

DAYTON LEGAL BLANK CO. 10134

Held April 17, 1978

The Council of the City of Centerville, County of Montgomery, State of Ohio, met in Regular Session on Monday, April 17, 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:

Deputy Mayor Russell Sweetman
 Councilmembers J. V. Stone
 Jeffrey Siler
 James Singer
 Nora Lake
 Leonard Stubbs
 Clerk of Council Marilyn McLaughlin
 City Manager Darryl Kenning
 Director of Finance William Bettcher
 Chief of Police William Randolph
 Municipal Attorney Robert Farquhar
 Director of Parks and Recreation John Dunathan
 City Engineer Karl Schab
 Service Director Richard Bishop
 City Planner Garth Reynolds

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

Council Meeting - April 3, 1978.
 Council Work Session Meetings - April 3, 1978.
 - April 10, 1978.

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

The Oath of Office was administered to the following Commission Members by Mayor Green: Patricia Reppert, Arts Commission; Walter Smucker, City Beautiful Commission; and, John Cornell, City Beautiful Commission.

Mrs. McLaughlin announced the receipt of a letter of resignation from City Beautiful Commission Member Dennis Christen. Mr. Christen is moving from the City of Centerville.

Mrs. McLaughlin advised that a Notice has been received from the Ohio Department of Liquor Control of an Application for a D5 Permit for Norman Hyams, 2 Loop Road in Centerville.

Mr. Stubbs pointed out the fact that Planning Commission Member Roland McSherry has withdrawn his resignation from the Commission.

Mayor Green read and issued a Proclamation designating April as Fair Housing Month in Centerville.

Mayor Green brought attention to problems being experienced by Montgomery County and the Human Society concerning operational costs of the animal shelter. He believes that the decline in revenue is a result of the change in method of acquiring a dog license. He suggested that the purchase of dog licenses be reinstated in suburban municipalities.

Mr. Kenning reported the following during his City Manager's Report:
 A Lease Agreement has been executed with the Miami Valley Disaster Services for office space at the South Suburban Annex building.

Held April 17, 1978 continued 19

Mr. Kenning congratulated Garth Reynolds, he has completed all requirements for his Masters Degree in Geography from the University of Toledo.

The City has received notice that Centerville's application for reimbursement for 75% of monies expended for outside contractual snow removal during the 1978 blizzard has been approved; this amounts to \$4,347.00.

Mr. Kenning briefly reviewed the Activity Report of the Police Department for the month of March, 1978.

A status report was given concerning the various road improvement projects throughout the City.

CENTERVILLE PLACE

Mr. Elmer Tate, Chairman for the Planning Commission, reviewed their Meeting held April 11, 1978. Plans for the Centerville Place Shopping Center proposed by the Beerman Realty Company, were reviewed and approved by the Commission; all aspects were considered. There remains one obstacle which cannot be rectified by these Developers, that being the drainage of water from the property located across State Route 48 from this project. Mr. Sweetman moved that the Conditional Use submitted for the Centerville Place Shopping Center be set for Public Hearing on June 5, 1978. Mrs. Lake seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

Mr. Sweetman, Chairman of the Council Finance Committee announced a Meeting scheduled for Tuesday, April 18, 1978 to discuss budget cuts as a result of the defeat of the 1/4 of 1% Income Tax Issue. Mr. Gary Mullen, Youth Center Director, brought attention to students in the audience, present in support of the continuation of the Youth Center.

ORDINANCE NUMBER 21-78 YOUTH BOARD

The Public Hearing was held concerning Ordinance Number 21-78. Mr. Siler sponsored Ordinance Number 21-78, An Ordinance Appointing Christine Thompson To The Youth Board Of The City Of Centerville, Ohio, And Establishing A Term Of Office, and moved that it be passed. Mr. Sweetman seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

TACO BELL

The Appeal filed by Jack Heinz in behalf of a Taco Bell Restaurant on South Main Street was reviewed by Council.

Mr. Howard Kreider, 44 Benzell Drive, wondered how a Taco Bell Restaurant could be situated in the Architectural Preservation District, knowing the intent of the AP Ordinance when it was written several years previous.

Mr. Michael Merna, 104 Tuxworth Road, offered a few considerations concerning this proposed Taco Bell: the style of fast food operation contributes to a litter problem, the style of cooking offers the smell of fryers outside the building. Mayor Green pointed out the fact that the use is permitted in accordance with the Zoning Ordinance, the architecture is the consideration at this time.

Mrs. Lake moved that Council support the decision of the Board of Architectural Review to deny the erection of a Taco Bell Restaurant on the east side of South Main Street across from Peach Grove Avenue. Mr. Stone seconded the motion. Upon question of Mr. Sweetman, Mr. Farquhar advised that the Board of Architectural Review has the authority to deny this application based upon the architecture of the building. A roll call vote resulted in seven ayes in favor of the motion.

