stubbs
James Singer
Nora Lake

Clerk of Council Marilyn McLaughlin

City Manager Darryl Kenning

Assistant City Manager John Levermann

Service Director Richard Bishop

City Engineer Karl Schab

Director of Parks and Recreation John Dunathan

Director of Finance William Bettcher

Chief of Police William Randolph

Municipal Attorney Robert Farquhar

City Planner Garth Reynolds

Mayor Green advised that Councilman J. V. Stone had a previous business commitment, thus his absence at this Meeting. Mr. Sweetman moved that Councilman Stone be excused from this Meeting. Mr. Singer 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 Meetings - January 30, 1978.

- February 6, 1978.

Council Work Session Meetings - January 30, 1978.

- February 4, 1978.

- February 6, 1978.

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

Mrs. McLaughlin announced the receipt of a letter of resignation from Youth Board Member Janis West.

Mrs. McLaughlin advised that a Notice of Intent to Appeal a decision rendered by the Board of Architectural Review during their Meeting on February 7, 1978 had been filed by Dybvig and Heinz Realtors concerning the erection of a Taco Bell Restaurant at 172-174 South Main Street.

Mayor Green related to the following two valentines received during the past week:

Amy Berry, Centerville East Neighborhood Girl Scouts, Troop 320, prettiest valentine.

Leslie Anne DeLaup, 320 Goldengate Drive, Troop 739, most beautiful valentine.

Mr. Preston Dawes, Director of Youth Counseling Services of South Montgomery County, reviewed their quarterly report for October-December, 1977 and Third Year Summary of Objectives. Marianne DaSilva, Staff Counselor, explained a Youth Services Directory which is being distributed throughout the southern Communities. Upon question of Mr. Singer, Mr. Dawes explained

DARTON LEGAL BLANK CO. 10111

Held

February 20, 1978 continued

19

"Cases Dropped by Counselor" listed under "Service Outcome" in the quarterly report.

Mayor Green issued a Proclamation designating March 5 - 11, 1978 as National Nutrition Week in Centerville.

Mr. Kenning reported the following during his City Manager's Report: Cable TV Council has arranged, through a grant from the Ohio Cities Consortium, for a Risk Management Seminar to be held April 28 and 29, 1978, these sessions have been designed for elected officials and key appointed officials to familiarize them with Risk Management and some concepts.

He reviewed the Meeting he attended of the New Technologies Committee of the Ohio Municipal League in Columbus, Friday, February 17, 1978.

Mr. Kenning reviewed the monthly activity report of the Police Department for the month of January, 1978.

The Cable TV Council has advertised for bids for joint health insurance. Bid opening scheduled for March 16, 1978.

The Application has been filed by the City of Centerville for a joint planning grant between the City and the Township through 701 Funds.

The Centerville Lyons Club has offered to donate the cost of materials for an eleven station fitness trail at the Benjamin Archer Park. The trail should be in operation at the time of the Centerville Ox Roast.

Mr. Sweetman reported on the Meeting he attended February 13, 1978 concerning the construction of I-675. There is some confusion as to what percentage of right of way has been acquired for the roadway. Mr. Sweetman requested that the City Manager write to Mr. Bill Brayshaw, District Deputy Director, District Eight, Ohio Department of Transportation to obtain accurate figures concerning the acquisition of right of way. The holdup today is the result of the review of the Environmental Impact Study. The roadway should be completed by the fall of 1982 according to ODOT.

Mr. Sweetman reviewed the Meeting he attended of the Cable TV Council during the past week. Continental Cablevision of Miami Valley, Inc. will be asking for another delay due to the weather. A formal request will be forthcoming.

Police Chief Randolph reviewed the Tactical Crime Suppression Unit being developed through Cable TV Council.

ORDINANCE NUMBER 7-78 STREET NAME CHANGE

The Public Hearing was held concerning Ordinance Number 7-78. Mayor Green advised that a letter had been received from the Ralph L. Woolpert Company requesting that the Petition to change Stanford Court to Sunnyglen Circle, be withdrawn. A new petition will be forthcoming signed by all potential property owners involved. Mr. Stubbs moved that Ordinance Number 7-78, An Ordinance Changing The Name Of Stanford Court To Sunnyglen Circle, be tabled. Mr. Singer seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

RED COACH WOODS

The Record Plan for Red Coach Woods was reviewed by Council. In accordance with Council's request, a letter from Countryside Nursery and Landscaping Inc., was received and reviewed, several recommendations were made to aid in the preservation of large trees located in the proposed development. Mr. Sweetman questioned how the developer could prevent heavy equipment or trucks from coming closer than 12 feet to the trees, which will be located in the right of way, during the construction process.

Held February 20, 1978 continued

19

Mr. Robert Booher, Developer, indicated that he could abide by all recommendations included in the letter, except for the one dealing with the heavy equipment and trucks. He would agree to stay away from the trees as far as possible, but would find the 12 foot requirement difficult. Mayor Green suggested that the City receive a commitment from the Developer that in the event the large trees die, within a reasonable length of time, the median will be landscaped in an attractive manner.