BLACK OAK FOREST

Mr. Kenning reviewed Southwestern Reserve Company's request for release of the Performance Bonds posted on Black Oak Forest, Section One and Section Two to secure the payment of the developer's share of the cost to improve

DAYTON LEGAL BLANK CO. 10144

Held April 17, 1978 continued 19

Clyo Road. In accordance with the Subdividers Agreement for these Sections, the Performance Bond is replaced with money in escrow after the termination of one year. Release of these Bonds does not constitute the acceptance of public improvements in Black Oak Forest. Mr. Sweetman moved that the Performance Bonds posted on Black Oak Forest, Section One and Section Two to secure the payment of developer's share of the cost to improve Clyo Road, that portion included in the Sections, be released. Mr. Singer seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

WELLINGTON PARK

Mr. Reynolds reviewed the Preliminary Plan for Wellington Park, a proposed development to be situated north of Alexandersville-Bellbrook Road, east of Loop Road and south of the proposed right of way for I-675. Involved in the development is 63.345 acres of land zoned Entrance Corridor and Light Industrial. The Planning Commission unanimously approved this Preliminary Plan on January 31, 1978 but agreed not to forward it to Council until the property owner to the west had been contacted concerning an access easement onto Loop Road from Wellington Park. The property owner (Edward J. DeBartolo Corporation) recognized their commitment to grant one fifty foot access easement to Loop Road from Wellington Park; the access easement to be limited to fifty feet and the costs of building the tie-in to Loop Road to be paid completely by the developer. Freeway Drive has been designed to stub into the Penn Central Railroad Tracks so that sometime in the future the tracks can be crossed and Freeway Drive will continue into the development to the east. The Plan incorporates the proper amount of right of way along Alexandersville-Bellbrook Road to be dedicated to the City of Centerville. Mr. Schab recommended that Freeway Drive be cul-de-saced the same as is proposed for Overview Drive to provide for a turn-around until the tracks are crossed. Mr. Robert Archdeacon, from the Ralph L. Woolpert Company and representing Inland Systems, Mr. Miller and Mr. Beekman, agreed with the cul-de-sac configuration at the end of Freeway Drive. The street layout on this Preliminary Plan will eventually provide an access to Clyo Road. Mr. Schab recommended that the cul-de-sacs be increased to 55 feet of right-of-way, 50 feet of payment to provide adequate turn-around for trucks. Mr. Stubbs moved that the Preliminary Plan for Wellington Park be approved including a turn-around at the end of Freeway Drive and that the cul-de-sacs be increased to 55 feet of right-of-way, 50 feet of payment. Mr. Sweetman seconded the motion. A roll call vote resulted in six ayes in favor of the motion; Mayor Green abstained.

ORDINANCE NUMBER 22-78 ARTS COMMISSION

Mr. Sweetman moved that Ordinance Number 22-78, An Ordinance Appointing Lura I. McEvoy To The Arts Commission Of The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on May 1, 1978. Mr. Stubbs seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 23-78 PERSONNEL APPEALS BOARD

Mr. Singer moved that Ordinance Number 23-78, An Ordinance Appointing Kenneth F. Dubis To The Personnel Appeals Board For The City Of Centerville, Ohio, And Establishing A Term Of Office, be set for Public Hearing on May 1, 1978. Mr. Siler seconded the motion. A roll call vote resulted in seven ayes in favor of the motion.

ORDINANCE NUMBER 24-78 PERSONNEL APPEALS BOARD

Mr. Sweetman moved that Ordinance Number 24-78, An Ordinance Appointing Lester R. Stauske To The Personnel Appeals Board For The City Of Centerville, Ohio, For The Unexpired Term Of David S. Tooker, be set for Public Hearing on May 1, 1978. Mr. Stubbs seconded the motion. A roll call vote resulted

Held April 17, 1978 continued 19

in seven ayes in favor of the motion.

RESOLUTION NUMBER 31-78 UNIFORMS

Mr. Kenning reviewed the following bids received for the purchase of uniforms for various departments:

Mechanic's Uniform Rental	
Shirts, pants and jackets	\$4.80 per man, per week
Dress slacks	3.40 per man, per week
Alternate - coveralls	3.30 per man, per week
Multi-Service Uniform Company	
Shirts, pants and jackets	\$4.60 per man, per week
Dress slacks	4.50 per man, per week
Alternate - coveralls	3.20 per man, per week
Arrow Overall Supply Company	
Shirts, pants and jackets	\$3.95 per man, per week
Dress slacks	3.50 per man, per week

Mr. Kenning recommended that Council accept the Bid submitted by Arrow Overall Supply Company, funds have been budgeted in various accounts. Mr. Singer moved that Council accept the recommendation of the City Manager, he sponsored Resolution Number 31-78, A Resolution Accepting The Bid Of Arrow Overall Supply Company To Supply Uniforms For The Service Department 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.

RESOLUTION NUMBER 32-78 LEASE AGREEMENT

Mr. Kenning reviewed an Agreement for Miami Valley Disaster Services to rent space from the City of Centerville in the South Suburban Annex Building at a rate of \$500.00 per month for a one year period beginning June, 1978, automatically renewable for additional one year periods. Mr. Stone sponsored Resolution Number 32-78, A Resolution Authorizing And Directing The City Manager To Enter Into A Contract With Miami Valley Disaster Services For The Rental Of Space From 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.

Reverend James Paget from the St. George's Episcopal Church closed the Meeting in prayer.

Approved: Victor A. Ghee

Mayor

ATTEST:

Maile D. Saugher
Clerk of Council