Councilman Leonard Stubbs left the Meeting at this time.

Mr. Sweetman suggested that the Developer work with the City Beautiful Commission and provide other plantings and smaller trees in the median to accompany the larger trees. Upon request of the Fire Department, the 20 foot roadway has been deleted from the plan; indicated on the construction drawings is a 28 foot back to back of curb roadway. Mr. Booher agreed to follow the recommendations offered by Countryside as much as possible, to replace trees which die within a two year period and to erect a barrier or fence around the trees during construction. Mr. Singer moved that Council approve the Record Plan for Red Coach Woods as presented, subject to the receipt of a Performance Bond in the amount of \$50,000.00, a Subdividers Agreement and an Inspection Fee of \$142.60. Mr. Siler seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 8-78 PLANNING COMMISSION

Mr. Siler Sponsored Ordinance Number 8-78, An Emergency Ordinance Appointing Francis Cash To The Centerville Planning Commission For The Unexpired Term Of Jeffrey Siler, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 9-78 PLANNING COMMISSION

Mr. Siler moved that Ordinance Number 9-78, An Ordinance Appointing Francis Cash To The Centerville Planning Commission For The Unexpired Term Of Jeffrey Siler, be set for Public Hearing on March 6, 1978. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 18-78 TACTICAL CRIME SUPPRESSION UNIT

Mrs. Lake sponsored Resolution Number 18-78, A Resolution Permitting The City Manager To Execute An Agreement To Join With The Cities Of Kettering, Miamisburg, Moraine, Oakwood And West Carrollton In A Tactical Crime Suppression Unit, and moved that it be passed. Mr. Singer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 19-78 RELEASE DEED RESTRICTIONS

Mr. Farquhar explained the need for Resolution Number 19-78. The property in question is located at the intersection of Black Oak Drive and Clio Road. When the property was zoned B-2, Deed Restrictions were placed upon the land; with the recent rezoning of the same land to R-4 zone classification, it is necessary to remove the Deed Restrictions as they limited the property to B-1 Uses which are now not permitted according to zoning. Mrs. Lake sponsored Resolution Number 19-78, A Resolution Releasing Deed Restrictions Contained In A Quit-Claim Deed From William A. Rogers, Jr., Trustee, To Black Oak Development Company Dated October 13, 1971 And Recorded In The Office Of The Recorder Of Montgomery County, Ohio On November 5, 1971 At Microfiche 71537D03, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

RESOLUTION NUMBER 20-78 BIGGER ROAD

Held February 20, 1978 continued 19

Mr. Singer sponsored Resolution Number 20-78, A Resolution Authorizing And Directing The City Manager To Enter Into An Agreement With The City Of Kettering For The Improvement Of Bigger Road Within The City Of Kettering Whereby The City Of Centerville Is To Act As Fiscal Agent For The Project, and moved that it be passed. Mr. Siler seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 10-78 CITY BEAUTIFUL COMMISSION

Mrs. Lake moved that Ordinance Number 10-78, An Ordinance Appointing P. Walter Smucker To The City Beautiful Commission Of The City Of Centerville, Ohio, To Fill The Unexpired Term Of Carol M. Farquhar, be set for Public Hearing on March 6, 1978. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 11-78 CITY BEAUTIFUL COMMISSION

Mr. Singer moved that Ordinance Number 11-78, An Ordinance Appointing John P. Cornell To The City Beautiful Commission Of The City Of Centerville, Ohio, To Fill The Unexpired Term Of Susan A. Sievert, be set for Public Hearing on March 6, 1978. Mr. Sweetman seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 12-78 ARTS COMMISSION

Mr. Sweetman moved that Ordinance Number 12-78, An Ordinance Appointing Patricia M. Reppert To The Arts Commission Of The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on March 6, 1978. Mr. Siler seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

ORDINANCE NUMBER 13-78 BOARD OF ARCHITECTURAL REVIEW

Mr. Sweetman moved that Ordinance Number 13-78, An Ordinance Appointing Loren Gannon To The Board Of Architectural Review For The City Of Centerville, Ohio, And Establishing A Term Of Office On Said Board, be set for Public Hearing on March 6, 1978. Mr. Singer seconded the motion. A roll call vote resulted in five ayes in favor of the motion.

Councilman Leonard Stubbs returned to the Meeting at this time.

ORDINANCE NUMBER 14-78 BOARD OF ARCHITECTURAL REVIEW

Mr. Siler moved that Ordinance Number 14-78, An Ordinance Appointing Shirley McGowan To The Board Of Architectural Review For The City Of Centerville, Ohio, And Establishing A Term Of Office On Said Board, be set for Public Hearing on March 6, 1978. Mrs. Lake seconded the motion. A roll call vote resulted in six ayes in favor of the motion.

Upon question of Mr. Stubbs, Mr. Kenning reviewed what steps have been taken in Municipal facilities to conserve energy. Power levels have been reduced as low as possible.

There being no further business, the Meeting was adjourned.

Approved: 

Mayor of the City of Centerville

ATTEST:


Clerk of the Council